

BILL 9 – 2024

**MISCELLANEOUS STATUTES
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 – ATTORNEY GENERAL AMENDMENTS

Lobbyists Transparency Act

- 1** *Section 3 (1) and (3) of the Lobbyists Transparency Act, S.B.C. 2001, c. 42, is amended by striking out “in the prescribed form and manner” and substituting “in the form and manner specified by the registrar”.*
- 2** *Section 4 (1) is amended*
 - (a)** *by repealing paragraph (h) and substituting the following:*
 - (h)** if the lobbyist works together with another lobbyist, a client of another lobbyist or another organization, for the purpose of lobbying, the name and business address of each of the other client or other organization that has a direct interest in the outcome of the lobbying activities; , **and**
 - (b)** *by repealing paragraph (i.1).*
- 3** *Section 4.01 (1) is amended by striking out “who has filed a registration return under section 3”.*
- 4** *Section 4.1 is repealed and the following substituted:*

Requirement to file monthly return

- 4.1** (1) Subject to section 4.4, the designated filer must file with the registrar a monthly return, in the form and manner specified by the registrar and containing the information required under section 4.2, no later than 15 days after the end of every month, beginning with the month in which the registration return under section 3 is filed.

- (2) Only one monthly return need be filed under subsection (1) in respect of
 - (a) a consultant lobbyist for each undertaking, and
 - (b) an organization that has an in-house lobbyist,even though a lobbyist named in the monthly return may, in connection with the undertaking or organization, carry on more than one lobbying activity.
- (3) A designated filer need not file a monthly return under subsection (1) if no lobbying activity occurred in the applicable month and if no information specified in section 4.2 (2) (e) is required to be filed.
- (4) Despite subsection (3), if no monthly returns have been filed for 5 consecutive months after the last monthly return was filed, a designated filer must file a monthly return under subsection (1) stating that the lobbyist named in the monthly return has not carried on lobbying activities in that period.
- (5) If a designated filer has not filed a monthly return, if and as required under subsection (4), the registration of the lobbyist referred to in subsection (4) is terminated 30 days after the monthly return under subsection (4) was due.

5 Section 4.2 is amended

(a) by repealing subsection (2) (e) (ii) and substituting the following:

- (ii) any information required under section 4 (1), other than the information described in section 4 (1) (i), that the designated filer acquired only after the return was filed; ,

(b) by repealing subsections (4) to (9),

(c) by repealing subsection (10) and substituting the following:

- (10) Any information required under subsection (2) (e) must be supplied to the registrar in the form and manner specified by the registrar. , **and**

(d) by repealing subsection (11).

6 The following sections are added:

Requirement to file information about funding received

4.3 (1) In this section:

“3-month period” means a period that

- (a) starts on the first day of the month immediately following the relevant month, and
- (b) ends on the date that is 3 months after the date described in paragraph (a);

“relevant month” means

- (a) in the case of a designated filer choosing to file one funding return for the full amount of funding received from any government, government agency or Provincial entity, as applicable,
 - (i) the month in which a client or organization has received the full amount of funding, or
 - (ii) if the funding is received in instalments, the month in which a client or organization has received the first instalment of funding, and
 - (b) in the case of a designated filer choosing to file one funding return for each instalment of funding from any government, government agency or Provincial entity, the month in which a client or organization has received an instalment of funding.
- (2) A designated filer
- (a) must, subject to section 4.4, file with the registrar a funding return, in the form and manner specified by the registrar, no later than 15 days after the end of a 3-month period, and
 - (b) may
 - (i) file one funding return for the full amount of funding, or
 - (ii) if the funding is received in instalments, file a funding return for each instalment.
- (3) Each funding return under subsection (2) must include the following information in relation to funding by any government, government agency or Provincial entity:
- (a) the name of the government, government agency or Provincial entity that has funded, in whole or in part, the client or organization in the relevant month;
 - (b) the amount of that funding.

