

**BILL 13 – 2025**

**MISCELLANEOUS STATUTES**

**AMENDMENT ACT, 2025**

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

**PART 1 – FORESTS AMENDMENTS**

*Wildfire Act*

*1 The Wildfire Act, S.B.C. 2004, c. 31, is amended by adding the following section to Division 2 of Part 3:*

**Requirement to give notice and opportunity to be heard**

- 24.1** (1) Before making one of the following orders, the minister must give written notice of the proposed order, and an opportunity to be heard, to the person who is the subject of the proposed order:
- (a) an order under section 25 (2) in respect of a person who the minister alleges has caused or contributed to a fire or the spread of a fire;
  - (b) an order under section 26, 27 (1) or 28 (1) in respect of a person who the minister alleges has contravened a provision of this Act or the regulations;
  - (c) an order under section 28 (3) in respect of a person who the minister alleges has not complied with an order under subsection (1) of that section.
- (2) Notice under subsection (1) must not be given more than 3 years after
- (a) the date on which the facts that led to the minister's allegation first came to the knowledge of an official, in the case of a proposed order under section 25 (2), 26, 27 (1) or 28 (1), or
  - (b) the date specified under section 28 (2) (b) (iii), in the case of a proposed order under section 28 (3).
- (3) The minister by order may extend the 3-year period referred to in subsection (2) by up to 18 months, to a maximum total period of 4 years and 6 months.

- (4) A document purporting to have been issued by an official, certifying the date on which the facts referred to in subsection (2) (a) first came to the knowledge of an official,
  - (a) is admissible in an appeal under section 39 from the order, without proof of the signature or official character of the individual appearing to have signed the document, and
  - (b) in the absence of evidence to the contrary, is proof of the matter certified.

**2     *Section 25 (3) and (4) is repealed and the following substituted:***

- (3) The minister must not make an order under subsection (2) unless the minister determines that the person caused or contributed to the fire or the spread of the fire.
- (4) The minister must
  - (a) give a copy of an order made under subsection (2) to the person who is the subject of the order, and
  - (b) inform the person of the following:
    - (i) the amounts payable by the person to the government under the order and the person's liability under section 130 of the *Forest Act* to pay that amount;
    - (ii) the reasons for the order;
    - (iii) the person's right to a review under section 37 or to an appeal under section 39.

**3     *Section 26 is repealed and the following substituted:***

**Contravention orders**

- 26**     The minister by order may determine that a person has contravened a provision of this Act or the regulations.

**4     *Section 27 (2) is repealed and the following substituted:***

- (2) The minister must
  - (a) give a copy of the order made under subsection (1) to the person who is the subject of the order,
  - (b) give the person a copy of the order made under section 26, and
  - (c) inform the person of the following:
    - (i) the amount of any administrative penalty levied against the person by an order under subsection (1) (a) of this section and of the person's liability under section 130 of the *Forest Act* to pay that amount;
    - (ii) the provision contravened and the reasons for the order or orders;

- (iii) the amount of any costs of the government determined under subsection (1) (b) of this section, itemized particulars of those costs and the person's liability under section 130 of the *Forest Act* to pay that amount;
- (iv) any amount determined under subsection (1) (c) of this section, itemized particulars of that amount and the person's liability under section 130 of the *Forest Act* to pay that amount;
- (v) any costs determined under subsection (1) (c.1) of this section, itemized particulars of those costs and the person's liability under section 130 of the *Forest Act* to pay those costs;
- (vi) the person's right to a review under section 37 or to an appeal under section 39.

**5     *Section 28 is amended***

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

- (2) If the minister makes an order under subsection (1), the minister must
  - (a) give a copy of the order to the person who is the subject of the order, and
  - (b) inform the person of the following:
    - (i) the provision contravened;
    - (ii) the work to be done to remedy the contravention;
    - (iii) the date by which the work must be completed;
    - (iv) the person's right to a review under section 37 or to an appeal under section 39;
    - (v) the right of the minister under subsection (3) (b) to carry out the work;
    - (vi) the right of the minister under subsection (3) (d) to levy an administrative penalty for the contravention. ,

***(b) in subsection (3) by striking out “the date specified in a written notice given under subsection (2)” and substituting “the date specified under subsection (2) (b) (iii)”, and***

***(c) by repealing subsections (4) and (5) and substituting the following:***

- (4) If the minister makes an order under subsection (3) (a) or (c), the minister must
  - (a) give a copy of the order to the person who is the subject of the order,
  - (b) inform the person of the following:
    - (i) the restrictions or the prohibition under an order under subsection (3) (a);
    - (ii) the completion of the work carried out under subsection (3) (b);

