

---

---

Fifth Session, Forty-second Parliament  
2 Charles III, 2024  
Legislative Assembly of British Columbia

---

---

**BILL 17**

**POLICE AMENDMENT ACT, 2024**

---

---

Honourable Mike Farnworth  
Minister of Public Safety and Solicitor General and Deputy Premier

---

---

## Explanatory Notes

CLAUSE 1: *[Police Act, section 1]* is consequential to the definitions of “designated law enforcement board” and “designated policing board” and to the repeal by this Bill of sections 4.1, 4.2, 18.1 and 18.2 of the Act.

CLAUSE 2: *[Police Act, section 1]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 3: *[Police Act, section 1]* adds definitions of “designated law enforcement board” and “designated policing board” and is consequential to the repeal by this Bill of sections 4.1, 4.2, 18.1 and 18.2 of the Act.

**BILL 17 – 2024**

**POLICE AMENDMENT ACT, 2024**

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

**PART 1 – POLICE ACT AMENDMENTS**

**1 Section 1 of the Police Act, R.S.B.C. 1996, c. 367, is amended**

**(a) in paragraph (b) of the definition of “board” by striking out “the designated board established for that designated policing unit” and substituting “the designated policing board”,**

**(b) in paragraph (c) of the definition of “board” by striking out “the designated board established for that designated law enforcement unit” and substituting “the designated law enforcement board”, and**

**(c) by repealing the definition of “chief officer” and substituting the following:**

**“chief officer” means the following:**

(a) a designated constable who is designated under section 14.07 (2) (a) [appointment of designated constables and chief officer] as the chief officer of a designated policing unit;

(b) an enforcement officer who is designated under section 14.15 (2) (a) [appointment of enforcement officers and chief officer] as the chief officer of a designated law enforcement unit; .

**2 Section 1 is amended in the definition of “commissioner” by striking out “the provincial police force” and substituting “the provincial police service”.**

**3 Section 1 is amended**

**(a) by repealing the definition of “designated board” and substituting the following:**

**“designated board” means a designated law enforcement board or designated policing board; ,**

CLAUSE 3: *[Police Act, section 1 – continued]*

CLAUSE 4: *[Police Act, section 1]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 5: *[Police Act, section 1]* is consequential to the repeal by this Bill of sections 18.1 and 18.2 of the Act.

CLAUSE 6: *[Police Act, section 1]* clarifies wording.

CLAUSE 7: *[Police Act, section 1]* defines “Indigenous governing body”, consequential to sections 74.1, 74.2 and 74.4 of the Act, as added by this Bill.

**(b) by repealing the definition of “designated constable” and substituting the following:**

“**designated constable**” means a person appointed under section 14.07 (1) as a designated constable; ,

**(c) by adding the following definition:**

“**designated law enforcement board**” means the designated law enforcement board of a designated law enforcement unit, as established under section 14.11 (b) *[establishment of designated law enforcement unit and designated law enforcement board]*; ,

**(d) in the definition of “designated law enforcement unit” by striking out “established under section 18.1 (7)” and substituting “established under section 14.11 (a) [establishment of designated law enforcement unit and designated law enforcement board]”,**

**(e) by adding the following definition:**

“**designated policing board**” means the designated policing board of a designated policing unit, as established under section 14.02 (b) *[establishment of designated policing unit and designated policing board]*; ,  
**and**

**(f) in the definition of “designated policing unit” by striking out “established under section 4.1 (7)” and substituting “established under section 14.02 (a) [establishment of designated policing unit and designated policing board]”.**

**4 Section 1 is amended by repealing the definition of “director” and substituting the following:**

“**director**” means a person designated under section 39 (1) *[director of policing]* as the director of policing and law enforcement services; .

**5 Section 1 is amended by repealing the definition of “enforcement officer” and substituting the following:**

“**enforcement officer**” means a person appointed under section 14.15 (1) *[appointment of enforcement officers and chief officer]* as an enforcement officer; .

**6 Section 1 is amended in the definition of “entity” by repealing paragraph (d) and substituting the following:**

(d) a prescribed entity; .

**7 Section 1 is amended by adding the following definition:**

“**Indigenous governing body**” has the same meaning as in the *Declaration on the Rights of Indigenous Peoples Act*; .

CLAUSE 8: *[Police Act, section 1]* adds safety officers to the definition of “officer”, consequential to Part 5.1 of the Act, as added by this Bill.

CLAUSE 9: *[Police Act, section 1]* defines “place of detention”, consequential to Part 5.1 and sections 40.01, 74.1, 74.2 and 74.4 of the Act, as added by this Bill.

CLAUSE 10: *[Police Act, section 1]* defines “provincial police service” and repeals the definition of “provincial police force”, consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 11: *[Police Act, section 1]* defines “safety officer” and “safety officer employer”, consequential to Part 5.1 of the Act, as added by this Bill.

CLAUSE 12: *[Police Act, section 1.1]*

- is consequential to section 5 of the Act, as amended by this Bill;
- clarifies that a designated policing unit is a police service.

CLAUSE 13: *[Police Act, various sections]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 14: *[Police Act, section 3.1]* is consequential to section 5 of the Act, as amended by this Bill.

8 *Section 1 is amended in the definition of “officer” by striking out “auxiliary constable or enforcement officer” and substituting “auxiliary constable, enforcement officer or safety officer”.*

9 *Section 1 is amended by adding the following definition:*

“**place of detention**” means a place where persons are required to be held in police custody; .

10 *Section 1 is amended*

(a) *in the definition of “provincial constable” by striking out “the provincial police force continued under section 5” and substituting “the provincial police service”,*

(b) *by repealing the definition of “provincial police force”, and*

(c) *by adding the following definition:*

“**provincial police service**” means the provincial police service referred to in section 5; .

11 *Section 1 is amended by adding the following definitions:*

“**safety officer**” means a person appointed under section 30.3 [*safety officers*] as a safety officer;

“**safety officer employer**” means a person or body prescribed as a safety officer employer for the purposes of section 30.3 (3); .

12 *Section 1.1 is repealed and the following substituted:*

**Police services in British Columbia**

1.1 Each of the following is a police service in British Columbia:

- (a) the provincial police service;
- (b) a municipal police department;
- (c) a designated policing unit;
- (d) the independent investigations office.

13 *Sections 3 (1) (c) and (2) (b), 4.01 (1) (c) (ii), 7, 8 (2), 17 (2) (b), 17.1 (2) (b), 18 (4) (a), 38 (4), 66.2 (1.1) (a) and (1.11) (a), 66.21 (2) (a) and (b) and 70 (3) are amended by striking out “provincial police force” wherever it appears and substituting “provincial police service”.*

14 *Section 3.1 (3) (d) is repealed and the following substituted:*

- (d) the provincial police service.

CLAUSE 15: *[Police Act, section 4.01]* removes a requirement respecting the manner in which documents must be made available to the public.

CLAUSE 16: *[Police Act, section 4.02]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 17: *[Police Act, sections 4.1 and 4.2]* is consequential to the designated policing and law enforcement provisions set out in Part 3.1 of the Act, as added by this Bill.

CLAUSE 18: *[Police Act, section 5]* continues the provincial police force as the provincial police service.

CLAUSE 19: *[Police Act, section 6]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 20: *[Police Act, sections 8 and 9]* removes provisions that duplicate section 10 (1) of the Act.

CLAUSE 21: *[Police Act, section 11]* clarifies the matters for which government is liable.

**15 Section 4.01 (3) is repealed and the following substituted:**

(3) If regulations made under subsection (1) specify a specialized service provider with which the minister has entered into or made a specialized service agreement, the director, no later than 10 days after the regulations are made, must make a copy of the specialized service agreement available to members of the public by posting the specialized service agreement on a publicly accessible website maintained by or on behalf of the director.

**16 Section 4.02 (4) (a) is amended by striking out “police forces” and substituting “a police service”.**

**17 Sections 4.1 and 4.2 are repealed.**

**18 Section 5 is repealed and the following substituted:**

**Provincial police service**

5 The provincial police force is continued as the provincial police service.

**19 Section 6 is amended**

**(a) in subsection (1) by striking out “the provincial police force” in both places and substituting “the provincial police service”,**

**(b) in subsection (2) by striking out “the provincial police force” and substituting “the provincial police service” and by striking out “the force’s business” and substituting “the business of the provincial police service”, and**

**(c) in subsections (3), (4) and (5) by striking out “the provincial police force” and substituting “the provincial police service”.**

**20 Sections 8 (3) and 9 (3) are repealed.**

**21 Section 11 is amended**

**(a) by repealing subsection (1) and substituting the following:**

- (1) The government is liable for torts committed by the following persons:
- (a) provincial constables, auxiliary constables, special provincial constables and IIO investigators, if the tort is committed in the performance of their duties;
  - (b) enforcement officers appointed on behalf of a ministry, if the tort is committed in the performance of their duties;

CLAUSE 21: *[Police Act, section 11 – continued]*

CLAUSE 22: *[Police Act, section 14]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 23: *[Police Act, Part 3.1]*

- creates a new Part respecting designated policing and law enforcement;
- simplifies the process for establishing designated policing boards, designated policing units, designated law enforcement boards and designated law enforcement units;
- sets out powers, duties and functions in relation to designated policing boards, designated policing units, designated law enforcement boards and designated law enforcement units.

(c) municipal constables and special municipal constables, if the tort is committed in the performance of their duties when acting under a minister’s direction under section 38 (2) [*jurisdiction of municipal constables*]. ,

**(b) in subsection (2) by striking out “referred to in subsection (1) (a) or (b)” and substituting “referred to in subsection (1) (a), (b) or (c)”, and**

**(c) by adding the following subsection:**

(2.1) If section 21 (3) (a) or (b) [*personal liability*] applies to a person who commits a tort for which the government is liable under subsection (1) of this section, the person and the government are jointly and severally liable for the tort committed by the person.

**22 Section 14 is amended**

**(a) in subsections (1), (2) (c) and (3) by striking out “provincial police force” and substituting “provincial police service”, and**

**(b) in subsection (2) (a) by striking out “a provincial police force” and substituting “the provincial police service”.**

**23 The following Part is added:**

**PART 3.1 – DESIGNATED POLICING AND LAW ENFORCEMENT**

**Division 1 – Designated Policing**

**Definitions for Division 1 of Part 3.1**

**14.01** In this Division:

**“designated policing”** means policing and law enforcement provided in place of or supplemental to the policing and law enforcement otherwise provided by the provincial police force or a municipal police department;

**“designated policing area”**, in relation to a designated policing unit, means the area in which the designated policing unit and designated constables are authorized to provide designated policing;

**“entity”** means the following:

- (a) despite paragraph (a) of the definition of “entity” in section 1, a municipality with a population of not more than 5 000 persons;
- (b) an entity within the meaning of paragraph (b), (c) or (d) of the definition of “entity” in section 1.

CLAUSE 23: *[Police Act, Part 3.1 – continued]*

**Establishment of designated policing unit and designated policing board**

**14.02** Despite section 3 [*responsibilities of Provincial and municipal governments for providing policing and law enforcement services*], the Lieutenant Governor in Council may, by regulation, establish the following on behalf of an entity:

- (a) a designated policing unit to provide designated policing;
- (b) a designated policing board.

**Endorsements for designated policing**

**14.03** Unless the minister allows otherwise, the entity on behalf of which a proposed designated policing unit and designated policing board is to be established must obtain written endorsements from the following with respect to the proposed designated policing unit and designated policing board:

- (a) the chief constable of each municipal police department that regularly provides policing and law enforcement in the proposed designated policing area;
- (b) the commissioner, if the provincial police force regularly provides policing and law enforcement in the proposed designated policing area.

**Appointments to designated policing board**

**14.04** (1) Subject to the regulations, the Lieutenant Governor in Council may, by order,

- (a) appoint one or more persons as members of a designated policing board, and
- (b) designate one of the members as chair and another member as vice chair.

(2) The minister or director must consult with the entity respecting the persons to be appointed and designated by an order under subsection (1).

(3) A person appointed as a member of a designated policing board

- (a) holds office for a term, not longer than 4 years, specified in the appointment, and
- (b) may be reappointed.

**Powers, duties and functions of designated policing board**

**14.05** (1) A designated policing board is responsible for the governance, administration and operation of the designated policing unit.

(2) On request of the minister or director, a designated policing board must report to the minister or director on the activities of the designated policing unit.

(3) A designated policing board must make rules consistent with this Act, the regulations and the director's standards respecting the following:

- (a) the standards, guidelines and policies for the administration of the designated policing unit;

CLAUSE 23: *[Police Act, Part 3.1 – continued]*

- (b) the prevention of neglect and abuse by the designated constables;
  - (c) the efficient discharge of duties and functions by the designated policing unit and designated constables.
- (4) A rule under subsection (3) is enforceable against a person only after the rule is filed with the director.
- (5) In addition to the powers, duties and functions described in subsections (1) to (3), a designated policing board has the powers, duties and functions set out in the regulations.

**Powers, duties and functions of designated policing unit**

- 14.06** (1) Unless the regulations provide otherwise, a designated policing unit has, under the direction of the designated policing board, the following powers, duties and functions:
- (a) to enforce, in the designated policing area, the criminal law and the laws of British Columbia;
  - (b) to generally maintain law and order in the designated policing area;
  - (c) to prevent crime in the designated policing area.
- (2) In addition to the powers, duties and functions described in subsection (1), a designated policing unit has the powers, duties and functions set out in the regulations.

**Appointment of designated constables and chief officer**

- 14.07** (1) A designated policing board must appoint one or more persons as designated constables to exercise and perform the powers, duties and functions of the designated policing unit.
- (2) A designated policing board
- (a) must designate one of the designated constables as chief officer of the designated policing unit, and
  - (b) may designate one or more other designated constables as deputy chief officers.
- (3) A person appointed under subsection (1)
- (a) is appointed for the term specified in the appointment, and
  - (b) is subject to the terms of employment determined by the entity.

**Chief officer of designated policing unit**

- 14.08** (1) The chief officer of a designated policing unit has, under the direction of the designated policing board, general supervision and command over the designated constables of the designated policing unit.
- (2) The chief officer of a designated policing unit must ensure compliance with the director's standards as they relate to the designated policing unit.

CLAUSE 23: *[Police Act, Part 3.1 – continued]*

**Entity responsible for costs of designated policing**

**14.09** Costs incurred by the government in establishing, on behalf of an entity, a designated policing unit and designated policing board are a debt due to and recoverable by the government from the entity.

**Division 2 – Designated Law Enforcement**

**Definitions for Division 2 of Part 3.1**

**14.10** In this Division:

“**designated law enforcement**” means law enforcement services that supplement policing or law enforcement provided by a police force;

“**designated law enforcement area**”, in relation to a designated law enforcement unit, means the area in which the designated law enforcement unit and enforcement officers are authorized to provide designated law enforcement.

**Establishment of designated law enforcement unit and designated law enforcement board**

**14.11** The Lieutenant Governor in Council may, by regulation, establish the following on behalf of an entity:

- (a) a designated law enforcement unit to provide prescribed designated law enforcement;
- (b) a designated law enforcement board.

**Endorsements for designated law enforcement**

**14.12** Unless the minister allows otherwise, the entity on behalf of which a proposed designated law enforcement unit and designated law enforcement board is to be established must obtain written endorsements from the following with respect to the proposed designated law enforcement unit and designated law enforcement board:

- (a) the chief constable of each municipal police department that regularly provides policing and law enforcement in the proposed designated law enforcement area;
- (b) the commissioner, if the provincial police force regularly provides policing and law enforcement in the proposed designated law enforcement area.

**Appointments to designated law enforcement board**

**14.13** (1) Subject to the regulations, the Lieutenant Governor in Council may, by order,  
(a) appoint one or more persons as members of a designated law enforcement board, and  
(b) designate one of the members as chair and another member as vice chair.