When and how filing obligations end

- 4.4 (1) A consultant lobbyist must, within 30 days after the end of the month in which the consultant lobbyist terminated an undertaking for which the registration return was filed,
- (a) inform the registrar of the termination of the undertaking,
 - (b) indicate the date on which that termination occurred, and
 - (c) file
 - (i) any monthly return that would otherwise have been required to be filed under section 4.1, and
 - (ii) any funding return that would otherwise have been required to be filed under section 4.3.

- (2) The designated filer for an organization must, within 30 days after the end of the month in which the organization ceases to have any in-house lobbyist,
 - (a) inform the registrar of the cessation of the last in-house lobbyist,
 - (b) indicate the date on which that cessation occurred, and
 - (c) file
 - (i) any monthly return that would otherwise have been required to be filed under section 4.1, and
 - (ii) any funding return that would otherwise have been required to be filed under section 4.3.
- (3) Any information required under subsection (1) or (2) must be supplied to the registrar in the form and manner specified by the registrar.
- (4) The obligation to file a monthly return under section 4.1 and a funding return under section 4.3 ends when the final monthly return and the final funding return are filed under this section.

7 ***Section 7.91 is amended by striking out “section 33.1 (1) (c)” and substituting “section 33 (2) (e)”.***

8 ***Section 11 (2) is amended by repealing paragraphs (g.3), (g.7) and (g.10).***

Motor Vehicle Act

9 ***Section 1 of the Motor Vehicle Act, R.S.B.C. 1996, c. 318, is amended in paragraph (d) of the definition of “emergency vehicle” by striking out “, while transporting a person in the lawful custody of a sheriff”.***

10 ***Section 123 is repealed and the following substituted:***

Peace officer and sheriff direction

- 123** (1) In this section, “**sheriff**” means a sheriff who is discharging the sheriff’s duties under the *Sheriff Act*.
- (2) Despite anything in this Part, a peace officer or sheriff may direct traffic according to the peace officer’s or sheriff’s discretion if the peace officer or sheriff reasonably considers it necessary to do one or more of the following:
- (a) ensure orderly movement of traffic;
 - (b) prevent injury or damage to persons or property;
 - (c) permit proper action in an emergency.
- (3) A person must obey a direction, given under subsection (2), of a peace officer or sheriff.

Offence Act

11 The Offence Act, R.S.B.C. 1996, c. 338, is amended by adding the following section:

**Application of provisions for violation ticket issued
by treaty first nation**

14.11 For certainty and without limitation, the following provisions of this Act do not apply in relation to a violation ticket issued under a treaty first nation law:

- (a) section 13;
- (b) section 14;
- (c) section 14.01;
- (d) section 14.1.

**PART 2 – MINISTRY OF ENVIRONMENT AND
CLIMATE CHANGE STRATEGY AMENDMENTS**

Protected Areas of British Columbia Act

12 Schedule A of the Protected Areas of British Columbia Act, S.B.C. 2000, c. 17, is amended by repealing the name of Cardiff Mountain Ecological Reserve and substituting the following:

TŚI ʔEŹISH ECOLOGICAL RESERVE .

13 Schedule A is amended by adding the following description:

KLAWA RIVER ECOLOGICAL RESERVE

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Barclay District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 14 Tube 2015.

The whole ecological reserve containing approximately 100 hectares.

14 Schedule B is amended by striking out “Klanawa River Ecological Reserve, established by Order in Council 592/96”.

15 Schedule C is amended

- (a) in the description of Carp Lake Park by striking out “(4)” and substituting “and (4)” and by striking out “and (5) the McLeod Lake Treaty 8 Adhesion Lands”,*
- (b) by repealing the description of Echo Bay Marine Park and substituting the following:*

ECHO BAY MARINE PARK

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Range 1, Coast District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 1 Tube 2027.

The whole park containing approximately 0.9 hectares (0.4 hectares of upland and 0.5 hectares of foreshore). ,

- (c) by repealing the description of Kikomun Creek Park and substituting the following:*

KIKOMUN CREEK PARK

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Kootenay District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 2 Tube 2027.