- (iii) the amount payable by the person to the government under an order under subsection (3) (c) of this section and the person's liability under section 130 of the *Forest Act* to pay that amount, and
  - (c) give the person a copy of the accounting of the expenditures relating to the work.
- (5) If the minister makes an order under subsection (3) (d), the minister must
  - (a) give a copy of the order to the person who is the subject of the order, and
  - (b) inform the person of the following:
    - (i) the amount of the administrative penalty and the person's liability under section 130 of the *Forest Act* to pay that amount;
    - (ii) the reasons for the administrative penalty;
    - (iii) the person's right to a review under section 37 or to an appeal under section 39.

**6      *Section 33 is repealed.***

**Transitional Provision**

***Wildfire Act* transition – pre-existing administrative proceeding**

- 7      (1) In this section:
- “former Act”** means the *Wildfire Act* as it read immediately before the transition date;
  - “pre-existing administrative proceeding”** means an ongoing matter
    - (a) in relation to which no order under section 25 (2), 26, 27 (1) or 28 (1) or (3) of the former Act has been made by the transition date, and
    - (b) in relation to which a person, before the transition date, has been given an opportunity to be heard;
  - “transition date”** means the date this section comes into force.
- (2) The former Act continues to apply to a pre-existing administrative proceeding.

## PART 2 – HOUSING AND MUNICIPAL AFFAIRS AMENDMENTS

### *Greater Vancouver Sewerage and Drainage District Act*

- 8** *Section 58.2 of the Greater Vancouver Sewerage and Drainage District Act, S.B.C. 1956, c. 59, is amended by adding the following subsection:*

(10) Sections 511.1 [limited exception to section 511] and 568.1 [limited exception to section 568] of the *Local Government Act* apply to a by-law under subsection (1) of this section.

### *Housing Supply Act*

- 9** *Section 1 of the Housing Supply Act, S.B.C. 2022, c. 38, is amended by adding the following definition:*

“**Vancouver land use provision**” means any of the following provisions of the *Vancouver Charter*:

- (a) section 292 (1) [subdivision control];
- (b) section 306 (1) [by-laws respecting building regulation];
- (c) section 562 (1) [Council powers respecting official development plan];
- (d) section 565 (1) [zoning by-law];
- (e) section 565.14 (1) [providing affordable and special needs housing units elsewhere];
- (f) section 565.192 (1) [providing affordable and special needs housing units elsewhere];
- (g) section 565.2 (1) [housing agreements for affordable and special needs housing];
- (h) section 565A (1) [by-laws];
- (i) section 565D (2) [occupancy of phase out suite];
- (j) section 565F (1) [landscaping requirements];
- (k) section 571A (1) and (1.1) [sign by-laws];
- (l) section 571AA (1) [relaxation of sign by-laws].

- 10** *Section 11 is amended*

- (a) *in subsection (1) (a) by adding “or a Vancouver land use provision, as the case may be” after “the Local Government Act”, and*
- (b) *in subsection (4) (a) by adding “or a Vancouver land use provision, as the case may be” after “the Local Government Act”.*

- 11** *Section 12 (1) (a) is amended by adding “or a Vancouver land use provision, as the case may be” after “the Local Government Act”.*

***Islands Trust Act***

- 12** *Section 6 (6) of the Islands Trust Act, R.S.B.C. 1996, c. 239, is amended by repealing paragraph (a) and substituting the following:*

- (a) section 201.1 *[acting electoral area directors]*;
- (a.1) section 202 *[oath or affirmation of office]*; .

***Local Elections Campaign Financing Act***

- 13** *Section 30.11 of the Local Elections Campaign Financing Act, S.B.C. 2014, c. 18, is amended*

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

- (1.1) If, under section 115 (2) *[use of a shorter name, abbreviation or acronym]* of the *Local Government Act*, a chief election officer identifies an elector organization on a ballot using a name, abbreviation or acronym that is shorter than a name, abbreviation or acronym included in the register of elector organizations, the elector organization must, as soon as practicable, file with the BC chief electoral officer a notice of the chief election officer’s use of the shorter name, abbreviation or acronym. ,

***(b) in subsection (2) by striking out “A notice filed under subsection (1)” and substituting “A notice filed under subsection (1) or (1.1)”*,**

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

- (3) If satisfied that a notice under subsection (1) or (1.1) is authorized by the elector organization for which it is made, the BC chief electoral officer must amend the register of elector organizations to reflect the change referred to in subsection (1) or the use referred to in subsection (1.1). ,