CLAUSE 23: *[Police Act, Part 3.1 – continued]*

- (2) The minister or director must consult with the entity respecting the persons to be appointed and designated by an order under subsection (1).
- (3) A person appointed as a member of a designated law enforcement board
  - (a) holds office for a term, not longer than 4 years, specified in the appointment, and
  - (b) may be reappointed.

**Powers, duties and functions of designated law enforcement board**

- 14.14** (1) A designated law enforcement board is responsible for the governance, administration and operation of the designated law enforcement unit.
- (2) On request of the minister or director, a designated law enforcement board must report to the minister or director on the activities of the designated law enforcement unit.
  - (3) A designated law enforcement board must make rules consistent with this Act, the regulations and the director's standards respecting the following:
    - (a) the standards, guidelines and policies for the administration of the designated law enforcement unit;
    - (b) the prevention of neglect and abuse by the enforcement officers;
    - (c) the efficient discharge of duties and functions by the designated law enforcement unit and enforcement officers.
  - (4) A rule under subsection (3) is enforceable against a person only after the rule is filed with the director.
  - (5) In addition to the powers, duties and functions described in subsections (1) to (3), a designated law enforcement board has the powers, duties and functions set out in the regulations.

**Appointment of enforcement officers and chief officer**

- 14.15** (1) A designated law enforcement board must appoint one or more persons as enforcement officers to provide the prescribed designated law enforcement.
- (2) A designated law enforcement board
    - (a) must designate one of the enforcement officers as chief officer of the designated law enforcement unit, and
    - (b) may designate one or more other enforcement officers as deputy chief officers.
  - (3) A person appointed under subsection (1)
    - (a) is appointed for the term specified in the appointment, and
    - (b) is subject to the terms of employment determined by the entity.
  - (4) Subject to the regulations, a person appointed under subsection (1) has the powers, duties and immunities of a peace officer and constable.

CLAUSE 23: *[Police Act, Part 3.1 – continued]*

CLAUSE 24: *[Police Act, section 14.01]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 25: *[Police Act, sections 14.03 and 14.12]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 26: *[Police Act, section 14.10]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 27: *[Police Act, section 15]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 28: *[Police Act, sections 18.1 and 18.2]* is consequential to the designated policing and law enforcement provisions set out in Part 3.1 of the Act, as added by this Bill.

- (5) If an enforcement officer exercises jurisdiction in an area that is outside the designated law enforcement area and is within a municipality that has a municipal police department, the enforcement officer
- (a) must, if possible, notify the municipal police department in advance, and
  - (b) in any case, must notify the municipal police department promptly after exercising the jurisdiction.

**Chief officer of designated law enforcement unit**

- 14.16** (1) The chief officer of a designated law enforcement unit has, under the direction of the designated law enforcement board, general supervision and command over the enforcement officers of the designated law enforcement unit.
- (2) The chief officer of a designated law enforcement unit must ensure compliance with the director’s standards as they relate to the designated law enforcement unit.

**Entity responsible for costs of designated law enforcement**

- 14.17** Costs incurred by the government in establishing, on behalf of an entity, a designated law enforcement unit and designated law enforcement board are a debt due to and recoverable by the government from the entity.

**24** *Section 14.01 is amended in the definition of “designated policing” by striking out “provincial police force” and substituting “provincial police service”.*

**25** *Sections 14.03 (b) and 14.12 (b) are amended by striking out “provincial police force” and substituting “provincial police service”.*

**26** *Section 14.10 is amended in the definition of “designated law enforcement” by striking out “police force” and substituting “police service”.*

**27** *Section 15 (1) is amended*

*(a) in paragraph (a) by striking out “with a police force or police department” and substituting “with a police service referred to in section 3 (2) [responsibilities of Provincial and municipal governments for providing policing and law enforcement services]”, and*

*(b) in paragraph (b) (i) by striking out “the police force or police department” and substituting “the police service”.*

**28** *Sections 18.1 and 18.2 are repealed.*

CLAUSE 29: *[Police Act, section 19]* makes the section applicable in relation to safety officers.

CLAUSE 30: *[Police Act, section 19]* clarifies the reference to a prescribed entity.

CLAUSE 31: *[Police Act, section 20]*

- clarifies the reference to a prescribed entity;
- provides consistency with section 11 of the Act, as amended by this Bill.

**29 Section 19 is amended**

- (a) in subsection (1) by striking out** “enforcement officers or bylaw enforcement officers killed or injured” **and substituting** “enforcement officers, bylaw enforcement officers or safety officers who are killed or injured”,
- (b) in subsection (2) by striking out** “killed or injured” **and substituting** “who are killed or injured”, **and**
- (c) by adding the following subsection:**
  - (3) Despite any other Act, a safety officer employer may, in its discretion, grant pecuniary aid to the spouses or children of any of its safety officers who are killed or injured in the performance of their duties.

**30 Section 19 (2) is amended by striking out** “a government corporation or prescribed entity, on behalf of which a designated policing unit or designated law enforcement unit is established, may” **and substituting** “if a designated policing unit or designated law enforcement unit is established on behalf of a government corporation or an entity prescribed for the purposes of paragraph (d) of the definition of “entity” in section 1, the government corporation or prescribed entity may”.

**31 Section 20 is amended**

- (a) by adding the following subsection:**
  - (0.1) In this section, “**prescribed entity**” means an entity prescribed for the purposes of paragraph (d) of the definition of “entity” in section 1. ,
- (b) in subsection (1) (a) by striking out** “is jointly and severally liable” **and substituting** “is liable”,
- (c) in subsection (1) (b) by striking out** “other prescribed entity is jointly and severally liable” **and substituting** “prescribed entity is liable”,
- (d) by adding the following subsection:**
  - (1.1) If section 21 (3) (a) or (b) applies to a person who commits a tort for which a municipality, regional district, government corporation or prescribed entity is liable under subsection (1) of this section, the person and the respective municipality, regional district, government corporation or prescribed entity are jointly and severally liable for the tort committed by the person. ,
- (e) in subsection (3) by striking out** “other prescribed entity” **and substituting** “prescribed entity”, **and**
- (f) by repealing subsection (3) (c) and substituting the following:**
  - (c) in the case of a government corporation or prescribed entity, the government corporation or prescribed entity.

CLAUSE 32: *[Police Act, section 20]* makes the section applicable in relation to safety officers.

CLAUSE 33: *[Police Act, section 21]*

- updates a reference;
- clarifies the reference to a prescribed entity;
- is consequential to section 11 of the Act, as amended by this Bill.

CLAUSE 34: *[Police Act, section 21]* makes the section applicable in relation to safety officers.

**32 Section 20 is amended**

- (a) in subsection (1) (a) by striking out “bylaw enforcement officers or employees of its municipal police board” and substituting “bylaw enforcement officers or safety officers, or by the employees of its municipal police board” and by striking out “and”,**
- (b) in subsection (1) (b) by adding “, and” at the end of the paragraph,**
- (c) in subsection (1) by adding the following paragraph:**
  - (c) a safety officer employer is liable for a tort committed by any of its safety officers, if the tort is committed in the performance of the safety officer’s duties. ,
- (d) in subsection (1.1) by striking out “government corporation or prescribed entity” in both places and substituting “government corporation, prescribed entity or safety officer employer”,**
- (e) in subsection (2) by striking out “bylaw enforcement officer or employee” and substituting “bylaw enforcement officer, safety officer or employee”,**
- (f) in subsection (3) by striking out “bylaw enforcement officer or employee” and substituting “bylaw enforcement officer, safety officer or employee” and by striking out “government corporation or prescribed entity” and substituting “government corporation, prescribed entity or safety officer employer”, and**
- (g) in subsection (3) by adding the following paragraph:**
  - (d) in the case of a safety officer employer, the safety officer employer.

**33 Section 21 is amended**

- (a) in subsection (3) (b) by striking out “libel or slander” and substituting “defamation”,**
- (b) in subsection (4) (b) by striking out “prescribed entity” and substituting “entity prescribed for the purposes of paragraph (d) of the definition of “entity” in section 1”, and**
- (c) in subsection (4) (c) by striking out “the minister” and substituting “the government”.**

**34 Section 21 (4) is amended**

- (a) in paragraph (a) by striking out “bylaw enforcement officers or an employee” and substituting “bylaw enforcement officers or safety officers, or by an employee”, and**

CLAUSE 34: *[Police Act, section 21 – continued]*

CLAUSE 35: *[Police Act, section 22]* makes the section applicable in relation to safety officers.

CLAUSE 36: *[Police Act, section 23]*

- authorizes the council of a municipality to appoint any member of the council to a municipal police board;
- clarifies section 24 (1) of the Act and renumbers that provision as section 23 (1.1) of the Act.

CLAUSE 37: *[Police Act, section 24]* clarifies the term for which a person may be a member of a municipal police board.

**(b) by adding the following paragraph:**

- (b.1) a safety officer employer, in the case of a tort committed by any of its safety officers; .

**35 Section 22 is amended**

**(a) in subsection (1) by striking out “enforcement officer or bylaw enforcement officer, or if an employee of a municipal police board,” and substituting “enforcement officer, bylaw enforcement officer or safety officer, or a municipal police board’s employee,”, and**

**(b) by adding the following subsection:**

- (3) Subsection (2) applies to a regional district that is prescribed as a safety officer employer, as if the regional district’s safety officer were an enforcement officer.

**36 Section 23 is amended**

**(a) by repealing subsection (1) (a) and substituting the following:**

- (a) a member of the council appointed by the council, , **and**

**(b) by adding the following subsection:**

- (1.1) A person may not be appointed under subsection (1) (b) or (c) if
  - (a) the person is a councillor, or
  - (b) the person is not eligible to be elected as a councillor.

**37 Section 24 is repealed and the following substituted:**

**Term of membership on municipal police board**

- 24** (1) In respect of a member of the council appointed under section 23 (1) (a) to a municipal police board, the council member’s membership on the board is for the term that the council determines, subject to the following restrictions:
  - (a) the term must not be longer than 4 years;
  - (b) the term ends if the person ceases to be a member of the council.
- (2) In respect of a person appointed under section 23 (1) (b) or (c) to a municipal police board, the person’s membership on the board is for the term, not longer than 4 years, that,
  - (a) in the case of an appointment under section 23 (1) (b), the council determines, or
  - (b) in the case of an appointment under section 23 (1) (c), the Lieutenant Governor in Council determines.

CLAUSE 37: *[Police Act, section 24 – continued]*

CLAUSE 38: *[Police Act, section 25]*

- requires a municipal police board to elect a chair and vice chair;
- sets out the powers and duties of the chair and vice chair.

CLAUSE 39: *[Police Act, section 27]* sets out the respective duties of a municipal council and the director in the event the council does not approve the municipal police board's budget for policing and law enforcement.

- (3) A person may be reappointed as a member of a municipal police board, but a person appointed under paragraph (b) or (c) of section 23 (1) must not, by way of appointments under either or both of those paragraphs, be an appointed member for a period of more than 6 consecutive years.

**38 Section 25 is repealed and the following substituted:**

**Chair and vice chair of municipal police board**

- 25** (1) Once every 2 calendar years, a municipal police board must elect one of its members as chair and another member as vice chair.
- (2) Despite subsection (1), if the office of the chair or vice chair becomes vacant, the municipal police board must elect a new chair or vice chair at the next meeting of the board after the vacancy occurs.
- (3) The vice chair must act as chair if the chair is absent or unable to act.
- (4) If both the chair and vice chair are absent or unable to act, the municipal police board members present at a meeting of the board must elect from among themselves a chair to preside at the meeting.
- (5) The chair is a non-voting member of the municipal police board, with the exception that if there is a tie vote at a meeting of the board, the chair must cast the deciding vote.

**39 Section 27 is amended**

**(a) by repealing subsections (3) and (4) and substituting the following:**

- (3) If a council does not approve an item or amount in the provisional budget,
  - (a) the council must promptly notify the municipal police board, and
  - (b) the council or municipal police board may, at any time before May 15 of the year to which the provisional budget relates, request the director to determine whether the item or amount must be included in the budget.
- (3.1) If on May 15 of the year to which the provisional budget relates, there are items or amounts in the budget that have not yet been approved by the council,
  - (a) the council must promptly notify the municipal police board, and
  - (b) the council must request the director to determine whether the item or amount must be included in the budget.
- (3.2) After making a determination in respect of a request made under subsection (3) (b) or (3.1) (b), the director must notify the municipal police board, the council and the minister of the determination.

CLAUSE 39: *[Police Act, section 27 – continued]*

CLAUSE 40: *[Police Act, section 29]* makes the section applicable in relation to safety officers.

CLAUSE 41: *[Police Act, Part 5.1]*

- prohibits certain entities or bodies from authorizing a person to perform detention guard duties unless the person is, as applicable, a designated constable, an authorized enforcement officer, a safety officer, a municipal constable or a special municipal constable;
- authorizes municipal police boards and certain municipal councils to appoint persons as safety officers to perform detention guard duties or to provide prescribed law enforcement services;
- authorizes persons or bodies prescribed as safety officer employers to appoint persons as safety officers to provide prescribed law enforcement services;
- sets out duties respecting the director’s standards, as they relate to safety officers.

- (4) A council must include in its budget the costs in the provisional budget prepared by the municipal police board, as adjusted to reflect the following:
  - (a) changes agreed to by the council and the board;
  - (b) determinations made by the director under this section. ,

*(b) in subsection (5) by striking out “the budget prepared by the municipal police board” and substituting “the board’s budget, as adjusted under subsection (4), if applicable”, and*

*(c) in subsection (6) by striking out “the board’s budget and approved by the council” and substituting “the board’s budget, as adjusted under subsection (4), if applicable”.*

**40** *Section 29 (2) (b) and (c) is amended by striking out “special municipal constables or bylaw enforcement officers” and substituting “special municipal constables, bylaw enforcement officers or safety officers”.*

**41** *The following Part is added:*

## **PART 5.1 – DETENTION GUARD DUTIES AND SAFETY OFFICERS**

### **Definition for Part 5.1**

**30.1** In this Part, “**detention guard duties**” means powers, duties or functions, other than prescribed powers, duties or functions, carried out in exercising responsibility for the care, custody and supervision of persons held in a place of detention.

### **Prohibition respecting detention guard duties**

- 30.2** (1) If a designated policing unit is authorized to perform detention guard duties, the entity on behalf of which the designated policing unit is established must not authorize or appoint a person to perform those duties unless
- (a) the person is a designated constable, or
  - (b) if the designated policing board is also a designated law enforcement board, the person is an enforcement officer who is authorized by regulation to perform detention guard duties.
- (2) A municipal police board must not authorize or appoint a person to perform detention guard duties unless
- (a) the person is appointed as a safety officer under section 30.3 (1) (a), or
  - (b) the person is a municipal constable or special municipal constable.
- (3) Unless exempted by regulation, the council of a municipality that has a population of more than 5 000 persons and does not have a municipal police board must not authorize or appoint a person to perform detention guard duties unless the person is appointed as a safety officer under section 30.3 (2) (a).

CLAUSE 41: *[Police Act, Part 5.1 – continued]*

**Safety officers**

- 30.3** (1) A municipal police board may appoint persons as safety officers to do one or both of the following:
- (a) perform detention guard duties;
  - (b) provide prescribed law enforcement services.
- (2) The council of a municipality that has a population of more than 5 000 persons and does not have a municipal police board may appoint persons as safety officers to do one or both of the following:
- (a) perform detention guard duties;
  - (b) provide prescribed law enforcement services.
- (3) A person or body prescribed as a safety officer employer may appoint persons as safety officers to provide prescribed law enforcement services.
- (4) A person may not be appointed as a safety officer unless the person has the prescribed qualifications.
- (5) Unless the regulations provide otherwise, a person appointed as a safety officer must be paid the remuneration determined by the municipal police board, municipal council or safety officer employer, as applicable.
- (6) A person's appointment as a safety officer is for the term specified in the appointment.
- (7) Subject to the regulations, a safety officer has the powers, duties and immunities of a peace officer and constable.