The whole park containing approximately 702 hectares. ,

- (d) by repealing the description of Mount Pope Park and substituting the following:*

MOUNT POPE PARK

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Range 5 Coast District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 3 Tube 2027.

The whole park containing approximately 2 037 hectares. ,

- (e) by repealing the description of Muncho Lake Park and substituting the following:*

MUNCHO LAKE PARK

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Peace River District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 4 Tube 2019; except the land subject to the quarry reserve held by Ministry of Transportation, as shown on Crown Land File 8002605.

The whole park containing approximately 85 917 hectares. ,

(f) by repealing the description of Nancy Greene Park and substituting the following:

NANCY GREENE PARK

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Kootenay District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 4 Tube 2027.

The whole park containing approximately 196 hectares. ,

(g) in the description of Plumper Cove Marine Park by striking out “except Lease 232808 “Shelter Island Estates” (log hauling site) Land and Water British Columbia Inc. File No. 0190086” and substituting “except Crown Land File 2412391 and Crown Land File 0190086”, and

(h) in the description of Valhalla Park by striking out “Plan 4 Tube 2024” and substituting “Plan 7 Tube 2027” and by striking out “50 159 hectares” and substituting “50 189 hectares”.

16 *Schedule C is amended by repealing the description of Tribune Bay Park and substituting the following:*

TRIBUNE BAY PARK

All those parcels or tracts of Crown Land, together with all that foreshore or land covered by water, situated in Nanaimo District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 8 Tube 2025.

The whole park containing approximately 105 hectares (79 hectares of upland and 26 hectares of foreshore).

17 *Schedule D is amended*

(a) in the description of Edge Hills Park by striking out “except (1) Mineral Claim “Stag 2” 208889; (2) Placer Claim “Timer 3” 838199; and (3) Placer Claim “Happy2” 1024809” and substituting “except (1) Mineral Claim “Stag 2” 208889; and (2) Placer Claim “Happy2” 1024809” and by striking out “11 855 hectares” and substituting “11 866 hectares”,

(b) by repealing the description of Hitchie Creek Park and substituting the following:

HITCHIE CREEK PARK

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Barclay District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 11 Tube 1914.

The whole park containing approximately 235 hectares. , *and*

- (c) in the description of Purcell Wilderness Conservancy Park by striking out “Plan 6 Tube 2019” and substituting “Plan 5 Tube 2027” and by striking out “201 913 hectares” and substituting “201 967 hectares”.*

18 Schedule E is amended

- (a) in the description of Taku River/T’akú Téix’ Conservancy by striking out “; (3) Mineral Claim 532180; and (4)” and substituting “; and (3)” and by striking out “80 465 hectares” and substituting “80 592 hectares”,*

- (b) by adding the following descriptions:*

TENH DZETLE CONSERVANCY

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Cassiar District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 1 Tube 2023.

The whole conservancy containing approximately 3 528 hectares.

TSAA NUNA CONSERVANCY

All those parcels or tracts of Crown land, together with all that foreshore or land covered by water, situated in Peace River District and contained within the described boundaries as shown on the Official Plan deposited in the Crown Land Registry as Plan 9 Tube 2022.

The whole conservancy containing approximately 5 306 hectares. , **and**

- (c) in the description of Yaaguun Suu Conservancy by striking out “Plan 7 Tube 1990” and substituting “Plan 7 Tube 1990; except a 30 metre right of way centred on Yakoun Lake Forest Service Road 10922 01” and by striking out “7 970 hectares” and substituting “7 967 hectares”.*

Rescission of ecological reserve, conservancies and park

19 The following are rescinded:

- (a) the establishment of Klanawa River Ecological Reserve by Order in Council 592/1996;
- (b) the establishment of Mount Edziza Conservancy by Order in Council 200/2021, and the renaming of Mount Edziza Conservancy to Tenh Dz~~e~~tle Conservancy by Order in Council 49/2022;
- (c) the establishment of Tribune Bay Park by Order in Council 355/1983;
- (d) the establishment of the Tsaa Nuna Conservancy by Order in Council 555/2020.

