

**BILL 3 – 2020**

**FINANCE STATUTES AMENDMENT ACT, 2020**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

*Budget Transparency and Accountability Act*

**1** *Section 6 of the Budget Transparency and Accountability Act, S.B.C. 2000, c. 23, is amended*

*(a) in subsection (2) by adding “,” after “Legislative Assembly”,*

*(b) by repealing subsection (2) (a) and substituting the following:*

*(a) subject to a later date determined under paragraph (b), on or before April 30 in that immediately following fiscal year, or ,*

*(c) in subsections (2) (b) and (3) (b) by striking out “120 days” and substituting “150 days”, and*

*(d) by repealing subsection (3) (a) and substituting the following:*

*(a) April 30 in that immediately following fiscal year, and .*

**2** *Section 10 is amended*

*(a) in subsection (4) (a) by striking out “30 days” and substituting “60 days”,*

*(b) in subsection (4) (b) by adding “or before the presentation of” before “those main estimates”, and*

*(c) by adding the following subsection:*

*(6) If 2 consecutive quarterly reports are not required to be made public under subsections (4) and (5), the minister must make public a report that provides a fiscal update in respect of the fiscal year within 90 days after the designated date following the general election.*

*Financial Administration Act*

**3 Section 24 of the *Financial Administration Act, R.S.B.C. 1996, c. 138, is amended***

**(a) in subsection (2) (a) by striking out “120 days” and substituting “150 days”, and**

**(b) by repealing subsection (3.1) and substituting the following:**

(3.1) If the main estimates for a fiscal year are to be presented to the Legislative Assembly on or before a date established under section 6 (2) or (3) of the *Budget Transparency and Accountability Act* and a Supply Act has not been enacted for that fiscal year, on or after March 22 preceding that fiscal year the Lieutenant Governor in Council may, on the recommendation of Treasury Board, order a special warrant to be prepared for the signature of the Lieutenant Governor authorizing payment of one or both of the following in that fiscal year:

(a) the payment of an amount the Lieutenant Governor in Council considers necessary out of the consolidated revenue fund towards defraying the charges and expenses of the public service of British Columbia, which amount may not exceed the portion determined by the following formula of the total amount of the votes of the main estimates presented to the Legislative Assembly for the previous fiscal year:

$$\text{portion} = \frac{x}{24} + \frac{1}{24}$$

where

x = the number determined by

- (i) dividing the number of days in the fiscal year from the beginning of the fiscal year to the latest date on which the main estimates for the fiscal year are to be presented under section 6 (2) or (3) of the *Budget Transparency and Accountability Act* by 365,
  - (ii) multiplying the quotient obtained under subparagraph (i) by 24, and
  - (iii) rounding the product obtained under subparagraph (ii) to the nearest whole number;
- (b) the payment of an amount the Lieutenant Governor in Council considers necessary out of the consolidated revenue fund towards capital expenditures and disbursements for loans, investments and other requirements, which amount may not exceed 1/3 of the total of the voted amounts for capital expenditures and disbursements referred to in the Schedules of the main estimates presented to the Legislative Assembly for the previous fiscal year.

*Home Owner Grant Act*

**4** *The Home Owner Grant Act, R.S.B.C. 1996, c. 194, is amended by adding the following sections:*

**Application for grant for 2020 or 2021**

- 20** (1) Despite sections 8 to 10, an application for a grant for the 2020 or 2021 tax year
- (a) may be made only within the applicable period set out in subsection (2),
  - (b) must be given to the grant administrator in the manner required by the grant administrator,
  - (c) must be in the form approved by the grant administrator,
  - (d) must be accompanied by any information and records required by the regulations, and
  - (e) may be approved or disapproved by the grant administrator only in accordance with the regulations.
- (2) An application for a grant referred to in subsection (1) may be made only as follows:
- (a) if the grant is claimed for the 2020 tax year, after the prescribed date and before January 1, 2022;
  - (b) if the grant is claimed for the 2021 tax year, subject to paragraph (c), after the prescribed date and before January 1, 2023;
  - (c) if the person claiming the grant for the 2021 tax year is entitled to the grant under section 3, 4 or 5, after the person receives the real property tax notice for 2021.
- (3) Despite section 18.2 (1), the grant administrator may approve forms for the purposes of an application for a grant referred to in subsection (1) and the forms may be different for different persons, places, things or circumstances.

**Approval of grant for 2020 or 2021**

- 21** (1) If, in accordance with the regulations, the grant administrator approves an application for a grant in respect of a property, the amount of the grant approved must be applied, or a payment made, or both, as required by the regulations.
- (2) If, under subsection (1), the minister must make a payment, the payment may be made out of the consolidated revenue fund.

**Regulations in relation to sections 20 and 21**

- 22** (1) Without limiting section 18 (1) or (2), the Lieutenant Governor in Council may make regulations for the purposes of sections 20 and 21 as follows:
- (a) respecting applications for grants and the information, authorizations and verifications that must be supplied in support of an application;
  - (b) respecting the approval or disapproval of applications for grants;
  - (c) respecting reports in relation to grants approved by the grant administrator and in relation to real property taxes;
  - (d) respecting the application or payment of, or other dealings with, grants or amounts equivalent to grants;
  - (e) respecting any other matter for which regulations are contemplated by section 20 or 21.
- (2) In making regulations under subsection (1), the Lieutenant Governor in Council may do one or more of the following:
- (a) delegate a matter to the grant administrator;
  - (b) confer a discretion on the grant administrator;
  - (c) make different regulations for different persons, places, things or circumstances.
- (3) If made before December 31 in any year, regulations under subsection (1) may be made retroactive to January 1 of that year, and if made retroactive are deemed to have come into force on that date.

**Commencement**

- 5** The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 <b>Provisions of Act</b>	Column 2 <b>Commencement</b>
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Section 4	By regulation of the Lieutenant Governor in Council