**Director's standards relating to safety officers**

- 30.4** (1) If a municipal police board appoints one or more persons as safety officers,
- (a) the director's standards, as they relate to the safety officers, are binding on the municipal police board, and
  - (b) the municipal police board and the chief constable of the municipal police department must ensure compliance with those standards.
- (2) If the council of a municipality appoints one or more persons as safety officers,
- (a) the director's standards, as they relate to the safety officers, are binding on the municipal council, and
  - (b) the municipal council must ensure compliance with those standards.
- (3) If a safety officer employer appoints one or more persons as safety officers,
- (a) the director's standards, as they relate to the safety officers, are binding on the safety officer employer, and

CLAUSE 41: *[Police Act, Part 5.1 – continued]*

CLAUSE 42: *[Police Act, section 33]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 43: *[Police Act, section 38]* authorizes the minister to delegate to the director the minister’s power to direct municipal constables and special municipal constables to areas where emergencies exist.

CLAUSE 44: *[Police Act, section 38.01]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 45: *[Police Act, section 38.01]* defines “detention guard”, consequential to sections 38.09, 38.11 and 38.121 of the Act, as amended by this Bill.

CLAUSE 46: *[Police Act, section 38.01]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 47: *[Police Act, various sections]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 48: *[Police Act, section 38.09]* requires officers to notify the independent investigations office of incidents involving detention guards.

(b) except as otherwise provided by the regulations, the safety officer employer must ensure compliance with those standards.

**42 Section 33 is amended**

**(a) by repealing paragraph (a) (ii) and substituting the following:**

(ii) the provincial police service, and , **and**

**(b) in paragraph (b) by striking out “provincial police force” in both places and substituting “provincial police service”.**

**43 Section 38 is amended**

**(a) by adding the following subsection:**

(2.1) The minister may delegate to the director the minister’s power under subsection (2). , **and**

**(b) in subsection (3) by striking out “If the minister makes a direction under subsection (2)” and substituting “If a direction is made under subsection (2)”.**

**44 Section 38.01 is amended in the definition of “chief of the police service”**

**(a) in paragraph (a) by striking out “the provincial police force” and substituting “the provincial police service”, and**

**(b) in paragraph (c) by striking out “a police force described in section 1.1 (c)” and substituting “a designated policing unit”.**

**45 Section 38.01 is amended by adding the following definition:**

**“detention guard”** means a person, other than an officer, who performs detention guard duties within the meaning of section 30.1 [*definition for Part 5.1*]; .

**46 Section 38.01 is amended in the definition of “police service” by striking out “a police force” and substituting “a police service”.**

**47 Sections 38.03 (2), 38.06 (3) (a) and (c), 38.08 (1), 44 (2), 77 (3) (c) (iv) and (i) (ii) and 180 (4) are amended by striking out “police force” wherever it appears and substituting “police service”.**

**48 Section 38.09 (1) is amended**

**(a) in paragraph (a) by striking out “the actions of an officer” and substituting “the actions of an officer or detention guard”, and**

- CLAUSE 48: *[Police Act, section 38.09 – continued]*
- CLAUSE 49: *[Police Act, section 38.11]* authorizes the chief civilian director to report matters involving detention guards to Crown counsel.
- CLAUSE 50: *[Police Act, section 38.121]* is consequential to sections 38.09 and 38.11 of the Act, as amended by this Bill.
- CLAUSE 51: *[Police Act, heading to Part 8]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.
- CLAUSE 52: *[Police Act, section 39]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.
- CLAUSE 53: *[Police Act, section 40]* is consequential to section 40.01 of the Act, as added by this Bill.
- CLAUSE 54: *[Police Act, section 40]* authorizes the director to evaluate compliance with section 70.1 of the Act, as added by this Bill.
- CLAUSE 55: *[Police Act, section 40]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.
- CLAUSE 56: *[Police Act, section 40]* requires the director to report to the minister on activities involving safety officers.

*(b) in paragraph (b) by striking out “an officer” and substituting “an officer or detention guard”.*

**49** *Section 38.11 is amended by striking out “an officer” and substituting “an officer or detention guard”.*

**50** *Section 38.121 (3) is amended by striking out “an officer, a victim” and substituting “an officer, a detention guard, a victim”.*

**51** *The heading to Part 8 is repealed and the following substituted:*

**PART 8 – DIRECTOR OF POLICING  
AND LAW ENFORCEMENT SERVICES .**

**52** *Section 39 (1) is amended by striking out “must designate as the director of police services” and substituting “must designate as the director of policing and law enforcement services”.*

**53** *Section 40 is amended*

*(a) by repealing subsection (1) (a.1) and substituting the following:*

*(a.1) to establish standards respecting the matters set out in section 40.01; ,  
and*

*(b) by repealing subsections (1.1), (1.2) and (1.3).*

**54** *Section 40 (1) (a.2) is amended by adding the following subparagraph:*

*(iii) section 70.1 [uniforms worn by constables and officers]; .*

**55** *Section 40 is amended*

*(a) in subsection (1) (g) by striking out “provincial police force” and substituting “provincial police service”,*

*(b) in subsection (1) (h) by striking out “police forces, police departments, designated policing units and designated law enforcement units” and substituting “police services and designated law enforcement units”, and*

*(c) by repealing subsection (5) (b) (iii) and substituting the following:*

*(iii) the provincial police service.*

**56** *Section 40 (1) is amended by adding the following paragraph:*

*(h.1) to report to the minister on the activities of safety officers; .*

CLAUSE 57: *[Police Act, section 40.01]*

- authorizes the director to make standards respecting specified matters;
- sets out the director's powers and duties relating to the director's standards.

**57 The following section is added:**

**Director's standards**

- 40.01** (1) The director may establish standards respecting the following matters:
- (a) the training of persons to become officers or IIO investigators;
  - (b) the training and retraining of officers, IIO investigators or the chief civilian director;
  - (c) the use of force;
  - (d) accommodation, equipment and supplies to be used in relation to policing and law enforcement and places of detention;
  - (e) the care, custody and supervision of individuals held in places of detention;
  - (f) cooperation between the independent investigations office and the provincial police force, municipal police departments, designated policing units and designated law enforcement units in relation to investigations by the independent investigations office;
  - (g) cooperation and coordination among the provincial police force, municipal police departments and designated policing units in relation to
    - (i) investigations into the whereabouts of missing persons,
    - (ii) investigations that are complex, and
    - (iii) investigations that involve serious crimes, including, without limitation, investigations of murder, attempted murder, sexual assault, kidnapping, armed robbery or money laundering;
  - (h) principles, practices and strategies to be used in investigations referred to in paragraph (g);
  - (i) the collection, disclosure and analysis of information relating to the administration or management of, or to programs of or related to, policing and law enforcement;
  - (j) the promotion of unbiased policing and law enforcement services delivery;
  - (k) community consultation regarding the priorities, goals and objectives for policing and law enforcement;
  - (l) community input in relation to complaints policies required under section 173.1 (2) [*duty of municipal police board to establish policy respecting service and policy complaints*].
- (2) The director must make the director's standards available to the public by posting the standards on a publicly accessible website maintained by or on behalf of the director.

CLAUSE 57: *[Police Act, section 40.01 – continued]*

CLAUSE 58: *[Police Act, section 40.01]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 59: *[Police Act, section 40.01]* provides that the director's standards are binding on persons or bodies who appoint safety officers.

CLAUSE 60: *[Police Act, section 40.02]* sets out the director's powers, duties and functions in relation to sections 68.2 and 68.3 of the Act, as added by this Bill.

- (3) A director’s standard is binding on an entity, a designated board, a municipal police board, the chief civilian director, a chief officer, a chief constable or the commissioner, as the case may be, only after
  - (a) the standard is approved by the minister,
  - (b) the standard is made available to the public under subsection (2), and
  - (c) the entity, designated board, municipal police board, chief civilian director, chief officer, chief constable or commissioner receives written notice of the standard.
- (4) The director may amend or repeal a director’s standard.
- (5) The director may establish different standards for different classes of officers and different police forces, designated policing units, designated law enforcement units or other law enforcement agencies.
- (6) A director’s standard is not effective to the extent it conflicts with this Act or the regulations.

**58 Section 40.01 is amended**

- (a) in subsection (1) (f) and (g) by striking out “provincial police force” and substituting “provincial police service”, and**
- (b) in subsection (5) by striking out “police forces, designated policing units,” and substituting “police services,”.**

**59 Section 40.01 (3) is amended**

- (a) by striking out “a chief constable or the commissioner, as the case may be,” and substituting “a chief constable, the commissioner, a municipal council or a safety officer employer, as the case may be,” and**
- (b) in paragraph (c) by striking out “chief constable or commissioner” and substituting “chief constable, commissioner, municipal council or safety officer employer”.**

**60 The following section is added:**

**Director’s functions respecting training and codes of conduct for members of boards**

- 40.02** (1) Without limiting sections 39, 40 and 40.01, the director has the following powers, duties and functions:
- (a) to approve training for the purposes of section 68.2 (1) [*duty of board members to complete training*];
  - (b) to exempt persons under section 68.2 (3) from the requirement to complete training;

CLAUSE 60: *[Police Act, section 40.02 – continued]*

CLAUSE 61: *[Police Act, section 45]* is consequential to section 40 of the Act, as amended by this Bill, and section 40.01 of the Act, as added by this Bill.

CLAUSE 62: *[Police Act, section 45]* authorizes the director to delegate to employees the director's powers, duties and functions under specified provisions of the Act, as amended by this Bill.

CLAUSE 63: *[Police Act, section 51.02]* prohibits delegation of the police complaint commissioner's powers under section 135 (2) of the Act, as amended by this Bill and section 176.4 of the Act, as added by this Bill.

- (c) subject to the regulations, to monitor, determine and enforce compliance with sections 68.2 and 68.3 *[duty of board members to comply with codes of conduct]*.
- (2) The director may approve different training for different boards.
- (3) For the purposes of subsection (1) (c), the director may
  - (a) conduct audits and investigations, and
  - (b) inspect the records, operations and systems of administration of a board, but only if the director gives written notice of the inspection
    - (i) to the minister, and
    - (ii) to the chair of the board.

**61** *Section 45 (2) is amended by striking out “the director’s power to establish, vary or cancel the director’s standards under section 40 (1) (a.1) and (1.1)” and substituting “the director’s powers under sections 40 (1) (a.1) [functions of the director] and 40.01 (1) and (4) [director’s standards] to establish, amend or repeal the director’s standards”.*

**62** *Section 45 is repealed and the following substituted:*

**Delegation by director**

- 45** The director may delegate to an employee a power, duty or function of the director under any of the following provisions:
- (a) section 40 *[functions of the director]*, other than section 40 (1) (a.1);
  - (b) section 40.01 (2) *[director’s standards]*;
  - (c) section 40.02 *[director’s functions respecting training and codes of conduct for members of boards]*;
  - (d) section 42 *[studies by director]*;
  - (e) section 43 *[inquiries]*;
  - (f) section 44 *[special investigations]*.

**63** *Section 51.02 is amended*

- (a) *in paragraph (g) by striking out “the duty of the police complaint commissioner” and substituting “the power of the police complaint commissioner” and by striking out “section 135 (2) (b) [power to designate another discipline authority if in public interest]” and substituting “section 135 (2) [police complaint commissioner may designate another discipline authority if in public interest]”, and*

CLAUSE 63: *[Police Act, section 51.02 – continued]*

CLAUSE 64: *[Police Act, section 51.02]* prohibits delegation of the police complaint commissioner’s powers and duties under section 177.01 of the Act, as added by this Bill.

CLAUSE 65: *[Police Act, section 51.02]* prohibits delegation of the police complaint commissioner’s powers and duties under sections 177.2 and 177.3 of the Act, as added by this Bill.

CLAUSE 66: *[Police Act, section 68]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 67: *[Police Act, section 68.1]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 68: *[Police Act, section 68.1]* authorizes the minister to designate a class of safety officer as a law enforcement service.

**(b) by adding the following paragraph:**

- (i.1) the power of the police complaint commissioner to issue directions under section 176.4 (1) *[police complaint commissioner may direct next steps]*; .

**64 Section 51.02 is amended by adding the following paragraph:**

- (k.1) the powers and duties of the police complaint commissioner under section 177.01 *[power of police complaint commissioner to investigate systemic issues]*; .

**65 Section 51.02 is amended by adding the following paragraphs:**

- (l) the duties of the police complaint commissioner under section 177.2 (1), (2) and (3) *[list and appointment of retired judges]*;
- (m) the power of the police complaint commissioner to prepare a list of qualified persons under section 177.3 *[list of persons qualified to be discipline authorities]*.

**66 Section 68 is amended**

**(a) by adding the following subsection:**

- (0.1) In this section, “**police service**” does not include the independent investigations office. ,

**(b) by repealing subsection (1) and substituting the following:**

- (1) A police service must, on receiving a request for temporary assistance made by another police service, assign to the requesting police service the officers and equipment practicable to assign for that purpose. , **and**

**(c) in subsection (2) by striking out “A police force, police department or designated policing unit” and substituting “A police service”.**

**67 Section 68.1 (1) is amended in the definition of “law enforcement service” by repealing paragraph (a) and substituting the following:**

- (a) the provincial police service; .

**68 Section 68.1 is amended**

**(a) in subsection (1) in the definition of “law enforcement service” by adding the following paragraph:**

- (d) a class of safety officer designated by the minister as a law enforcement service for the purposes of this section; , **and**

CLAUSE 68: *[Police Act, section 68.1 – continued]*

CLAUSE 69: *[Police Act, section 68.1]* is consequential to the repeal by this Bill of sections 4.1 and 18.1 of the Act.

CLAUSE 70: *[Police Act, section 68.2]* requires a member of a board to complete training respecting the role and responsibilities of the board.

CLAUSE 71: *[Police Act, section 68.3]* requires a member of a board to comply with the applicable code of conduct.

CLAUSE 72: *[Police Act, section 70]* makes the section applicable in relation to safety officers.

CLAUSE 73: *[Police Act, section 70.1]* imposes duties on specified entities to ensure that certain officers comply with regulations respecting the wearing of uniforms, insignia, badges and symbols.

***(b) in subsection (6) (a) by striking out “and” at the end of subparagraphs (i) and (ii) and by adding the following subparagraphs:***

- (iii) the municipality, in the case of a municipal police board or council of a municipality that appoints safety officers who are in a class that the minister designates as a law enforcement service for the purposes of this section, and
- (iv) the safety officer employer, in the case of a safety officer employer that appoints safety officers who are in a class that the minister designates as a law enforcement service for the purposes of this section, and .

**69** *Section 68.1 (6) (a) (ii) is amended by striking out “under section 4.1 or 18.1”.*

**70** *The following section is added:*

**Duty of board members to complete training**

- 68.2** (1) A member of a board must complete training approved by the director respecting the role of the board and the responsibilities of the board members.
- (2) Training under subsection (1) must be initiated and completed within the time periods specified by the director.
- (3) The director may exempt a person from subsection (1) if the director is satisfied that the person already has training, experience or knowledge equivalent to members who have completed the training.

**71** *The following section is added:*

**Duty of board members to comply with codes of conduct**

- 68.3** A member of a board must comply with the applicable code of conduct established under section 74.3 [*regulations respecting training and codes of conduct for members of boards*].

**72** *Section 70 (2) is amended by striking out “bylaw enforcement officers and members of boards” and substituting “bylaw enforcement officers, safety officers and members of boards”.*

**73** *The following section is added:*

**Uniforms worn by constables and officers**

- 70.1** (1) A municipal police board and the chief constable of the municipal police department must ensure that its municipal constables and special municipal constables comply with the regulations respecting the wearing of uniforms, insignia, badges and symbols.

CLAUSE 73: *[Police Act, section 70.1 – continued]*

CLAUSE 74: *[Police Act, section 70.1]* imposes duties on specified persons and bodies to ensure that safety officers comply with regulations respecting the wearing of uniforms, insignia, badges and symbols.