PART 3 – MINISTRY OF FINANCE AMENDMENTS

Financial Institutions Act

20 *The Financial Institutions Act, R.S.B.C. 1996, c. 141, is amended in section 1 (1)*

(a) by repealing the definition of “insurer” and substituting the following:

“insurer” means an entity carrying on insurance business, other than an entity that

(a) is either of the following:

(i) licensed under Division 2 of Part 6 as an insurance agent or insurance adjuster;

(ii) exempted from section 171 (2) by the regulations, and

(b) carries on insurance business only in the capacity of the entity as an insurance agent or insurance adjuster; , *and*

(b) by adding the following definition:

“personal information” has the same meaning as in the *Freedom of Information and Protection of Privacy Act*; .

21 *Section 75 (f) is repealed and the following substituted:*

(f) an entity that administers an insurance compensation plan designated by regulation for the purpose of section 66 (2), .

22 *Section 92 is repealed and the following substituted:*

Insurers and licensees to file policy forms

92 The superintendent may order an insurer, or a licensee as defined in section 168, to file a copy of any form that is

(a) specified or otherwise described in the order, and

(b) used or intended to be used by the insurer or the licensee in the insurer’s or the licensee’s insurance business.

23 *Section 92.2 (2) is amended by adding “or the council, as applicable” after “the rules made by the Authority”.*

24 *Section 127 is amended*

(a) in subsection (1) by striking out “within 90 days” and substituting “within the prescribed period”, and

(b) in subsection (1.1) by striking out “within 60 days” and substituting “within the prescribed period”.

25 Section 163 is amended

(a) in subsection (1) by striking out “within 90 days” and substituting “within the prescribed period”, and

(b) in subsection (2) by striking out “within 60 days” and substituting “within the prescribed period”.

26 Section 174.1 (2), as enacted by section 31 of the Financial Institutions Amendment Act, 2019, S.B.C. 2019, c. 39, is amended by striking out “in British Columbia”.

27 Section 201.1 (1) is amended

(a) in paragraph (d) (ii) by striking out “its”,

(b) in paragraph (i) by striking out “insurance companies, insurance agents and insurance salespersons who” and substituting “insurance companies that”, and

(c) by repealing paragraph (j) and substituting the following:

(j) respecting oversight by insurers of restricted insurance agent licensees; .

28 Section 218 (2) is repealed and the following substituted:

(2) Information or records described in subsection (1) may be disclosed

(a) for the purposes of administering this Act or the regulations,

(b) for the purposes of a prosecution, or

(c) if permitted by another provision of this Act or a provision of the regulations.

29 The following section is added to Division 1.2 of Part 7:

Collecting personal information

219.2 A form established by the superintendent for the purpose of a personal information return under this Act may require the disclosure of personal information by a person who completes and submits a personal information return under this Act.

30 Section 220 is amended by adding the following subsections:

(4.1) A voting member of the council whose term of office has expired may continue to hold office until a successor is appointed.

(4.2) Despite subsection (5), a voting member who continues to hold office under subsection (4.1) may be a voting member for more than 6 years.

- (4.3) A voting member appointed under subsection (3) (a), (b), (c), (d) or (e) does not cease to hold office as a voting member only because the member no longer meets the requirements of that subsection.
- (10) An act of the council is not invalid because of a defect that is subsequently discovered in the appointment of a member.

31 Section 221 (1) is repealed and the following substituted:

- (1) If a voting member is unable to attend personally any meeting of the council, the chair of the council may nominate a non-voting member who is of the same representative character as the voting member to attend the meeting in place of the voting member.