***(d) in subsection (4) (a), by striking out “referred to in subsection (1)” and substituting “referred to in subsection (1) or (1.1)”*,**

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

- (5.1) If the elector organization does not file a notice in accordance with subsection (1.1) within 60 days after the authorized principal official becomes aware of the chief election officer’s use of the shorter name, abbreviation or acronym, the BC chief electoral officer may suspend the registration of the elector organization, and the suspension continues until the notice is filed in accordance with subsection (1.1). , ***and***

*(f) in subsection (6) by striking out “subsection (1) or (4)” and substituting “subsection (1), (1.1) or (4)”.*

**14 Section 30.12 is amended**

*(a) in subsection (1) by striking out “A registered elector organization” and substituting “Subject to subsection (1.1), a registered elector organization”, and*

*(b) by adding the following subsection:*

- (1.1) Subsection (1) does not apply in relation to a change made for the purpose of using the name, abbreviation or acronym by which the elector organization is identified on a ballot under section 115 (2) *[use of a shorter name, abbreviation or acronym]* of the *Local Government Act*.

**15 Section 58 (1) is repealed and the following substituted:**

- (1) Subject to this Part and any applicable regulations, until at least 5 years after general voting day for the election or assent voting to which a disclosure statement or supplementary report relates, the BC chief electoral officer must
- (a) make publicly available on an Elections BC authorized internet site the information in the statement or report, other than
    - (i) a mailing address or residential address of a significant contributor, or
    - (ii) a telephone number, mailing address or residential address of a candidate, and
  - (b) have available for public inspection at the Elections BC office during its regular office hours a copy of the statement or report in which the following must be obscured or deleted:
    - (i) a mailing address or residential address of a significant contributor;
    - (ii) a telephone number, mailing address or residential address of a candidate.

**16 Section 62 (1) (a) is repealed and the following substituted:**

- (a) in relation to the financial agent for a candidate,
- (i) if the financial agent is appointed under section 17 *[each candidate must have a financial agent]*, the financial agent’s name and address for service, as provided under section 17 (4) (d) or, if applicable, under section 17 (6), or
  - (ii) if the candidate is the financial agent, the candidate’s name and address for service, as provided under section 92 (1) (e) *[provision of information between Elections BC and local authorities]* or, if applicable, under section 92 (3); .

**17 Section 99 is amended**

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

- (0.1) In this section, “**general voting day for the assent voting**” means the applicable day established under
- (a) section 174 [*general voting day for assent voting*] of the *Local Government Act*, or
  - (b) section 134 [*general voting day for assent voting*] of the *Vancouver Charter*. ,

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

- (1) The minister responsible in relation to an election or assent voting may, in the following circumstances, make any order the minister considers appropriate to achieve the purposes of this Act:
- (a) the minister considers the order necessary because of special circumstances respecting
    - (i) the election or assent voting, or
    - (ii) a candidate, elector organization, third party sponsor or assent voting advertising sponsor;
  - (b) the minister considers the order necessary because of an irregularity or procedural error in the administration or conduct of the election or assent voting. , **and**

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

- (2.1) An order under this section may be made retroactive to a date not earlier than the first day of the election period or 80 days before general voting day for the assent voting, as applicable, and, if made retroactive, is deemed to have been made on the specified date.

**18 Section 100.02 (3) is amended by striking out “in relation to section 36.01” and substituting “in relation to section 36.01 or 36.02”.**

**19 Section 1 (1) of the Schedule is amended in the definition of “endorsed” by striking out “before endorsement documents are filed” and substituting “before nomination documents are filed”.**



***Local Government Act***

**20    *Section 47 of the Local Government Act, R.S.B.C. 2015, c. 1, is amended***

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

“**authorized drop-off location**” means a location specified by the chief election officer under section 110 (5.1) *[mail ballot voting]*; ,

***(b) by repealing the definition of “endorsement documents”, and***

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

“**secrecy enclosure**” means a secrecy envelope, secrecy sleeve or other means of keeping a ballot secret; .

**21    *Section 87 (1) (g) is repealed and the following substituted:***

(g) if applicable, each of the statements referred to in section 92 (1) *[candidate endorsement by elector organization]*.

**22    *Section 89 is amended***

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

(4) Nomination documents may be delivered

- (a) by hand,
- (b) by mail or other delivery service,
- (c) by fax, or
- (d) by email. ,

***(b) by repealing subsection (5),***

***(c) in subsection (8) by striking out “provide for public access to nomination documents” and substituting “provide for public access to all or part of the nomination documents”, and***

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

- (8.1) A bylaw under subsection (8) that provides for public access by the internet or other electronic means may not permit public access to the residential address of the person nominated other than the municipality, electoral area or treaty lands in which the person is resident.
- (10) Before inspecting nomination documents available under subsection (7) (a), a person other than a local government officer or employee acting in the course of duties must sign a statement that the person will not use the information included in them except as permitted under subsection (9).