CLAUSE 75: *[Police Act, section 74]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

- (2) A designated policing board and the chief officer of the designated policing unit must ensure that its designated constables comply with the regulations respecting the wearing of uniforms, insignia, badges and symbols.
- (3) A designated law enforcement board and the chief officer of the designated law enforcement unit must ensure that its enforcement officers comply with the regulations respecting the wearing of uniforms, insignia, badges and symbols.

**74 Section 70.1 is amended by adding the following subsection:**

- (4) The following must ensure that safety officers comply with the regulations respecting the wearing of uniforms, insignia, badges and symbols:
  - (a) in the case of a safety officer appointed by a municipal police board, the municipal police board and the chief constable of the municipal police department;
  - (b) in the case of a safety officer appointed by a municipal council, the municipal council;
  - (c) in the case of a safety officer appointed by a safety officer employer, and except as otherwise provided by the regulations, the safety officer employer.

**75 Section 74 (2) is amended**

- (a) in paragraph (c) by striking out** “police forces, police departments, designated policing units and designated law enforcement units” **and substituting** “police services and designated law enforcement units”,
- (b) in paragraph (d) by striking out** “police forces, police departments, designated policing units or designated law enforcement units” **and substituting** “police services or designated law enforcement units”,
- (c) in paragraph (f) by striking out** “police forces, police departments and designated policing units” **and substituting** “police services”,
- (d) in paragraph (i) by striking out** “to be kept and made by police forces, police departments, designated policing units, designated law enforcement units, or a member of any of them” **and substituting** “to be kept and made by police services or designated law enforcement units, or by members of police services or designated law enforcement units”, **and**
- (e) in paragraph (n) by striking out** “the provincial police force” **and substituting** “the provincial police service”.

CLAUSE 76: ***[Police Act, section 74]***

- adds a regulation-making power for consistency with regulation-making powers set out in sections 74.1 and 74.2 of the Act, as added by this Bill;
- is consequential to the repeal by this Bill of sections 18.1 and 18.2 of the Act.

CLAUSE 77: ***[Police Act, section 74]*** authorizes the Lieutenant Governor in Council to make regulations that apply provisions of Part 7.1 of the Act to detention guards.

CLAUSE 78: ***[Police Act, section 74]*** authorizes the Lieutenant Governor in Council to make regulations respecting the wearing of uniforms, insignia, badges and symbols.

CLAUSE 79: ***[Police Act, section 74]***

- authorizes the Lieutenant Governor in Council to prescribe different classes of officers and to make different regulations under the Act for different classes;
- authorizes the Lieutenant Governor in Council to make regulations that delegate matters to or confer discretion on a person;
- clarifies that the authority to make regulations under another section of the Act does not limit the authority to make regulations under section 74 or 184 of the Act.

**76 Section 74 (2) is amended**

**(a) by adding the following paragraph:**

(h.1) prescribing the practices, procedures and quorum of municipal police boards; , **and**

**(b) in paragraph (s) by striking out** “making all or any part of sections 18.1 and 18.2 applicable” **and substituting** “making all or any part of Division 2 [*Designated Law Enforcement*] of Part 3.1 [*Designated Policing and Law Enforcement*] applicable”.

**77 Section 74 is amended**

**(a) in subsection (2) by adding the following paragraph:**

(t.5) making one or more provisions of Part 7.1 [*Independent Investigations Office*] applicable in relation to detention guards, in addition to those provisions of that Part that already apply, with any changes the Lieutenant Governor in Council considers necessary or advisable; , **and**

**(b) in subsection (3) by adding the following paragraph:**

(h) safety officer.

**78 Section 74 (2) is amended**

**(a) in paragraph (u) by striking out** “dress,” **and**

**(b) by adding the following paragraph:**

(u.2) respecting the wearing of uniforms, insignia, badges and symbols by a class of officers or by IIO investigators; .

**79 Section 74 is amended**

**(a) in subsection (3) by striking out** “For the purposes of regulations under subsection (2) and section 184 [*regulations under Parts 9 and 11*], the minister may make regulations prescribing classes of officers and the classifications may be based on” **and substituting** “In making regulations under this Act, the Lieutenant Governor in Council may prescribe classes of officers and the classes may be based on”,

**(b) in subsection (4) by striking out** “under subsection (2) (b) or (u)” **and substituting** “under this Act”, **and**

**(c) by adding the following subsections:**

(6) In making a regulation under this Act, the Lieutenant Governor in Council may

(a) delegate a matter to a person, or

CLAUSE 79: *[Police Act, section 74 – continued]*

CLAUSE 80: *[Police Act, sections 74.1 and 74.2]* authorizes the Lieutenant Governor in Council to make regulations for the purposes of the designated policing and law enforcement provisions set out in Part 3.1 of the Act, as added by this Bill.

- (b) confer a discretion on a person.
- (7) The authority to make regulations under another section of this Act does not limit the authority to make regulations under this section or section 184.

**80 The following sections are added:**

**Regulations respecting designated policing**

- 74.1** (1) The Lieutenant Governor in Council may make regulations respecting designated policing boards and designated policing units, including, without limitation, regulations respecting any of the following:
- (a) the powers, duties and functions of the minister or director in relation to a designated policing board, designated policing unit or the entity on behalf of which the board or unit is established;
  - (b) the powers, duties and functions of an entity in relation to a designated policing board or designated policing unit;
  - (c) the composition, practices, procedures and quorum of a designated policing board, including, without limitation, regulations that do any of the following:
    - (i) authorize a person, entity or body other than the Lieutenant Governor in Council to appoint members to the board;
    - (ii) prescribe requirements in relation to
      - (A) the election of the chair and vice chair, and
      - (B) the filling of vacancies on the board;
  - (d) the powers, duties and functions of a designated policing board for the purposes of section 14.05 (5) [*powers, duties and functions of designated policing board*], including, without limitation, regulations that do any of the following:
    - (i) prescribe requirements respecting
      - (A) the submission and approval of budgets,
      - (B) the determination of the priorities, goals and objectives of the designated policing unit, and
      - (C) the appointment and qualifications of the designated constables, chief officer and deputy chief officers;
    - (ii) exempt the board, in whole or in part, from a power, duty or function under Division 1 [*Designated Policing*] of Part 3.1 [*Designated Policing and Law Enforcement*];

CLAUSE 80: *[Police Act, sections 74.1 and 74.2 – continued]*

- (e) the powers, duties and functions of a designated policing unit and its designated constables, chief officer and deputy chief officers, including, without limitation, regulations that do any of the following:
    - (i) prescribe all or any part of British Columbia as the designated policing area;
    - (ii) prescribe powers, duties or functions for the purposes of section 14.06 (2) [*powers, duties and functions of designated policing unit*], including in relation to
      - (A) the enforcement of the bylaws of a municipality or regional district, the laws of an Indigenous governing body or other laws, and
      - (B) the care, custody or supervision of persons held in a place of detention;
    - (iii) exempt the designated policing unit, designated constables, chief officers or deputy chief officers, in whole or in part, from a power, duty or function under Division 1 of Part 3.1;
  - (f) the coordination of designated policing with policing and law enforcement provided by one or more other police forces;
  - (g) other matters contemplated by Division 1 of Part 3.1, or that the Lieutenant Governor in Council considers necessary and advisable for the purposes of that Division.
- (2) The Lieutenant Governor in Council may, by regulation, do any of the following:
- (a) continue a designated policing board or designated policing unit;
  - (b) disestablish or otherwise provide that a designated policing board or designated policing unit ceases to exist.
- (3) Regulations under this Act may be different for different designated policing boards and designated policing units.

**Regulations respecting designated law enforcement**

- 74.2** (1) The Lieutenant Governor in Council may make regulations respecting designated law enforcement boards and designated law enforcement units, including, without limitation, regulations respecting any of the following:
- (a) the powers, duties and functions of the minister or director in relation to a designated law enforcement board, designated law enforcement unit or the entity on behalf of which the board or unit is established;
  - (b) the powers, duties and functions of an entity in relation to a designated law enforcement board or designated law enforcement unit;

CLAUSE 80: *[Police Act, sections 74.1 and 74.2 – continued]*

- (c) the composition, practices, procedures and quorum of a designated law enforcement board, including, without limitation, regulations that do any of the following:
  - (i) authorize a person, entity or body other than the Lieutenant Governor in Council to appoint members to the board;
  - (ii) prescribe requirements in relation to
    - (A) the election of the chair and vice chair, and
    - (B) the filling of vacancies on the board;
- (d) the powers, duties and functions of a designated law enforcement board for the purposes of section 14.14 (5) [*powers, duties and functions of designated law enforcement board*], including, without limitation, regulations that do any of the following:
  - (i) prescribe requirements respecting
    - (A) the submission and approval of budgets,
    - (B) the determination of the priorities, goals and objectives of the designated law enforcement unit, and
    - (C) the appointment and qualifications of the enforcement officers, chief officer and deputy chief officers;
  - (ii) exempt the board, in whole or in part, from a power, duty or function under Division 2 [*Designated Law Enforcement*] of Part 3.1 [*Designated Policing and Law Enforcement*];
- (e) the powers, duties and functions of a designated law enforcement unit and its enforcement officers, chief officer and deputy chief officers, including, without limitation, regulations that do any of the following:
  - (i) prescribe all or any part of British Columbia as the designated law enforcement area;
  - (ii) prescribe the law enforcement services that may be provided including, without limitation, in relation to
    - (A) the enforcement of the criminal law, the laws of British Columbia, the bylaws of a municipality or regional district or the laws of an Indigenous governing body,
    - (B) the maintenance of law and order and the prevention of crime, and
    - (C) the care, custody or supervision of persons held in a place of detention;
  - (iii) prescribe requirements respecting the equipment and supplies that may be used;

CLAUSE 80: *[Police Act, sections 74.1 and 74.2 – continued]*

CLAUSE 81: *[Police Act, sections 74.1 and 74.2]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 82: *[Police Act, section 74.3]* authorizes the Lieutenant Governor in Council to make regulations for the purposes of sections 40.02, 68.2 and 68.3 of the Act, as added by this Bill.

- (iv) disapply or limit the powers, duties or immunities that enforcement officers would otherwise have under section 14.15 (4) *[appointment of enforcement officers and chief officer]*;
  - (f) the coordination of designated law enforcement with policing and law enforcement provided by police forces;
  - (g) other matters contemplated by Division 2 of Part 3.1, or that the Lieutenant Governor in Council considers necessary and advisable for the purposes of that Division.
- (2) If a designated law enforcement unit is established on behalf of an entity for which a designated policing board and designated policing unit are established, a regulation under subsection (1) may provide that
- (a) the designated policing board is also the designated law enforcement board, and
  - (b) the chief officer and deputy chief officers of the designated policing unit are also the chief officer and deputy chief officers of the designated law enforcement unit.
- (3) The Lieutenant Governor in Council may, by regulation, do any of the following:
- (a) continue a designated law enforcement board or designated law enforcement unit;
  - (b) disestablish or otherwise provide that a designated law enforcement board or designated law enforcement unit ceases to exist.
- (4) Regulations under this Act may be different for different designated law enforcements boards and designated law enforcement units.

**81** *Sections 74.1 (1) (f) and 74.2 (1) (f) are amended by striking out “police forces” and substituting “police services”.*

**82** *The following section is added:*

**Regulations respecting training and codes of conduct  
for members of boards**

- 74.3** (1) The Lieutenant Governor in Council may make regulations as follows:
- (a) respecting the director’s powers, duties and functions under section 40.02 (1) (c) and (3) *[director’s functions respecting training and codes of conduct for members of boards]*;
  - (b) for the purposes of section 68.3 *[duty of board members to comply with codes of conduct]*, respecting codes of conduct for members of boards, including, without limitation, regulations that do any of the following:
    - (i) establish standards, duties and prohibitions respecting conduct;

CLAUSE 82: *[Police Act, section 74.3 – continued]*

CLAUSE 83: *[Police Act, section 74.4]* authorizes the Lieutenant Governor to make regulations for the purposes of Part 5.1 of the Act, as added by this Bill.

- (ii) set out powers, duties and functions of the Lieutenant Governor in Council, minister or director;
  - (c) respecting compliance with and enforcement of sections 68.2 [*duty of board members to complete training*] and 68.3.
- (2) For the purposes of preventing or addressing non-compliance with section 68.2 or 68.3, and without limiting subsection (1) of this section, a regulation under this section may authorize any of the following actions to be taken against a person who is a member of a board:
  - (a) in the case of a person appointed by the Lieutenant Governor in Council, authorize the Lieutenant Governor in Council to do any of the following:
    - (i) impose terms and conditions respecting the person’s membership on the board;
    - (ii) suspend the person’s membership on the board;
    - (iii) remove the person from the board;
    - (iv) rescind the person’s appointment to the board;
  - (b) require the director to recommend to the minister that the Lieutenant Governor in Council take an action described in paragraph (a);
  - (c) in the case of a person not appointed by the Lieutenant Governor in Council, authorize the minister or director to take any of the actions referred to in paragraph (a).
- (3) Regulations under this section may be different for different classes of persons, entities, bodies, or things.

**83    *The following section is added:***

**Regulations respecting detention guard duties and safety officers**

**74.4** The Lieutenant Governor in Council may make regulations as follows:

- (a) prescribing powers, duties or functions that are excluded from the definition of “detention guard duties” in section 30.1 [*definition for Part 5.1*];
- (b) exempting the council of a municipality from section 30.2 (3) [*prohibition respecting detention guard duties*];
- (c) for the purposes of section 30.3 (3) [*safety officers*], prescribing persons or bodies as safety officer employers including, without limitation, prescribing any of the following as safety officer employers:
  - (i) regional districts;
  - (ii) government corporations;
  - (iii) persons or bodies that operate educational or health institutions;
  - (iv) Indigenous governing bodies;

CLAUSE 83: *[Police Act, section 74.4 – continued]*

CLAUSE 84: *[Police Act, section 74.4]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

- (d) respecting powers, duties and functions of municipal police boards, municipal councils, safety officer employers and other persons or bodies in relation to safety officers, including, without limitation, prescribing requirements respecting
  - (i) the appointment and qualifications of safety officers, and
  - (ii) the minimum salary or other remuneration and allowances to be paid to safety officers;
- (e) in respect of the duty of a safety officer employer under section 30.4 (3) (b) [*director's standards relating to safety officers*] or 70.1 (4) (c) [*uniforms worn by constables and officers*], imposing that duty on another person or body, either instead of or in addition to the safety officer employer;
- (f) respecting the powers, duties and functions of safety officers, including, without limitation, regulations that do any of the following:
  - (i) prescribe all or any part of British Columbia, or a particular building or place in British Columbia, as the area, building or place in which the powers, duties and functions may be exercised and performed;
  - (ii) prescribe the law enforcement services that may be provided including, without limitation, in relation to
    - (A) the enforcement of the criminal law, the laws of British Columbia, the bylaws of a municipality or regional district or the laws of an Indigenous governing body,
    - (B) the maintenance of law and order and the prevention of crime, and
    - (C) the care, custody and supervision of persons held in a place of detention;
  - (iii) prescribe requirements respecting the equipment and supplies that may be used;
  - (iv) disapply or limit the powers, duties or immunities that safety officers would otherwise have under section 30.3 (7);
- (g) respecting cooperation and coordination of powers, duties and functions exercised and performed by safety officers with policing and law enforcement provided by a police force or designated law enforcement unit.

**84** *Section 74.4 (g) is amended by striking out “police force” and substituting “police service”.*

CLAUSE 85: *[Police Act, section 76]* is consequential to section 133.1 of the Act, as added by this Bill.

CLAUSE 86: *[Police Act, section 76]* repeals the definition of “external police force” and adds a definition of “external police service”, consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 87: *[Police Act, section 77]* expands the meaning of “abuse of authority” to include the use of discriminatory language, and the use of profane, abusive, discriminatory or insulting jokes or gestures, and adds Indigenous identity and gender identity or expression to the grounds on which conduct can be considered abusive.