32 Section 225.1 (2) (i.1), as enacted by section 60 of the Financial Institutions Amendment Act, 2019, is amended by striking out “and” at the end of subparagraph (iii), by adding “, and” at the end of subparagraph (iv) and by adding the following subparagraph:

- (v) respecting oversight by restricted insurance agent licensees of their employees and agents; .

33 Section 225.1 (2) is amended by adding the following paragraph:

- (k) for the purpose of section 92.2 (2), establishing requirements for insurance agents and insurance salespersons who issue, deliver or offer to undertake contracts of insurance through the use of electronic agents.

34 Section 227 (c) is amended by striking out “online”.

35 Section 231 is amended by adding the following subsection:

- (5) If a licensee or former licensee who is fined under subsection (1) (k) fails to pay the full amount of the fine by the date specified by the council, the council may file with the court a certified copy of the order imposing the fine and, on being filed, the order has the same force and effect and all proceedings may be taken on the certificate as if it were a judgment of the court.

36 Section 253.1 (9) is amended by striking out “its powers” and substituting “the superintendent’s powers”.

37 Section 276 (e) is amended by striking out “its supervision” and substituting “the superintendent’s supervision”.

38 Section 289 (3) is amended

(a) in paragraph (f.2) (ii) by striking out “its”, and

(b) in paragraph (p.2) (ii) by striking out “an insurer or a person referred to in subparagraph (i)” and substituting “an insurer, a licensee as defined in section 168 or a person referred to in subparagraph (i)”.

Mutual Fire Insurance Companies Act

39 The Mutual Fire Insurance Companies Act, R.S.B.C. 1960, c. 262, is amended in section 2 by repealing the definition of “Registrar” and substituting the following:

“Registrar” means the Registrar of Companies or a person authorized to perform the duties of the Registrar of Companies under the *Business Corporations Act*; .

40 Section 3 (d) is repealed and the following substituted:

(d) the name of the company, which shall be subject to approval by the Registrar and the BC Financial Services Authority and which shall contain all of the following words:

- (i) “mutual”;
- (ii) either “insurance” or “assurance”;
- (iii) either “company” or “corporation”; .

41 The following section is added:

Change of company name

6.1 If a mutual fire insurance company seeks to adopt a new name,

(a) the new name shall be subject to approval by the Registrar and the BC Financial Services Authority, and

(b) the new name shall contain all of the following words:

- (i) “mutual”;
- (ii) either “insurance” or “assurance”;
- (iii) either “company” or “corporation”.

**PART 4 – MINISTRY OF INDIGENOUS RELATIONS
AND RECONCILIATION AMENDMENTS**

Cannabis Control and Licensing Act

42 Section 1 of the Cannabis Control and Licensing Act, S.B.C. 2018, c. 29, is amended in the definition of “Indigenous nation”

(a) by repealing paragraph (c) and substituting the following:

(c) the shíshálh Nation Government District Council continued under the *shíshálh Nation Self-Government Act* (Canada); , **and**

(b) by repealing paragraph (f) and substituting the following:

(f) a prescribed Indigenous entity; .

Environmental Management Act

43 Section 91.1 of the Environmental Management Act, S.B.C. 2003, c. 53, is amended by repealing paragraph (d) of the definition of “first nation government” and substituting the following:

(d) the council of the shíshálh Nation; .

Land Owner Transparency Act

44 Section 1 of the Land Owner Transparency Act, S.B.C. 2019, c. 23, is amended in the definition of “Indigenous nation” by repealing paragraphs (d) and (e) and substituting the following:

(d) the shíshálh Nation continued under the *shíshálh Nation Self-Government Act* (Canada);

(e) the shíshálh Nation Government District continued under the *shíshálh Nation Self-Government Act* (Canada); .

45 Section 6 (d) is repealed and the following substituted:

(d) shíshálh lands as defined in section 2 (1) of the *shíshálh Nation Self-Government Act* (Canada); .