**23    *Section 92 (1) is repealed and the following substituted:***

- (1) Subject to this section, an incorporated or unincorporated organization may endorse a person who is or intends to be a candidate in an election and have that endorsement included on the ballot for the election if
  - (a) the authorized principal official of the elector organization signs a statement that the elector organization endorses the person as a candidate,
  - (b) the person signs a statement consenting to the endorsement, and
  - (c) the statements referred to in paragraphs (a) and (b) are included in the nomination documents in relation to the person's nomination.

**24    *Section 93 is repealed.***

**25    *Section 99 is amended***

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

- (b) the usual names of the candidates for each office and the municipalities, electoral areas or treaty lands in which the candidates are resident; , ***and***

***(b) by repealing subsections (5) and (6).***

**26    *Section 100 is amended***

***(a) in subsection (1) by striking out everything before paragraph (a) and substituting "If there are fewer candidates declared elected to a council by acclamation under section 98 than there are to be elected to the council, the council must appoint a person to each vacant office,"***

***(b) in subsections (1) (a) and (b) and (2) by striking out "local government" wherever it appears and substituting "council",***

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

- (b) must at the time of appointment reside, as applicable,
  - (i) in the municipality or a municipality, electoral area or treaty lands immediately adjacent to the municipality, or
  - (ii) in the neighbourhood constituency, the municipality in which the neighbourhood constituency is located or a municipality, electoral area or treaty lands immediately adjacent to the neighbourhood constituency. ,

***(d) by repealing subsection (4) and substituting the following:***

- (4) A person appointed as a member of a council under this section has the same rights, duties and powers as a person elected as a member. , ***and***

- (e) *in subsection (5) by striking out “a local government” and substituting “a council”.*

**27    *Section 110 is amended***

- (a) *in subsection (5) by striking out “in any manner the chief election officer considers will give reasonable notice to the electors who will be entitled to vote by this means” and substituting “in any manner the chief election officer considers appropriate”,*

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

- (5.1) The chief election officer may specify one or more locations at which persons voting may return mail ballot packages and, if this is done, the notice under subsection (5) must include the location and office hours of each specified location. ,

- (c) *in subsection (7) (b) and (c) by striking out “secrecy envelope” and substituting “secrecy enclosure”,*

- (d) *by repealing subsection (7) (d) and substituting the following:*

- (d) an outer envelope on which is printed the address of the chief election officer at the local government offices and in which the secrecy enclosure under paragraph (b), the certification envelope under paragraph (c) and, if applicable, the registration application under paragraph (e) are to be returned; ,

- (e) *in subsection (8) (b) by adding “and” at the end of subparagraph (i) and by repealing subparagraph (ii),*

- (f) *by adding the following subsection:*

- (8.1) An elector voting by mail ballot must return the elector’s mail ballot package to
- (a) the address printed on the outer envelope included in the mail ballot package, or
- (b) an authorized drop-off location, if any. , *and*

- (g) *by repealing subsection (9) and substituting the following:*

- (9) In order to be counted for an election, a mail ballot must be received at the address referred to in subsection (8.1) (a) or an authorized drop-off location, if any, before the close of voting on general voting day, and it is the obligation of the person voting by mail ballot to ensure that the mail ballot is received within this time limit.

**28 Section 115 is amended**

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

- (d) if applicable, the name, abbreviation or acronym of the endorsing elector organization for a candidate, as included in the register of elector organizations maintained under section 30.10 [*register to be open to public*] of the *Local Elections Campaign Financing Act.* , **and**

**(b) in subsection (2) by striking out “after consulting with the authorized principal official of the elector organization,” and substituting “after consulting with the BC chief electoral officer and the authorized principal official of the elector organization,”.**

**29 Section 129 (1) (b) is repealed and the following substituted:**

- (b) while the ballot is screened from observation, mark it to clearly indicate the candidate or candidates for whom the elector wishes to vote in accordance with the instructions provided for the voting opportunity, .