**85 Section 76 (1) is amended in the definition of “discipline authority”**

- (a) in paragraphs (a) (i) and (c) (i) by striking out** “unless section 117 (9), 134 or 135 (1) applies” **and substituting** “unless section 117 (9), 133.1 (2), 134 or 135 (1) applies”,
- (b) in paragraphs (a) (ii), (b) (ii), (c) (ii) and (d) (ii) by striking out** “the retired judge appointed under that section” **and substituting** “the retired judge who becomes a discipline authority under that section”,
- (c) in paragraphs (a) and (c) by adding the following subparagraph:**
  - (ii.1) if section 133.1 (2) [*chief constable may designate qualified person as discipline authority*] applies, the qualified person designated under that section, , **and**
- (d) in paragraphs (a) (iv) and (c) (iv) by striking out** “a senior officer” **and substituting** “a senior officer or qualified person”.

**86 Section 76 (1) is amended**

- (a) by repealing the definition of “external police force”, and**
- (b) by adding the following definition:**

“**external police service**”, in relation to a municipal police department to which section 89 (1) [*reporting of death, serious harm and reportable injury, and mandatory external investigation in cases of death and serious harm*], 91 (1) [*external investigation of chief constables*], 92 (1), (2) or (3) [*external investigations when in public interest*] or 93 (1) (b) (ii) [*independent power to order investigation*] applies, means

- (a) another municipal police department,
- (b) the provincial police service, or
- (c) a designated policing unit; .

**87 Section 77 (3) (a) (iii) is repealed and the following substituted:**

- (iii) when on duty, or off duty but in uniform, using profane, abusive, discriminatory or insulting language, jokes or gestures to any person including, without limitation, language, jokes or gestures that would likely be seen to demean or show disrespect to the person on the basis of that person’s
  - (A) race, colour, ancestry, place of origin or Indigenous identity,
  - (B) political belief or religion,
  - (C) marital or family status,
  - (D) physical or mental disability,
  - (E) age,

- CLAUSE 87: *[Police Act, section 77 – continued]*
- CLAUSE 88: *[Police Act, section 78]* clarifies that the section applies in relation to former members.
- CLAUSE 89: *[Police Act, section 85]* clarifies that the section applies in relation to a former member.
- CLAUSE 90: *[Police Act, various sections]* is consequential to the addition by this Bill of the definition of “external police service” to section 76 of the Act.
- CLAUSE 91: *[Police Act, section 96]* authorizes the police complaint commissioner to appoint retained persons to observe and report on investigations.
- CLAUSE 92: *[Police Act, section 112]* specifies a time period before which the disciplinary authority may not perform duties under the section.
- CLAUSE 93: *[Police Act, section 117]* is consequential to section 177.2 of the Act, as added by this Bill.
- CLAUSE 94: *[Police Act, section 123]* is consequential to section 138 of the Act, as amended by this Bill;

- (F) sex, sexual orientation or gender identity or expression, or
- (G) economic or social status; .

**88** *Section 78 (1) is amended by striking out “a complaint concerning any conduct of a member” and substituting “a complaint concerning any conduct of a member or former member”.*

**89** *Section 85 (1) (a) is amended by striking out “the conduct of a member” and substituting “the conduct of a member or former member”.*

**90** *Sections 89 (2) (a), 91 (1) (a), 92 (1) (a), (2) and (3) (a) and 93 (1) (b) (ii) are amended by striking out “external police force” wherever it appears and substituting “external police service”.*

**91** *Section 96 (1) (b) is amended by striking out “designate an employee” and substituting “designate an employee, or a person retained under section 51 (3) [staff and other designated individuals],”.*

**92** *Section 112 (1) is amended by striking out “Within 10 business days after receiving an investigating officer’s final investigation report in respect of the conduct of a member or former member,” and substituting “Not earlier than 10 business days after receiving an investigating officer’s final investigation report in respect of the conduct of a member or former member, and not later than 20 business days after receiving the report,”.*

**93** *Section 117 is amended*

*(a) in subsection (1) by striking out “the police complaint commissioner may appoint a retired judge recommended under subsection (4) of this section to do the following” and substituting “the police complaint commissioner may, in accordance with section 177.2 [list and appointment of retired judges], appoint a retired judge to do the following”, and*

*(b) by repealing subsection (4).*

**94** *Section 123 is amended*

*(a) by adding the following subsection:*

- (2.1) If the police complaint commissioner decides or is required to arrange a public hearing under this Division, the police complaint commissioner may issue directions that specify provisions of this Part under which no further steps may be taken. , **and**

CLAUSE 94: *[Police Act, section 123 – continued]*

CLAUSE 95: *[Police Act, section 133.1]* authorizes a chief constable to designate a qualified person to be a discipline authority instead of the chief constable.

CLAUSE 96: *[Police Act, section 135]* authorizes the police complaint commissioner to designate a senior officer or qualified person to be a discipline authority, instead of the chief constable.

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

- (3) If the police complaint commissioner arranges a public hearing in respect of conduct that is the subject of a discipline proceeding, the discipline authority must cancel the discipline proceeding.

**95 *The following section is added:***

**Chief constable may designate  
qualified person as discipline authority**

- 133.1** (1) In this section, “**qualified person**” means a person who is on the list established under section 177.3 [*list of persons qualified to be discipline authorities*].
- (2) At any time after an investigation is initiated under this Part into the conduct of a member or former member of a municipal police department, the chief constable of the municipal police department may designate a qualified person to be a discipline authority, instead of the chief constable.
  - (3) If a qualified person is designated under subsection (2), the chief constable must promptly notify the following of the designation:
    - (a) the police complaint commissioner;
    - (b) subject to section 88 [*duty to preserve evidence relating to complaint or report*], the member or former member concerned.

**96 *Section 135 (1) is repealed and the following substituted:***

- (1) Subject to subsections (1.1) and (2), at any time after an investigation is initiated under this Part into the conduct of a member or former member of a municipal police department, the police complaint commissioner may designate a senior officer of another municipal police department, or a person on the list of qualified persons established under section 177.3 [*list of persons qualified to be discipline authorities*], to exercise the powers and perform the duties of a discipline authority under one or more provisions of this Division, instead of the person referred to in subsection (1.1) (a), (b) or (c).
- (1.1) The power to designate a senior officer or qualified person under subsection (1) may be exercised if the police complaint commissioner considers it necessary in the public interest that a person other than the following, as applicable, be the discipline authority for the purposes of the applicable provisions:
  - (a) a chief constable of the municipal police department;
  - (b) the chief constable’s delegate;
  - (c) a qualified person that the chief constable has designated as a discipline authority under section 133.1 (2) [*chief constable may designate qualified person as discipline authority*].

CLAUSE 97: *[Police Act, section 135]* is for consistency with section 135 (1) of the Act, as amended by this Bill, and section 135 (1.1) of the Act, as added by this Bill, and is consequential to sections 133.1 and 177.2 of the Act, as added by this Bill.

CLAUSE 98: *[Police Act, section 137]* is consequential to section 138 of the Act, as amended by this Bill.

CLAUSE 99: *[Police Act, section 138]* clarifies the police complaint commissioner's authority to arrange public hearings or reviews on the record.

**97 Section 135 (2) is repealed and the following substituted:**

- (2) Subject to subsection (2.1), at any time after an investigation is initiated under this Part into the conduct of a member or former member of a municipal police department who, at the time of the conduct of concern, is or was a chief constable or deputy chief constable, the police complaint commissioner may appoint a retired judge to exercise the powers and perform the duties of a discipline authority under one or more provisions of this Division, instead of the chair of the municipal police board.
- (2.1) The power to appoint a retired judge under subsection (2) may be exercised if the police complaint commissioner considers it necessary in the public interest that a person other than the chair of the municipal police board be the discipline authority for the purposes of the applicable provisions and, if the power is exercised, the retired judge must be appointed in accordance with section 177.2 *[list and appointment of retired judges]*.

**98 Section 137 is amended by adding the following subsection:**

- (3) If the police complaint commissioner is required under subsection (1) to arrange a public hearing, or decides under subsection (2) to arrange a review on the record, the police complaint commissioner must notify the following:
  - (a) the complainant, if any;
  - (b) the member or former member whose conduct is the subject of concern;
  - (c) a chief constable of the municipal police department with which the member is employed or, in the case of a former member, a chief constable of the municipal police department with which the former member was employed at the time of the conduct of concern;
  - (d) if the member or former member concerned is or was the chief constable of a municipal police department, the chair of the board of that municipal police department;
  - (e) the discipline authority involved, if different than the chief constable or chair of the board referred to in paragraph (c) or (d).

**99 Section 138 (1) is repealed and the following substituted:**

- (1) The police complaint commissioner must arrange a public hearing or review on the record if, after considering the factors referred to in subsection (2), the police complaint commissioner determines that a public hearing or review on the record is necessary in the public interest.

CLAUSE 100: *[Police Act, section 138]* expands the police complaint commissioner's powers to require public hearings and reviews on the record.

CLAUSE 101: *[Police Act, section 138]*

- sets out the time periods within which the police complaint commissioner, in relation to certain requests made under section 136 of the Act, must make determinations respecting public hearings and reviews on the record;
- authorizes the police complaint commissioner to consolidate matters to be heard at a public hearing.

**100 Section 138 is amended**

**(a) in subsection (2) by striking out “In considering” and substituting “In determining” and by striking out “the following factors” and substituting “the following”, and**

**(b) by adding the following subsections:**

- (2.1) A determination under this section as to whether a public hearing is necessary in the public interest may be made, on the police complaint commissioner’s own initiative, at any time after the police complaint commissioner receives a final investigation report.
- (2.2) A determination under this section as to whether a review on the record is necessary in the public interest may be made, on the police complaint commissioner’s own initiative, at any time after a copy of the discipline authority’s report is provided to the police complaint commissioner under section 133 (1) (b) *[review of discipline proceedings]*.

**101 Section 138 (3) is repealed and the following substituted:**

- (3) The police complaint commissioner must make a determination under this section as to whether a public hearing or review on the record is necessary in the public interest
  - (a) promptly after, as the case may be,
    - (i) the police complaint commissioner receives a request under section 136 *[time limit for requesting public hearing or review on the record]* in circumstances other than those described in section 137 (1) *[circumstances when member or former member concerned is entitled to public hearing]*, or
    - (ii) the relevant limitation period expires, and
  - (b) in any event, not later than 20 business days after
    - (i) the request referred to in paragraph (a) (i) of this subsection is received, or
    - (ii) the relevant limitation period referred to in paragraph (a) (ii) of this subsection expires.
- (3.1) If the police complaint commissioner decides or is required to arrange a public hearing, the police complaint commissioner may consolidate matters to be heard at the public hearing including, without limitation, by doing the following:
  - (a) consolidating 2 or more matters involving the same member or former member;
  - (b) consolidating 2 or more matters involving different members or former members, if the police complaint commissioner considers that the matters are related.

CLAUSE 102: *[Police Act, section 138]* is consequential to section 138 (1) to (3) of the Act, as amended by this Bill.

CLAUSE 103: *[Police Act, section 139]* is consequential to section 138 of the Act, as amended by this Bill.

**102 Section 138 is amended**

- (a) in subsection (4) by striking out “after making a determination under this section” and substituting “after determining that a public hearing or review on the record is necessary in the public interest”,**
- (b) by repealing subsection (5) and substituting the following:**
  - (5) If the police complaint commissioner determines, in respect of a request referred to in subsection (3), that a public hearing or review on the record is not necessary in the public interest, the police complaint commissioner must, within 10 business days after making the determination,
    - (a) notify the persons referred to in subsection (4), and
    - (b) give written reasons for that determination. , **and**
- (c) by repealing subsection (7) (a) and (b) and substituting the following:**
  - (a) is required under section 137 to arrange a public hearing, or
  - (b) determines under this section that a public hearing is necessary in the public interest, .

**103 Section 139 is repealed and the following substituted:**

**Reconsideration on new evidence**

- 139**
- (1) Despite section 138 (3) and (6), at any time after the police complaint commissioner has determined that a public hearing or review on the record is not necessary in the public interest, the police complaint commissioner may reconsider the determination if satisfied, on application by any person or on the police complaint commissioner’s own initiative, that new evidence has become available or been discovered that is substantial and material to the case or that determination.
  - (2) In reconsidering whether a public hearing or review on the record is necessary in the public interest, the police complaint commissioner must consider all relevant factors, including, without limitation, the factors described in section 138 (2).
  - (3) If the police complaint commissioner determines, on reconsideration, that a public hearing or review on the record is necessary in the public interest, section 138 (3.1), (4) and (7) apply in relation to the determination.
  - (4) If the police complaint commissioner determines, on reconsideration in respect of an application referred to in subsection (1), that a public hearing or review on the record is not necessary in the public interest, section 138 (5) and (6) apply in relation to the determination.

CLAUSE 104: *[Police Act, section 140]* updates a requirement respecting the manner in which documents may be made available to the public and adds that determinations under section 137 (2) of the Act may also be made available to the public.

CLAUSE 105: *[Police Act, section 141]* is consequential to section 138 of the Act, as amended by this Bill.

CLAUSE 106: *[Police Act, section 142]* is consequential to section 177.2 of the Act, as added by this Bill.

CLAUSE 107: *[Police Act, section 143]* is consequential to sections 138 and 141 of the Act, as amended by this Bill.

**104 Section 140 (1) is repealed and the following substituted:**

- (1) A determination made under or referred to in any of the following provisions may be made available to the public by the police complaint commissioner by posting the determination on a publicly accessible website maintained by or on behalf of the police complaint commissioner:
  - (a) section 137 (2) *[circumstances when member or former member concerned is entitled to public hearing]*;
  - (b) section 138 (4) or (5) *[determining whether to arrange public hearing or review on the record in other circumstances]*;
  - (c) section 139 (3) or (4) *[reconsideration on new evidence]*.

**105 Section 141 is amended**

- (a) **in subsection (2) by striking out** “if the police complaint commissioner determines that there are sufficient grounds to arrange a public hearing or review on the record in respect of a disciplinary decision under section 138 *[determining whether to arrange public hearing or review on the record]* or 139 *[reconsideration on new evidence]*” **and substituting** “if the police complaint commissioner determines, in respect of a disciplinary decision, that a public hearing or review on the record is necessary in the public interest”, **and**
- (b) **in subsections (3) and (5) by striking out** “under this section”.

**106 Section 142 (1) and (2) are repealed and the following substituted:**

- (1) If the police complaint commissioner is required or decides to arrange a public hearing or review on the record, the police complaint commissioner must appoint a retired judge to act as adjudicator for the purposes of the public hearing or review on the record.
- (2) The appointment under subsection (1) must be made in accordance with section 177.2 *[list and appointment of retired judges]*.

**107 Section 143 is amended**

- (a) **by repealing subsection (1) (a) and substituting the following:**
  - (a) the police complaint commissioner determines that, for the purposes of completing a review of the disciplinary decision on a standard of correctness and doing the things described in section 141 (10), it is likely that evidence other than the following will be necessary:
    - (i) the record of the disciplinary decision described in section 141 (3);

CLAUSE 107: *[Police Act, section 143 – continued]*

CLAUSE 108: *[Police Act, section 156]* allows for informal resolution of complaints involving reportable injuries.

CLAUSE 109: *[Police Act, section 171]* sets out the grounds on which a municipal police board may dismiss complaints under section 171 (1) (d) of the Act, as amended by this Bill.

CLAUSE 110: *[Police Act, section 173.1]* requires municipal police boards to establish policies and procedures for handling service and policy complaints under Division 5 of Part 11 of the Act.