Sechelt Indian Government District Enabling Act

- 46 *The title of the Sechelt Indian Government District Enabling Act, R.S.B.C. 1996, c. 416, is repealed and the following substituted:*

**SHÍSHÁLH NATION GOVERNMENT
DISTRICT ENABLING ACT .**

- 47 *Section 1 (1) is amended*

(a) *by repealing the definition of “District Council” and substituting the following:*

“**District Council**” means the shíshálh Nation Government District Council continued under the *shíshálh Nation Self-Government Act* (Canada); ,

(b) *by repealing the definitions of “Proclamation” and “referendum”,*

(c) *by repealing the definition of “Sechelt Indian Government District”, and*

(d) *by adding the following definition:*

“**shíshálh Nation Government District**” means the shíshálh Nation Government District continued under the *shíshálh Nation Self-Government Act* (Canada).

- 48 *Section 2 is repealed and the following substituted:*

Status of District Council and establishment of Advisory Council

- 2 (1) The District Council is recognized as the governing body of the shíshálh Nation Government District.
- (2) The Lieutenant Governor in Council must by regulation establish an Advisory Council to represent all the residents of the shíshálh Nation Government District.

- 49 *Section 3 is amended by striking out “Sechelt Indian Band Self-Government Act (Canada)” and substituting “shíshálh Nation Self-Government Act (Canada)”.*

- 50 *Section 5 is amended*

(a) *by striking out “a Proclamation has been issued and”, and*

(b) *by striking out “Sechelt Indian Government District” in both places and substituting “shíshálh Nation Government District”.*

51 *Section 6 is amended by striking out “Sechelt Indian Government District” and substituting “shíshálh Nation Government District”.*

52 *Section 7 is repealed.*

Sechelt Indian Government District Home Owner Grant Act

53 *The title of the Sechelt Indian Government District Home Owner Grant Act, R.S.B.C. 1996, c. 417, is repealed and the following substituted:*

**SHÍSHÁLH NATION GOVERNMENT DISTRICT
HOME OWNER GRANT ACT .**

54 *Section 1 is repealed and the following substituted:*

Definition

1 In this Act, “**district**” means the shíshálh Nation Government District continued under section 17 of the *shíshálh Nation Self-Government Act* (Canada).

55 *Section 2 (4) (b) is amended by striking out “Sechelt Indian Government District Enabling Act” and substituting “shíshálh Nation Government District Enabling Act”.*

Speculation and Vacancy Tax Act

56 *Section 1 of the Speculation and Vacancy Tax Act, S.B.C. 2018, c. 46, is amended*

(a) in the definition of “Indigenous nation” by repealing paragraphs (d) and (e) and substituting the following:

(d) the shíshálh Nation continued under the *shíshálh Nation Self-Government Act* (Canada);

(e) the shíshálh Nation Government District continued under the *shíshálh Nation Self-Government Act* (Canada); , **and**

(b) in the definition of “specified area” by repealing paragraph (n) (iv) and substituting the following:

(iv) shíshálh lands as defined in section 2 (1) of the *shíshálh Nation Self-Government Act* (Canada); .

PART 5 – MINISTRY OF LABOUR AMENDMENTS

Labour Relations Code

57 *Section 1 of the Labour Relations Code, R.S.B.C. 1996, c. 244, is amended*

(a) in subsection (1) by repealing the definition of “person” and substituting the following:

“**person**” includes an employee, employer, employers’ organization, trade union and council of trade unions, but does not include, except for the purposes set out in subsection (3), a person in respect of whom collective bargaining is regulated by the *Canada Labour Code*; ,

(b) in subsection (1) by repealing paragraph (b) of the definition of “strike” and substituting the following:

(b) a cessation, refusal, omission or act of an employee that occurs as a direct result of, and for no other reason than,

(i) picketing permitted under this Code, or

(ii) picketing conducted by employees in respect of whom collective bargaining is regulated by the laws of Canada or another province who are locked out or on strike, , *and*

(c) by adding the following subsection:

(3) For the purposes of paragraph (b) (ii) of the definition of “strike” in subsection (1), the definitions in subsection (1) are to be read as though the definition of “person” did not exclude a person in respect of whom collective bargaining is regulated by the *Canada Labour Code*.

**PART 6 – MINISTRY OF POST-SECONDARY EDUCATION
AND FUTURE SKILLS AMENDMENTS**

Chartered Professional Accountants Act

58 *Section 3 of the Chartered Professional Accountants Act, S.B.C. 2015, c. 1, is amended by repealing paragraph (e) and substituting the following:*

(e) subject to paragraph (f), to represent the interests of members and students;

(f) to protect the public interest.

59 *The following heading is added before section 29:*

PART 2.1 – MINISTERIAL POWERS .

60 *The following sections are added:*

Guidelines established by minister

- 29.1** (1) The minister may establish guidelines relating to any or all of the objects of the CPABC set out in section 3.
- (2) The CPABC must consider all relevant guidelines established under subsection (1) in exercising its powers or performing its duties under the Act.
- (3) The minister must make accessible to the public guidelines established under subsection (1).

Directives issued by minister

- 29.2** (1) The minister may issue directives relating to any or all of the objects of the CPABC set out in section 3.
- (2) A directive issued under subsection (1) takes effect immediately or on a later date specified in the directive.
- (3) A directive issued under subsection (1) may require that a work, act, matter or thing be performed or completed within a specified period.
- (4) The minister may extend the period specified in subsection (3).
- (5) The CPABC must comply with a directive issued to it under subsection (1).
- (6) If the CPABC does not comply with a directive issued under subsection (1), the minister may post a public notice of that non-compliance.
- (7) The minister must make accessible to the public directives issued under subsection (1).

Provision of information to minister

- 29.3** (1) The minister may request the CPABC to provide to the minister information relating to any or all of the CPABC's objects set out in section 3.
- (2) A request made under subsection (1) may require that the information be provided within a specified period.
- (3) The minister may extend the period specified in subsection (2).
- (4) The CPABC must comply with a request made to it under subsection (1).
- (5) If the CPABC does not comply with a request made to it under subsection (1), the minister may post a public notice of that non-compliance.

**PART 7 – MINISTRY OF PUBLIC SAFETY AND
SOLICITOR GENERAL AMENDMENTS**

Motor Vehicle Act

- 61** *Section 20 (5) of the Motor Vehicle Act, R.S.B.C. 1996, c. 318, is amended by adding “, unless otherwise determined by the Insurance Corporation of British Columbia” after “is less than \$5”.*
- 62** *Section 26.1 (2.2) and (2.3) is amended by adding “and with or without a hearing or refunding the fees for the licence,” after “with notice,”.*
- 63** *Section 40 is amended*
- (a) in subsection (3) by adding “, unless otherwise determined by the Insurance Corporation of British Columbia” after “is less than \$5”, and*
- (b) by adding the following subsection:*
- (4) The amount of a refund made under this section must be rounded to the nearest dollar and a refund ending in 50¢ must be raised to the next highest dollar.*
- 64** *Section 94.1 (1) is amended*
- (a) in paragraph (c) (ii) by striking out “or”, and*
- (b) by repealing paragraph (d) and substituting the following:*
- (d) if the person holds a document issued in another jurisdiction that allows the person to operate a motor vehicle, and the circumstances described in subsection (1) (a) apply by reason of an analysis of the breath of a person, or the circumstances described in subsection (1) (b) apply,*
- (i) take possession of the person's document if the person has it in the person's possession, and*
- (ii) serve on the person a notice of driving prohibition,*
- (e) if the person holds a document issued in another jurisdiction that allows the person to operate a motor vehicle, and the circumstances described in subsection (1) (a) apply by reason of an analysis of the blood of a person, or the circumstances described in subsection (1) (a.1), (a.2) or (a.3) apply, serve on the person a notice of driving prohibition, or*
- (f) if the person does not hold a valid licence or permit, or document issued in another jurisdiction that allows the person to operate a motor vehicle, serve on the person a notice of driving prohibition.*