- (ii) the service record of the member or former member concerned;
- (iii) submissions described in section 141 (5), (6) and (7) *[review on the record]*; , **and**

**(b) in subsection (4) by striking out** “under this section”.

**108 Section 156 (1) (a) is amended by striking out** “or a reportable injury”.

**109 Section 171 is amended**

**(a) by repealing subsection (1) (d) and substituting the following:**

- (d) dismiss the complaint on any of the grounds set out in subsection (2.1); ,  
**and**

**(b) by adding the following subsection:**

(2.1) The board may dismiss a complaint if the board determines that any of the following apply:

- (a) the complaint is trivial, frivolous, vexatious or not made in good faith;
- (b) the complaint is filed for an improper purpose or motive;
- (c) the complaint concerns a policy or service matter that has been appropriately resolved;
- (d) the complaint is not about a policy or service matter that
  - (i) is under the general direction and management or operation of the municipal police department, or
  - (ii) is otherwise described in section 168 (1) *[making a service or policy complaint]*.

**110 The following section is added to Division 5 of Part 11:**

**Duty of municipal police board to establish policy respecting service and policy complaints**

**173.1** (1) In this section:

“**complaints policy**” means the policies and procedures described in subsection (2);

“**complaints policy guidelines**” means the guidelines, if any, established by the police complaint commissioner under section 177 (4) (e.2) *[general responsibility and functions of police complaint commissioner]*.

- (2) A municipal police board must establish policies and procedures for handling, reviewing and responding to complaints made under this Division.
- (3) A complaints policy must
  - (a) be established within the time period that the director specifies, and

CLAUSE 110: *[Police Act, section 173.1 – continued]*

CLAUSE 111: *[Police Act, Division 6.1 of Part 11]* establishes the process for determining disciplinary or corrective measures to be taken in relation to

- members of municipal police departments who are former designated constables or former enforcement officers, and
- designated constables or enforcement officers who are former members of municipal police departments.

- (b) be consistent with the complaints policy guidelines, as those guidelines read on the date the director specifies.
- (4) At least once every 4 years after establishing a complaints policy, a municipal police board must
  - (a) review the complaints policy, and
  - (b) if the complaints policy is not consistent with the complaints policy guidelines, amend the complaints policy to achieve consistency with those guidelines.
- (5) Before establishing or amending a complaints policy, a municipal police board must provide an opportunity for members of the community to provide input respecting the complaints policy or amendments to the complaints policy.
- (6) Promptly after establishing or amending a complaints policy, a municipal police board must post the complaints policy or amended complaints policy on a publicly accessible website maintained by or on behalf of the municipal police board.

**111 The following Division is added to Part 11:**

**Division 6.1 – Discipline Matters  
Involving Former Designated Officers or Former Members**

**Definitions for Division 6.1**

**176.1** In this Division:

“**designated officer**” means the following:

- (a) in relation to a designated policing unit, a designated constable;
- (b) in relation to a designated law enforcement unit, an enforcement officer;

“**designated unit**” means a designated policing unit or designated law enforcement unit;

“**designated unit complaints regulation**” means a regulation of the Lieutenant Governor in Council by which all or any part of this Part is made applicable in relation to a designated unit;

“**directions of the police complaint commissioner**” means the directions, if any, issued under section 176.4 [*police complaint commissioner may direct next steps*];

“**discipline authority**” includes a person who is a discipline authority for the purposes of a designated unit complaints regulation;

“**investigating officer**” includes a person who is an investigating officer for the purposes of a designated unit complaints regulation.

CLAUSE 111: *[Police Act, Division 6.1 of Part 11 – continued]*

**Process if member is former designated officer**

- 176.2** (1) This section applies in relation to a person who is a member or former member of a municipal police department if,
- (a) before becoming a member of the municipal police department, the person was a designated officer or former designated officer, and
  - (b) before or after becoming a member of the municipal police department, an investigation under a designated unit complaints regulation has been initiated concerning the conduct of the person when that person was a designated officer.
- (2) An investigation referred to in subsection (1) (b) must be conducted under the designated unit complaints regulation but, at the conclusion of the investigation, the disciplinary or corrective measures to be taken, if any, in relation to the person must be determined in accordance with this Part and the directions of the police complaint commissioner.
- (3) For the purposes of subsection (2), this Part applies as if
- (a) the person had been a member at the time of the conduct of concern, and
  - (b) the investigation had been conducted under this Part.
- (4) During an investigation referred to in subsection (1) (b), notices required to be given to the chief officer of the designated unit must also be given to the chief constable of the municipal police department.

**Process if former member is designated officer**

- 176.3** (1) This section applies in relation to a person who is a designated officer or former designated officer of a designated unit if,
- (a) before becoming a designated officer of the designated unit, the person was a member or former member of a municipal police department, and
  - (b) before or after becoming a designated officer of the designated unit, an investigation under this Part has been initiated concerning the conduct of the person when that person was a member of the municipal police department.
- (2) An investigation referred to in subsection (1) (b) must be conducted under this Part but, at the conclusion of the investigation, the disciplinary or corrective measures to be taken, if any, in relation to the person must be determined in accordance with the designated unit complaints regulation and the directions of the police complaint commissioner.
- (3) For the purposes of subsection (2), the designated unit complaints regulation applies as if
- (a) the person had been a designated officer of the designated unit at the time of the conduct of concern, and

CLAUSE 111: *[Police Act, Division 6.1 of Part 11 – continued]*

CLAUSE 112: *[Police Act, section 177]* makes section 177 (3) applicable to reports respecting systemic matters investigated under section 177.01 of the Act, as added by this Bill.

CLAUSE 113: *[Police Act, section 177]* authorizes the police complaint commissioner to establish guidelines respecting specified matters.

- (b) the investigation had been conducted under the designated unit complaints regulation.
- (4) During an investigation referred to in subsection (1) (b), notices required to be given to the chief constable of the municipal police department must also be given to the chief officer of the designated unit.

**Police complaint commissioner may direct next steps**

- 176.4** (1) The police complaint commissioner may issue directions to a discipline authority respecting the steps to be taken or proceedings to be conducted for the purposes of determining a matter in accordance with section 176.2 *[process if member is former designated officer]* or 176.3.
- (2) The discipline authority must ensure that every direction issued to it under subsection (1) is carried out.

**Duty to cooperate under Division 6.1**

- 176.5** Discipline authorities, investigating officers and other persons who have powers or duties under this Part, or under a designated unit complaints regulation, must cooperate with the police complaint commissioner, and each other, for the purposes of determining a matter in accordance with this Division.

**112** *Section 177 (3) is amended by striking out “Before making the reports referred to in subsection (2) (f) available to the public” and substituting “Before making the reports referred to in subsection (2) (f) or section 177.01 (4) (a) available to the public”.*

**113** *Section 177 (4) is amended by adding the following paragraphs:*

- (b.1) establish guidelines to be followed by members and municipal police departments respecting the provision of notice to the police complaint commissioner on becoming aware of any information that raises a question or concern as to whether the conduct of a member constitutes misconduct;
- (b.2) establish guidelines to be followed by members respecting procedural matters associated with any of the following:
  - (i) the disclosure of information to a member or former member prior to answering questions or providing a statement under section 101 (2) *[members’ duty to cooperate with investigating officer, answer questions and provide written statements]*;
  - (ii) the disclosure of information to persons otherwise providing information or statements to an investigating officer;
  - (iii) the maintenance of confidentiality with respect to any aspect of an investigation under this Part, including the fact of being asked to provide information or statements relating to the investigation;

CLAUSE 113: *[Police Act, section 177 – continued]*

CLAUSE 114: *[Police Act, section 177]* is consequential to sections 1.1 and 5 of the Act, as amended by this Bill.

CLAUSE 115: *[Police Act, section 177]*

- is consequential to section 40 of the Act, as amended by this Bill, and section 40.01 of the Act, as added by this Bill;
- authorizes the police complaint commissioner to make guidelines respecting service and policy complaints policies.

CLAUSE 116: *[Police Act, section 177]* authorizes the police complaint commissioner to make recommendations to the minister or director in relation to sections 40.02, 68.2 and 68.3 of the Act, as added by this Bill.

- (iv) the duty of a member to cooperate in an investigation under this Part;
- (b.3) establish guidelines to be followed by members and municipal police departments respecting procedural matters associated with the exercise of powers or performance of duties under the following sections:
  - (i) section 123 *[matters related to discipline proceeding]*;
  - (ii) section 124 *[discipline proceeding]*;
  - (iii) section 125 *[conclusion of discipline proceeding]*;
- (b.4) establish guidelines to be followed by members and municipal police departments respecting administrative or procedural matters associated with investigations for which no express, or only partial, provision has been made under this Part; .

**114 Section 177 (4) (d) is amended by striking out “police departments or forces,” and substituting “municipal police departments,”.**

**115 Section 177 (4) is amended**

**(a) in paragraph (e) by striking out “sections 40 *[functions of director]*, 42 *[studies by director]*” and substituting “sections 40 *[functions of the director]*, 40.01 *[director’s standards]*, 42 *[studies by director]*”, and**

**(b) by adding the following paragraph:**

- (e.2) establish guidelines respecting the policies and procedures that municipal police boards are required to establish under section 173.1 (2) *[duty of municipal police board to establish policy respecting service and policy complaints]*; .

**116 Section 177 (4) is amended by adding the following paragraph:**

- (e.1) make recommendations to the minister or director respecting the following:
  - (i) the director’s powers, duties and functions under section 40.02 *[director’s functions respecting training and codes of conduct for members of boards]*;
  - (ii) training for members of boards for the purposes of section 68.2 *[duty of board members to complete training]*;
  - (iii) codes of conduct for members of boards for the purposes of section 68.3 *[duty of board members to comply with codes of conduct]*; .

CLAUSE 117: *[Police Act, sections 177.01 and 177.02]* authorizes the police complaint commissioner to investigate systemic problems associated with complaints, investigations and administrative matters under Part 11 of the Act and, for the purposes of those investigations, incorporates the powers and duties set out in section 100 of the Act.

**117 The following sections are added:**

**Power of police complaint commissioner to investigate systemic issues**

- 177.01** (1) In addition to any other powers and duties under this Part or Part 9 [*Office of the Police Complaint Commissioner*], the police complaint commissioner may, if the police complaint commissioner considers it necessary in the public interest, investigate a matter that the police complaint commissioner reasonably believes is
- (a) a systemic cause of or contributor to complaints, or
  - (b) a systemic problem associated with investigations or the administration of discipline or proceedings under this Part.
- (2) In considering under subsection (1) whether the investigation of a matter is necessary in the public interest, the police complaint commissioner must consider all relevant factors including, without limitation, the following:
- (a) the nature and seriousness of the matter;
  - (b) the prevalence of the matter in relation to one or more municipal police departments;
  - (c) whether the investigation is necessary to preserve public confidence in the disciplinary process;
  - (d) whether the director has studied or investigated a similar matter.
- (3) Before investigating a matter under this section, the police complaint commissioner must notify the director.
- (4) The police complaint commissioner must
- (a) prepare a report on a matter investigated under this section, and
  - (b) make the report available to the public by posting it on a publicly accessible website maintained by or on behalf of the police complaint commissioner.
- (5) Based on information obtained from a matter investigated under this section, the police complaint commissioner may make recommendations to any of the following:
- (a) a municipal police department;
  - (b) a municipal police board;
  - (c) the director or minister;
  - (d) a person, entity or body that the minister considers appropriate.

CLAUSE 117: *[Police Act, sections 177.01 and 177.02 – continued]*

CLAUSE 118: *[Police Act, section 177.03]* requires members of municipal police departments and members of municipal police boards to cooperate with the police complaint commissioner in investigating systemic matters.

**Powers in relation to systemic investigations**

- 177.02** (1) The powers and duties set out in section 100 [*investigation powers in relation to municipal police departments*] apply in relation to investigations under section 177.01.
- (2) In applying section 100 for the purposes this section, the following rules apply:
- (a) references to an investigating officer must be read as references to the police complaint commissioner;
  - (b) references to a municipal police department must be read as references to a municipal police department or municipal police board;
  - (c) references to a member or former member must be read as references to a member or former member of a municipal police department or municipal police board;
  - (d) notification of an application for an order described in section 100 (5) must be given by the police complaint commissioner to the following:
    - (i) if the application relates to accessing premises or exercising a power in relation to a municipal police department, the chief constable of the municipal police department;
    - (ii) if the application relates to accessing premises or exercising a power in relation to a municipal police board, the chair of the municipal police board.

**118** *The following section is added:*

**Duty to cooperate in systemic investigations**

- 177.03** (1) The following must cooperate fully with the police complaint commissioner when the police complaint commissioner is investigating a matter under section 177.01 [*power of police complaint commissioner to investigate systemic issues*]:
- (a) a member of a municipal police department;
  - (b) a member of a municipal police board.
- (2) The powers and duties set out in section 101 (2) to (5) [*members' duty to cooperate with investigating officer, answer questions and provide written statements*] apply in relation to investigations under section 177.01.
- (3) In applying section 101 (2) to (5) for the purposes of subsection (2) of this section, the following rules apply:
- (a) references to a member must be read as references to a member of a municipal police department or municipal police board;
  - (b) references to an investigating officer or discipline authority must be read as references to the police complaint commissioner.

CLAUSE 118: *[Police Act, section 177.03 – continued]*

CLAUSE 119: *[Police Act, section 177.2]* requires the police complaint commissioner to establish a list of retired judges who may be appointed for specified purposes and to apply consistent and objective procedures in appointing a retired judge.

CLAUSE 120: *[Police Act, section 177.3]* authorizes the police complaint commissioner to establish a list of qualified persons who may be designated as discipline authorities under section 133.1 of the Act, as added by this Bill, and section 135 (1) of the Act, as amended by this Bill.

- (4) Section 102 *[use of statements made to investigating officer by members and former members]* applies in relation to a statement provided or answer given during an investigation under section 177.01 by a member or former member of a municipal police department or municipal police board.

**119 The following section is added:**

**List and appointment of retired judges**

- 177.2** (1) The police complaint commissioner must maintain a list of retired judges who may be appointed under one or more of the following provisions:
- (a) section 117 (1) *[appointment of new discipline authority if conclusion of no misconduct is incorrect]*;
  - (b) section 135 (2) *[power to designate another discipline authority if in public interest]*;
  - (c) section 142 (1) *[appointment of adjudicator for public hearing or review on the record]*.
- (2) For the purposes of maintaining the list under subsection (1), the police complaint commissioner must from time to time request the Associate Chief Justice of the Supreme Court to
- (a) consult with retired judges of the Provincial Court, the Supreme Court and the Court of Appeal, and
  - (b) recommend retired judges who the police complaint commissioner may include on that list.
- (3) The police complaint commissioner must establish and apply consistent and objective procedures in appointing retired judges under the provisions referred to in subsection (1).
- (4) The list maintained under subsection (1) and the procedures established under subsection (3) must be made available to the public by posting the list and procedures on a publicly accessible website maintained by or on behalf of the police complaint commissioner.

**120 The following section is added:**

**List of persons qualified to be discipline authorities**

- 177.3** (1) The police complaint commissioner may establish a list of qualified persons whom
- (a) the chief constable of a municipal police department may designate as a discipline authority under section 133.1 *[chief constable may designate qualified person as discipline authority]*, or

CLAUSE 120: *[Police Act, section 177.3 – continued]*

CLAUSE 121: *[Police Act, section 180]* is consequential to the duty of municipal police boards to elect a vice chair under section 25 of the Act, as amended by this Bill.

CLAUSE 122: *[Police Act, section 183]* is consequential to section 5 of the Act, as amended by this Bill.

CLAUSE 123: *[Police Act, section 183]* is consequential to the repeal by this Bill of sections 4.1 and 18.1 of the Act.

CLAUSE 124: *[Police Act, section 184]* adds a regulation-making power for the purposes of a section 177.3 (2) (c) of the Act, as added by this Bill.

CLAUSE 125: *[Police Act, section 184]* authorizes the Lieutenant Governor in Council to do the following in making regulations that apply Part 11 of the Act to specified persons:

- apply that Part with any changes the Lieutenant Governor in Council considers necessary or advisable;
- establish powers, duties and functions of the police complaint commissioner, and of other persons, entities, boards or other bodies, in relation to the specified persons.

(b) the police complaint commissioner may designate as a discipline authority under section 135 (1) [*power to designate another discipline authority if in public interest*].

- (2) A person is qualified to be listed under subsection (1) if the person
- (a) is a former senior officer,
  - (b) is a retired judge, or
  - (c) meets the requirements, if any, set out in the regulations.

**121 Section 180 (3) (f) is amended by striking out “chair of the board” and substituting “chair or vice chair of the board”.**

**122 Section 183 (1) is amended in the definition of “law enforcement service” by repealing paragraph (a) and substituting the following:**

- (a) the provincial police service; .

**123 Section 183 (8) (a) (ii) is amended by striking out “under section 4.1 or 18.1”.**

**124 Section 184 (2) is amended by adding the following paragraph:**

- (h.1) prescribing requirements for the purposes of section 177.3 (2) (c) [*list of persons qualified to be discipline authorities*]; .

**125 Section 184 is amended**

**(a) in subsection (2) (i) by striking out “the minister considers necessary or advisable” and substituting “that the Lieutenant Governor in Council considers necessary or advisable”,**

**(b) by adding the following subsection:**

(2.1) For the purposes of subsection (2) (i), the Lieutenant Governor in Council may make regulations respecting the powers, duties and functions of the police complaint commissioner, or of other persons, entities, boards or bodies, in relation to the IIO investigators, the chief civilian director or officers other than municipal constables, including, without limitation, regulations that do any of the following:

- (a) authorize a person, entity, board or other body to impose any or all of the disciplinary or corrective measures referred to in section 126 (1) [*imposition of disciplinary or corrective measures in relation to members*];

(b) make all or any part of Division 7 [*General*] of Part 11 applicable. , **and**

**(c) by repealing subsection (4).**

CLAUSE 126: *[Transition – definitions]* defines terms used in Part 2 of this Bill.

CLAUSE 127: *[Transition – words have same meaning as in Police Act]* incorporates the meaning of words and expressions used in the *Police Act*, as amended by this Bill.

CLAUSE 128: *[Transition – definitions for Division 2]* defines terms used in Division 2 of Part 2 of this Bill.

## PART 2 – TRANSITIONAL PROVISIONS

### Division 1 – Interpretation

#### Transition – definitions

126 In this Part:

“**amended Act**” means the *Police Act*, as amended by this Act;

“**effective date**”, when used in a provision of this Part, means the date the provision comes into force;

“**former Act**” means the *Police Act*, before its amendment by this Act.

#### Transition – words have same meaning as in *Police Act*

127 Unless the context otherwise requires, a word or expression used but not defined in this Part has the same meaning as in the amended Act.

### Division 2 – Designated Policing and Law Enforcement

#### Transition – definitions for Division 2

128 In this Division:

“**pre-existing appointment**” means any of the following appointments under the former Act, if the appointment is in effect immediately before the effective date:

- (a) the appointment of a person as a designated constable, enforcement officer, chief officer or deputy chief officer of a pre-existing designated unit;
- (b) the appointment of a person as a member of a pre-existing designated board;

“**pre-existing designated board**” means the board established under the former Act for a pre-existing designated unit;

“**pre-existing designated law enforcement unit**” means the following designated law enforcement units established under the former Act:

- (a) the Organized Crime Agency of British Columbia in its capacity as a designated law enforcement unit;
- (b) the South Coast British Columbia Transportation Authority Police Service Designated Law Enforcement Unit;

“**pre-existing designated policing unit**” means the following designated policing units established under the former Act:

- (a) the Organized Crime Agency of British Columbia in its capacity as a designated policing unit;

CLAUSE 128: *[Transition – definitions for Division 2 – continued]*

CLAUSE 129: *[Transition – continuation of pre-existing designated units and pre-existing boards]* continues and sets out transitional rules for pre-existing designated policing units, pre-existing designated law enforcement units and pre-existing designated boards.

CLAUSE 130: *[Transition – continuation of pre-existing appointments]* continues and sets out transitional rules for pre-existing designated constables, enforcement officers, chief officers, deputy chief officers and members of pre-existing designated boards.

(b) the South Coast British Columbia Transportation Authority Police Service Designated Policing Unit;

(c) Stl’atl’imx Tribal Police Service;

“**pre-existing designated unit**” means a pre-existing designated policing unit or pre-existing designated law enforcement unit.

**Transition – continuation of pre-existing designated units and pre-existing boards**

- 129**
- (1) Each pre-existing designated policing unit and its pre-existing designated board are continued as if they were established as a designated policing unit and designated policing board under the amended Act.
  - (2) Each pre-existing designated law enforcement unit and its pre-existing designated board are continued as if they were established as a designated law enforcement unit and designated law enforcement board under the amended Act.
  - (3) The terms, powers, duties and functions under the former Act that, immediately before the effective date, apply in relation to a pre-existing designated unit or its pre-existing designated board continue to apply to the extent that those terms, powers, duties and functions are consistent with the amended Act.
  - (4) Subject to their repeal, replacement or amendment under the amended Act or section 131 [*transition – regulations and orders respecting designated policing and law enforcement*] of this Act, regulations and orders of the minister or Lieutenant Governor in Council under the former Act continue to apply in relation to pre-existing designated units and pre-existing designated boards.

**Transition – continuation of pre-existing appointments**

- 130**
- (1) Pre-existing appointments to a pre-existing designated policing unit are continued as follows:
    - (a) each pre-existing appointment of a person as a designated constable of a pre-existing designated policing unit is continued as if the person were appointed under the amended Act as a designated constable of the designated policing unit;
    - (b) each pre-existing appointment of a person as the chief officer or a deputy chief officer of a pre-existing designated policing unit is continued as if the person were designated under the amended Act as the chief officer or a deputy chief officer of the designated policing unit.

CLAUSE 130: *[Transition – continuation of pre-existing appointments – continued]*

CLAUSE 131: *[Transition – regulations and orders respecting designated policing and law enforcement]* authorizes the Lieutenant Governor in Council to repeal or amend minister’s regulations and orders relating to pre-existing designated boards and pre-existing designated units.

- (2) Pre-existing appointments to a pre-existing designated law enforcement unit are continued as follows:
  - (a) each pre-existing appointment of a person as an enforcement officer of a pre-existing designated law enforcement unit is continued as if the person were appointed under the amended Act as an enforcement officer of the designated law enforcement unit;
  - (b) each pre-existing appointment of a person as the chief officer or a deputy chief officer of a pre-existing designated law enforcement unit is continued as if the person were designated under the amended Act as the chief officer or a deputy chief officer of the designated law enforcement unit.
- (3) Each pre-existing appointment of a person as a member of a pre-existing designated board is continued as if the person were appointed under the amended Act as a member of the designated board.
- (4) The terms, powers, duties and functions under the former Act that, immediately before the effective date, apply in relation to a person referred to in subsection (1), (2) or (3) continue to apply to the extent that those terms, powers, duties and functions are consistent with the amended Act.
- (5) The continuation under this section of a person's appointment does not require the person to take an oath or affirmation under section 70 [*oaths and affirmations*] of the amended Act.
- (6) Subject to their repeal, replacement or amendment under the amended Act or section 131 of this Act, regulations and orders of the minister or Lieutenant Governor in Council under the former Act continue to apply in relation to the following:
  - (a) designated constables, enforcement officers, chief officers and deputy chief officers;
  - (b) members of designated boards.

**Transition – regulations and orders respecting designated policing and law enforcement**

- 131**
- (1) The Lieutenant Governor in Council may amend or repeal regulations or orders under the former Act that have been made by the minister in relation to any of the following:
    - (a) pre-existing designated units, designated constables, enforcement officers, chief officers or deputy chief officers;
    - (b) pre-existing designated boards or members of pre-existing designated boards.
  - (2) Nothing in this section limits the Lieutenant Governor in Council's powers to make regulations and orders under the amended Act.

CLAUSE 131: ***[Transition – regulations and orders respecting designated policing and law enforcement – continued]***

CLAUSE 132: ***[Transition – appointment of council member to board]*** sets out transitional rules for municipal councils for the purposes of section 23 (1) (a) of the *Police Act*, as amended by this Bill.

CLAUSE 133: ***[Transition – election of chair and vice chair]*** sets out transitional rules for electing chairs and vice chairs of municipal police boards, consequential to section 25 of the *Police Act*, as amended by this Bill.

CLAUSE 134: ***[Transition – appointment of council member to Surrey Police Board]*** sets out transitional rules for the council of the City of Surrey for the purposes of section 23 (1) (a) of the *Police Act*, as amended by this Bill, and consequential to section 8 of the *Police Amendment Act, 2023*.

- (3) For certainty, the Lieutenant Governor in Council may do any of the following under section 74.1 (2) [*regulations respecting designated policing*] or 74.2 (3) [*regulations respecting designated law enforcement*] of the amended Act:
- (a) continue a designated policing unit, designated policing board, designated law enforcement unit or designated law enforcement board established as a result of section 129 [*transition – continuation of pre-existing designated units and pre-existing designated boards*] of this Act;
  - (b) disestablish a designated policing unit, designated policing board, designated law enforcement unit or designated law enforcement board established as a result of section 129 of this Act, or otherwise provide that the designated policing unit, designated policing board, designated law enforcement unit or designated law enforcement board ceases to exist.

### **Division 3 – Municipal Police Boards**

#### **Transition – appointment of council member to board**

- 132** (1) For the purposes of section 23 (1) (a) [*municipal police board*] of the amended Act, the council of a municipality that has a municipal police board must, within 3 months after the effective date, appoint a member of the council to the municipal police board.
- (2) If a council member other than the mayor is appointed in accordance with subsection (1), the mayor’s membership on the municipal police board ends when the council member’s appointment takes effect.
- (3) For certainty, section 24 [*term of membership on municipal police board*] of the amended Act applies to the council member appointed in accordance with subsection (1) of this section.

#### **Transition – election of chair and vice chair**

- 133** Despite section 25 (1) [*chair and vice chair of municipal police board*] of the amended Act, a municipal police board must elect a chair and vice chair promptly after the council member’s appointment, as made in accordance with section 132 (1) of this Act, takes effect.

#### **Transition – appointment of council member to Surrey Police Board**

- 134** (1) In this section and section 135:
- “**revocation order**” means a revocation order within the meaning of section 8 (1) of the *Police Amendment Act, 2023*;
- “**Surrey Police Board**” means the municipal police board of the City of Surrey.

CLAUSE 134: *[Transition – appointment of council member to Surrey Police Board – continued]*

CLAUSE 135: *[Transition – election of chair and vice chair of Surrey Police Board]* sets out transitional rules for electing the chair and vice chair of the Surrey Police Board, consequential to section 25 of the *Police Act*, as amended by this Bill, and section 8 of the *Police Amendment Act, 2023*.

CLAUSE 136: *[Transition – public hearings and reviews on the record]* sets out transitional rules in relation to public hearings and reviews on the record under Part 11 of the *Police Act*, as amended by this Bill.

CLAUSE 137: *[Transition – guidelines of police complaint commissioner]* sets out transitional rules in relation to guidelines established by the police complaint commissioner under section 177 (4) (b.1) to (b.4) of the *Police Act*, as amended by this Bill.

CLAUSE 138: *[Transition – dismissal of pre-existing complaints]* sets out a transitional rule in relation to the dismissal of complaints under section 171 of the *Police Act*, as amended by this Bill.

- (2) For the purposes of section 23 (1) (a) [*municipal police board*] of the amended Act and despite section 132 [*transition – appointment of council member to board*] of this Act, the council of the City of Surrey must, within 10 days after the date a revocation order takes effect, appoint a member of the council to the Surrey Police Board.
- (3) If a council member other than the mayor is appointed in accordance with subsection (2), the mayor’s membership on the Surrey Police Board ends when the council member’s appointment takes effect.
- (4) For certainty, section 24 [*term of membership on municipal police board*] of the amended Act applies to the council member appointed in accordance with subsection (1) of this section.

**Transition – election of chair and vice chair of Surrey Police Board**

- 135** Despite section 25 (1) [*chair and vice chair of municipal police board*] of the amended Act and section 133 [*transition – election of chair and vice chair*] of this Act, the Surrey Police Board must elect a chair and vice chair promptly after the council member’s appointment, as made in accordance with section 134 (2) of this Act, takes effect.

**Division 4 – Part 11 of *Police Act***

**Transition – public hearings and reviews on the record**

- 136** The powers, duties and functions of the police complaint commissioner in relation to public hearings and reviews on the record under Part 11 [*Misconduct, Complaints, Investigations, Discipline and Proceedings*] of the amended Act may be exercised and performed in relation to complaints or investigations made or initiated before, on or after the effective date.

**Transition – guidelines of police complaint commissioner**

- 137** Guidelines established by the police complaint commissioner under section 177 (4) (b.1), (b.2), (b.3) or (b.4) [*general responsibility and functions of police complaint commissioner*] of the amended Act apply in relation to complaints or investigations made or initiated before, on or after the effective date.

**Transition – dismissal of pre-existing complaints**

- 138** (1) In this section, “**pre-existing complaint**” means a complaint made under the former Act.
- (2) Section 171 [*investigation of department service and policy complaints*] of the amended Act applies in relation to a pre-existing complaint if, on the effective date,

CLAUSE 138: *[Transition – dismissal of pre-existing complaints – continued]*

CLAUSE 139: *[Transition – policy respecting service and policy complaints]* sets out a transitional rule that specifies the time periods within which existing municipal police boards must establish their first service and policy complaints policies under section 173.1 of the *Police Act*, as added by this Bill.

CLAUSE 140: *[Transition – discipline involving former designated officers or former members]* sets out a transitional rule that makes Division 6.1 of Part 11 of the *Police Act*, as added by this Bill, applicable to investigations initiated but not yet concluded before the effective date.

- (a) the complaint has not been withdrawn, and
- (b) the municipal police board has not yet taken an action under section 171 (1) of the former Act in respect of the complaint.

**Transition – policy respecting service and policy complaints**

- 139** (1) In this section, “**pre-existing municipal police board**” means either of the following:
- (a) a municipal police board established under the former Act;
  - (b) the administrator or administrators who, under section 8 [*transition – Surrey Police Board*] of the *Police Amendment Act, 2023*, are deemed to be the municipal police board of the City of Surrey.
- (2) Despite section 173.1 (3) [*duty of municipal police board to establish policy respecting service and policy complaints*] of the amended Act,
- (a) a pre-existing municipal police board must establish a complaints policy under that section within 2 years after the effective date, and
  - (b) the complaints policy must be consistent with the complaints policy guidelines as those guidelines read on the date that is one year after the effective date.

**Transition – discipline involving former designated officers or former members**

- 140** (1) In this section, “**pre-existing investigation**” means an investigation that
- (a) has been initiated
    - (i) under a designated unit complaints regulation in relation to a person described in section 176.2 (1) [*process if member is former designated officer*] of the amended Act, or
    - (ii) under Part 11 [*Misconduct, Complaints, Investigations, Discipline and Proceedings*] of the former Act in relation to a person described in section 176.3 (1) [*process if former member is designated officer*] of the amended Act, and
  - (b) has not been concluded on or before the effective date.
- (2) The following provisions of the amended Act apply in relation to a pre-existing investigation:
- (a) in the case of a pre-existing investigation that has been initiated under a designated unit complaints regulation, section 176.2;
  - (b) in the case of a pre-existing investigation that has been initiated under Part 11 of the former Act, section 176.3;
  - (c) in any case, sections 176.4 [*police complaint commissioner may direct next steps*] and 176.5 [*duty to cooperate under Division 6.1*].