- 65 **Section 94.2 (3) (b) is amended by striking out “section 94.1 (1) (d)” and substituting “section 94.1 (1) (e) or (f)”.**
- 66 **Section 94.3 (a) is amended by adding the following subparagraph:**
(i.1) the person’s document issued in another jurisdiction that allows the person to operate a motor vehicle, if the peace officer took the document into possession, .
- 67 **Section 94.4 (3) is repealed and the following substituted:**
(3) An applicant may attach to the application for review any statement or evidence that the applicant wishes the superintendent to consider and that meets the requirements of the regulations.
- 68 **Section 94.5 (1) (a) is repealed and the following substituted:**
(a) any relevant statements and evidence submitted to the superintendent that meet the requirements of the regulations, .
- 69 **Section 210 (2.3), as amended by section 31 (c) of the Motor Vehicle Amendment Act (No. 2), 2023, S.B.C. 2023, c. 35 is amended by adding “, (m)” after “(2) (i), (k)”.**
- 70 **Section 210 (3.1) is amended by adding the following paragraph:**
(v) for the purposes of sections 94.4 (3) and 94.5 (1) (a),
(i) establishing requirements for statements and evidence, and classes of statements and evidence, and their submission, and
(ii) respecting the circumstances in or reasons for which the superintendent is required to waive a requirement.
- 71 **Section 214.41 (2) is amended by adding “driving or” after “person”.**
- 72 **Section 255 (7) is repealed and the following substituted:**
(7) If a motor vehicle impounded under section 215.46 or 251 (1) remains impounded after the expiration of the impoundment period referred to in section 253, the person who has custody of the motor vehicle may apply to the superintendent for approval to dispose of the motor vehicle by sale or otherwise.
(7.1) An application referred to in subsection (7) must be in the form, contain the information and be completed in the manner required by the superintendent.
(7.2) If the superintendent approves the disposal of a motor vehicle under subsection (7), the person who has custody of the motor vehicle must surrender to the superintendent any number plates, issued under this Act, from the motor vehicle.

73 *Section 264 is repealed.*

Consequential Amendments

Firearm Violence Prevention Act

74 *Section 43 (a) and (b) of the Firearm Violence Prevention Act, S.B.C. 2021, c. 7, is amended by striking out “and the requirements for release under section 44 are met”.*

75 *Section 44 is repealed.*

76 *Section 46 is repealed and the following substituted:*

Power of person who has custody to dispose of motor vehicle

46 (1) If a motor vehicle remains impounded after the end of the impoundment period, the person who has custody of the motor vehicle may request that the minister approve disposal of the motor vehicle.

(2) If the minister approves the disposal of a motor vehicle referred to in subsection (1), the person who has custody of the motor vehicle must surrender to the Insurance Corporation of British Columbia any number plates, issued under the *Motor Vehicle Act*, from the motor vehicle.

77 *Section 47 is amended by striking out “section 46 (g)” and substituting “section 46 (1)”.*

78 *Section 48 is amended*

(a) in subsection (1) by striking out “section 46 (g)” and substituting “section 46 (1)”, and

(b) in subsection (2) (a) by striking out “filed a statutory declaration under section 46 (e) or” and substituting “obtained the minister’s approval under section 46 (1) or”.

79 *Section 84 (1) is repealed.*

Insurance (Vehicle) Amendment Act, 2021

80 *Section 31 of the Insurance (Vehicle) Amendment Act, 2021, S.B.C. 2021, c. 23, is repealed.*

Commencement

81 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 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 12	By regulation of the Lieutenant Governor in Council
3	Section 16	October 1, 2024
4	Sections 24 and 25	By regulation of the Lieutenant Governor in Council
5	Section 61	By regulation of the Lieutenant Governor in Council
6	Section 63	By regulation of the Lieutenant Governor in Council
7	Sections 67 and 68	By regulation of the Lieutenant Governor in Council