CLAUSES

141 TO 163: *[Various statutes]* are consequential to sections 1.1 and 5 of the *Police Act*, as amended by this Bill.

**PART 3 – CONSEQUENTIAL AND RELATED AMENDMENTS**

*Assistance to Shelter Act*

- 141** *Section 1 of the Assistance to Shelter Act, S.B.C. 2009, c. 32, is amended*
- (a) by repealing the definition of “police force”, and*
- (b) by adding the following definition:*
- “**police service**” means any of the following:
- (a) the provincial police service within the meaning of the Police Act;*
  - (b) a municipal police department within the meaning of the Police Act;*
  - (c) a designated policing unit within the meaning of the Police Act that is prescribed as a police service for the purposes of this definition; .*
- 142** *Sections 2 (2) (c) (i) and (f) (i) and (4) and 3 (2) and (3) (b) are amended by striking out “all of the police forces” and substituting “all of the police services”.*
- 143** *Section 8 (2) (b) is amended by striking out “the definition of “police force”” and substituting “the definition of “police service””.*

*Commercial Transport Act*

- 144** *Section 11 (2) (c) of the Commercial Transport Act, R.S.B.C. 1996, c. 58, is amended by striking out “the Provincial police” and substituting “the provincial police service”.*
- 145** *Section 13 is amended by striking out “of the Provincial police or police department of any municipality” and substituting “of the provincial police service, or of the police department of any municipality,”.*

*Community Charter*

- 146** *Section 67 (1) of the Community Charter, S.B.C. 2003, c. 26, is amended by striking out “the police force or police department” and substituting “the police service”.*

CLAUSES

141 TO 163: *[Various statutes – continued]*

*Community Safety Act*

**147 Section 24.1 (1) of the Community Safety Act, S.B.C. 2013, c. 16, is amended by repealing paragraphs (b) and (c) and substituting the following:**

- (b) the provincial police service, or
- (c) a prescribed police service.

*Correction Act*

**148 Section 1 of the Correction Act, S.B.C. 2004, c. 46, is amended by repealing paragraphs (a) and (b) of the definition of “correctional centre” and substituting the following:**

- (a) prisons or lockups operated by police services within the meaning of section 1.1 of the *Police Act*;
- (b) prisons or lockups operated by designated law enforcement units within the meaning of section 1 of the *Police Act*; .

*Criminal Records Review Act*

**149 Section 6 (1) (f) of the Criminal Records Review Act, R.S.B.C. 1996, c. 86, is amended by striking out “the provincial police force” and substituting “the provincial police service”.**

**150 Section 22 (2) is amended by striking out “the police force, police department or designated policing unit, as defined in section 1 of the *Police Act*,” and substituting “the police service, within the meaning of section 1.1 (a), (b) or (c) of the *Police Act*,”.**

*Emergency Communications Corporations Act*

**151 Section 1 of the Emergency Communications Corporations Act, S.B.C. 1997, c. 47, is amended in paragraph (b) of the definition of “emergency services agency” by striking out “an organization operating a police force or police department providing police services to the public” and substituting “an organization operating a police service providing policing or law enforcement services to the public”.**

CLAUSES

141 TO 163: *[Various statutes – continued]*

*Fire Services Act*

- 152 *Section 6 (3) of the Fire Services Act, R.S.B.C. 1996, c. 144, is amended by striking out “the members of the police force or police department” and substituting “the members of the provincial police service, municipal police department or designated policing unit”.*

*Firearm Violence Prevention Act*

- 153 *Section 72 of the Firearm Violence Prevention Act, S.B.C. 2021, c. 7, is amended*
- (a) in subsection (1) by repealing the definition of “police force”,*
  - (b) in subsection (1) by adding the following definition:*
    - “police service” means a police service within the meaning of section 1.1 (a), (b) or (c) [police services in British Columbia] of the Police Act. , and*
  - (c) in subsection (2) by striking out “police force” and substituting “police service”.*

*Freedom of Information and Protection of Privacy Act*

- 154 *Section 49 of the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165, is amended*
- (a) in subsection (1.1) by striking out “if the head of a police force” and substituting “if the head of a police service within the meaning of section 1.1 of the Police Act”, and*
  - (b) in subsection (1.2) by striking out “the head of a police force” and substituting “the head of a police service within the meaning of section 1.1 of the Police Act” and by striking out “subsection (1.1) (b)” and substituting “subsection (1.1) (b) of this section”.*

*Gunshot and Stab Wound Disclosure Act*

- 155 *Section 1 of the Gunshot and Stab Wound Disclosure Act, S.B.C. 2010, c. 7, is amended in the definition of “local police authority” by striking out “the police force or police department or the designated policing unit, as defined in section 1 of the Police Act,” and substituting “the police service, within the meaning of section 1.1 (a), (b) or (c) of the Police Act,”.*

CLAUSES

141 TO 163: *[Various statutes – continued]*

*Hotel Guest Registration Act*

- 156 *Section 1 of the Hotel Guest Registration Act, R.S.B.C. 1996, c. 205, is amended in the definition of “constable” by striking out “the Provincial police” and substituting “the provincial police service”.*

*Justice Administration Act*

- 157 *Section 1 of the Justice Administration Act, R.S.B.C. 1996, c. 243, is amended in paragraph (a) of the definition of “administration of justice”*

*(a) by repealing subparagraph (iii) and substituting the following:*

- (iii) correctional centres, as defined in the *Correction Act*, and prisons and lockups operated by
  - (A) police services within the meaning of section 1.1 of the *Police Act*, or
  - (B) designated law enforcement units as defined in section 1 of the *Police Act*, , and

*(b) by repealing subparagraph (v) and substituting the following:*

- (v) police services within the meaning of section 1.1 of the *Police Act* and designated law enforcement units as defined in section 1 of that Act, .

*Justice Statutes Amendment Act, 2014*

- 158 *Section 40 of the Justice Statutes Amendment Act, 2014, S.B.C. 2014, c. 9, as it enacts Part 8.1 of the Police Act, R.S.B.C. 1996, c. 367, is amended*

*(a) in paragraph (a) of the definition of “chief of the police service” in section 45.01 by striking out “provincial police force” and substituting “provincial police service”,*

*(b) in paragraph (c) of the definition of “chief of the police service” in section 45.01 by striking out “that is prescribed as a police force under section 1.1 (c)”,*

*(c) by repealing paragraph (a) of the definition of “police service” in section 45.01 and substituting the following:*

- (a) the provincial police service; ,

CLAUSES

141 TO 163: *[Various statutes – continued]*

- (d) in paragraph (c) of the definition of “police service” in section 45.01 by striking out “that is prescribed as a police force under section 1.1 (c)”, and**
- (e) in section 45.09 (1) (a) and (b) by striking out “provincial police force” and substituting “provincial police service”.**

***Mental Health Act***

- 159 Section 29 (1) (c) and (4) (c) of the Mental Health Act, R.S.B.C. 1996, c. 288, is repealed and the following substituted:**

- (c) a prison or lockup operated by a police service or designated law enforcement unit within the meaning of the *Police Act*, .**

***Metal Dealers and Recyclers Act***

- 160 Section 1 of the Metal Dealers and Recyclers Act, S.B.C. 2011, c. 22, is amended in the definition of “local police authority” by striking out “the police force or police department, or the designated policing unit as defined in section 1 of the *Police Act*,” and substituting “the police service, within the meaning of section 1.1 (a), (b) or (c) of the *Police Act*,”.**

***Missing Persons Act***

- 161 Section 1 of the Missing Persons Act, S.B.C. 2014, c. 2, is amended**

**(a) by repealing the definition of “police force”, and**

**(b) by adding the following definition:**

**“police service” means**

- (a) the provincial police service as defined in the *Police Act*,**
- (b) a municipal police department as defined in the *Police Act*, or**
- (c) a prescribed entity; .**

- 162 Section 13 (3) is amended**

**(a) in paragraph (a) by striking out “the provincial police force” and substituting “the provincial police service” and by striking out “the definition of “police force” in section 1” and substituting “the definition of “police service” in section 1”, and**

**(b) in paragraphs (b) and (c) by striking out “the definition of “police force” in section 1” and substituting “the definition of “police service” in section 1”.**

CLAUSES

141 TO 163: *[Various statutes – continued]*

CLAUSE 164: *[Offence Act, section 89.7]* clarifies wording.

CLAUSES

165 TO 169: *[Various statutes]* are consequential to sections 1.1 and 5 of the *Police Act*, as amended by this Bill.

*Offence Act*

- 163** *Section 38 (1) (a) of the Offence Act, R.S.B.C. 1996, c. 338, is amended by striking out “of the police force or police department, or of the designated policing unit or designated law enforcement unit as those terms are defined in section 1 of the Police Act,” and substituting “of the police service within the meaning of section 1.1 of the Police Act, or of the designated law enforcement unit within the meaning of section 1 of that Act.”.*
- 164** *Section 89.7 (1) (c) and (d) is repealed and the following substituted:*
- (c) an officer of the provincial police force, as those terms are defined in the *Police Act*,
  - (d) an officer of a municipal police department, as those terms are defined in the *Police Act*, or
- 165** *Section 89.7 (1) (c) is amended by striking out “provincial police force” and substituting “provincial police service”.*

*Provincial Symbols and Honours Act*

- 166** *Section 21 of the Provincial Symbols and Honours Act, R.S.B.C. 1996, c. 380, is amended in the definition of “officer” by repealing paragraph (b) and substituting the following:*
- (b) a designated constable, deputy chief officer or chief officer of a designated policing unit.

*Public Interest Disclosure Act*

- 167** *Section 1 of the Public Interest Disclosure Act, S.B.C. 2018, c. 22, is amended*
- (a) *by repealing the definition of “police force”, and*
  - (b) *by adding the following definition:*
    - “**police service**” means a police service within the meaning of section 1.1 (a), (b) or (c) [*police services in British Columbia*] of the *Police Act*; .
- 168** *Sections 16 (1) (c) and 22 (1) (b) (i) and (ii) are amended by striking out “police force” and substituting “police service”.*

CLAUSES

165 TO 169: *[Various statutes – continued]*

CLAUSE 170: *[Sex Offender Registry Act]* repeals a not-in-force Act.

CLAUSES

171 TO 176: *[Various statutes]* are consequential to sections 1.1 and 5 of the *Police Act*, as amended by this Bill.

*Safety Standards Act*

- 169 *Section 19.2 (3) (b) of the Safety Standards Act, S.B.C. 2003, c. 39, is amended by striking out “a provincial police force” and substituting “the provincial police service”.*

*Sex Offender Registry Act*

- 170 *The Sex Offender Registry Act, S.B.C. 2001, c. 21, is repealed.*

*Witness Security Act*

- 171 *Section 1 of the Witness Security Act, S.B.C. 2019, c. 21, is amended in the definition of “designated agency” by striking out “police force” and substituting “police service”.*

- 172 *Section 3 (2) is amended by striking out “police force” and substituting “police service”.*

- 173 *Section 47 (1) is repealed and the following substituted:*

- (1) The minister may designate, as the designated agency, one of the following police services within the meaning of the *Police Act*:
- (a) the provincial police service;
  - (b) a municipal police department;
  - (c) a designated policing unit.

**Schedules to this Act**

- 174 *The Acts listed in Column 1 of Schedule 1 are amended in the provisions listed opposite them in Column 2 by striking out “police force” wherever it appears and substituting “police service”.*

- 175 *The Acts listed in Column 1 of Schedule 2 are amended in the provisions listed opposite them in Column 2 by striking out “the provincial police force” wherever it appears and substituting “the provincial police service”.*

- 176 *The Acts listed in Column 1 of Schedule 3 are amended in the provisions listed opposite them in Column 2 by striking out “the Provincial police force” wherever it appears and substituting “the provincial police service”.*



**Commencement**

**177** 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 2	By regulation of the Lieutenant Governor in Council
3	Section 4	By regulation of the Lieutenant Governor in Council
4	Section 8	By regulation of the Lieutenant Governor in Council
5	Sections 10 to 14	By regulation of the Lieutenant Governor in Council
6	Section 16	By regulation of the Lieutenant Governor in Council
7	Sections 18 and 19	By regulation of the Lieutenant Governor in Council
8	Section 22	By regulation of the Lieutenant Governor in Council
9	Sections 24 to 27	By regulation of the Lieutenant Governor in Council
10	Section 29	By regulation of the Lieutenant Governor in Council
11	Section 32	By regulation of the Lieutenant Governor in Council
12	Sections 34 and 35	By regulation of the Lieutenant Governor in Council
13	Sections 40 to 42	By regulation of the Lieutenant Governor in Council
14	Sections 44 to 52	By regulation of the Lieutenant Governor in Council
15	Sections 54 to 56	By regulation of the Lieutenant Governor in Council
16	Sections 58 to 60	By regulation of the Lieutenant Governor in Council



Item	Column 1 <b>Provisions of Act</b>	Column 2 <b>Commencement</b>
17	Section 62	By regulation of the Lieutenant Governor in Council
18	Section 64	By regulation of the Lieutenant Governor in Council
19	Sections 66 to 68	By regulation of the Lieutenant Governor in Council
20	Sections 70 to 75	By regulation of the Lieutenant Governor in Council
21	Sections 77 and 78	By regulation of the Lieutenant Governor in Council
22	Sections 81 to 84	By regulation of the Lieutenant Governor in Council
23	Section 86	By regulation of the Lieutenant Governor in Council
24	Section 90	By regulation of the Lieutenant Governor in Council
25	Section 112	By regulation of the Lieutenant Governor in Council
26	Section 114	By regulation of the Lieutenant Governor in Council
27	Sections 116 to 118	By regulation of the Lieutenant Governor in Council
28	Section 122	By regulation of the Lieutenant Governor in Council
29	Sections 141 to 163	By regulation of the Lieutenant Governor in Council
30	Sections 165 to 169	By regulation of the Lieutenant Governor in Council
31	Sections 171 to 176	By regulation of the Lieutenant Governor in Council



**SCHEDULE 1**  
(Section 174)  
**“police force” to “police service”**

Item	Column 1 <b>Act being amended</b>	Column 2 <b>Provision</b>
1	<i>Cannabis Control and Licensing Act</i> , S.B.C. 2018, c. 29	10 (2) (b) 105 (5) (b) and (6) (b)
2	<i>Crime Victim Assistance Act</i> , S.B.C. 2001, c. 38	6 (1) (f)
3	<i>Liquor Control and Licensing Act</i> , S.B.C. 2015, c. 19	47 (3) (b)
4	<i>Livestock Identification Act</i> , R.S.B.C. 1996, c. 271	3 (3)
5	<i>Missing Persons Act</i> , S.B.C. 2014, c. 2	1, in paragraphs (a) and (b) of the definition of “access” 1, in the definition of “missing person investigation” 2 6 (1) and (2) (a) 7 (1), (2) and (3) (c) 8 (b) 10 (1) and (2) (b) 11 (1) and (2) 12 13 (1) and (2) 14 (b) 16 (1) and (2) (a) 17 (b) 18 (1) and (3) 19 20 (1) 21 (2), (3), (4), (5), (6) and (7) 22 (b) 23 25 (2) (d)
6	<i>Motor Vehicle Act</i> , R.S.B.C. 1996, c. 318	179 (4) (c) and (d) 214.4 (b)



**SCHEDULE 2**

*(Section 175)*

**“the provincial police force” to “the provincial police service”**

Item	Column 1 <b>Act being amended</b>	Column 2 <b>Provision</b>
1	<i>Cannabis Control and Licensing Act</i> , S.B.C. 2018, c. 29	72 (3) 76 (1) (a)
2	<i>Fish and Seafood Act</i> , S.B.C. 2015, c. 14	41 (1) (d)
3	<i>Liquor Control and Licensing Act</i> , S.B.C. 2015, c. 19	78 (4) (a)
4	<i>Pill Press and Related Equipment Control Act</i> , S.B.C. 2018, c. 24	12

**SCHEDULE 3**

*(Section 176)*

**“the Provincial police force” to “the provincial police service”**

Item	Column 1 <b>Act being amended</b>	Column 2 <b>Provision</b>
1	<i>Land Act</i> , R.S.B.C. 1996, c. 245	67 (3)
2	<i>Railway Act</i> , R.S.B.C. 1996, c. 395	255 (1) 257
3	<i>Security Services Act</i> , S.B.C. 2007, c. 30	50
4	<i>Transportation Act</i> , S.B.C. 2004, c. 44	68 (6)