**30 Section 139 is amended**

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

- (1) Marks that clearly indicate the intention of the elector to vote for a candidate or candidates are to be accepted and counted as valid votes unless the ballot is rejected under subsection (4). , **and**

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

**31 Section 157 is repealed and the following substituted:**

**Status of elected candidate**

- 157**
- (1) A person affected by an application under section 153 who has been declared elected is entitled to take office and to vote and otherwise act in the office unless the court declares the candidate disqualified, or the election invalid, and the office vacant.
  - (2) If a person who is declared disqualified to hold office by the Supreme Court appeals the decision, the appeal does not operate as a stay of the declaration and the person is disqualified pending the final determination of the appeal.
  - (2.1) If the election of a person is declared invalid by the Supreme Court and the decision is appealed, the appeal does not operate as a stay of the declaration and the person ceases to hold office pending the final determination of the appeal.

- (3) If, on the final determination of an appeal, a person is declared qualified to hold office, or an election is declared valid, the court may order that any money paid under section 155 (5) *[disqualified candidate required to pay money towards cost of by-election]* be repaid with interest as directed by the court.
- (4) A person who, on the final determination of an appeal, is declared qualified to hold office or validly elected is entitled,
  - (a) if the term of office for which the person was elected has not ended, to take office for any unexpired part of the term and, for this purpose, any person elected or appointed to the office since the declaration of disqualification or invalidity ceases to hold office at the time the person declared qualified or validly elected takes office, and
  - (b) if the term of office for which the person was elected is expired, to be nominated for and to be elected to office at any following election if otherwise qualified.

**32** *Section 160 (1) (b) and (2) (b) is amended by striking out “and endorsement documents”.*

**33** *Section 167 is amended*

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

- (1) The minister may, in the following circumstances, make any order the minister considers appropriate to achieve the purposes of this Part or Part 4 *[Assent Voting]*:
  - (a) the minister considers the order necessary because of special circumstances regarding an election or assent voting;
  - (b) the minister considers the order necessary because of an irregularity or procedural error in the administration or conduct of an election or assent voting. , *and*

*(b) by adding the following subsection:*

- (4) An order under this section may be made retroactive to a date not earlier than the first day of the election period or 80 days before general voting day established under section 174 *[general voting day for assent voting]* for the assent voting, as applicable, and, if made retroactive, is deemed to have been made on the specified date.

**34 Section 167.1 is amended by adding the following subsection:**

- (4) A regulation under subsection (1) may be made retroactive to a date not earlier than the first day of the election period or 80 days before general voting day established under section 174 *[general voting day for assent voting]* for the assent voting, as applicable, and, if made retroactive, is deemed to have come into force on the specified date.

**35 Section 201 is amended**

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

- (4) An appointment under subsection (3) takes effect when the resolution making the appointment is passed, and the alternate director so appointed holds office until the earlier of the following:
  - (a) the next general local election;
  - (b) the director for whom the alternate is appointed ceases to hold office for one of the following reasons:
    - (i) the office is declared vacant under section 155 (1) (b) or (2) (b) or (c) *[power of court on application]*;
    - (ii) another candidate is declared elected in place of the director under section 155 (1) (c) or (2) (d);
    - (iii) the electoral area director renounces claim to the office under section 153 (9) *[application to court respecting validity of election]*. ,

**(b) in subsection (5) by striking out “becomes vacant through resignation, disqualification or death,” and substituting “becomes vacant through resignation, death or disqualification, other than because of a declaration by the court under section 155 (1) (b),”, and**

**(c) by repealing subsection (8) and substituting the following:**

- (8) An alternate director appointed by an electoral area director holds office as alternate director until the earliest of the following:
  - (a) a replacement is appointed under subsection (7);
  - (b) the next general local election;
  - (c) the electoral area director who appointed the alternate ceases to hold office for one of the reasons set out in subsection (4) (b).

**36    *The following sections are added:***

**Acting electoral area directors**

- 201.1** (1) This section applies if an electoral area director ceases to hold office for any of the following reasons:
- (a) the office is declared vacant under section 155 (1) (b) or (2) (b) or (c) *[power of court on application]*;
  - (b) after making an oath or affirmation under section 202, the electoral area director renounces claim to the office under section 153 (9) *[application to court respecting validity of election]*.
- (2) A board may, by resolution, appoint an acting director to fill the vacancy in the office of the electoral area director.
- (3) A person appointed under subsection (2) must have the qualifications necessary to be nominated as a director for the electoral area.
- (4) An appointment under subsection (2) takes effect when the resolution making the appointment is passed, and the acting director so appointed holds office as an acting director until a director elected for the electoral area takes office.
- (5) An acting director appointed under subsection (2) has the same rights, duties and powers as a person elected as an electoral area director, other than the duty to appoint an alternate director under section 201.

**Alternate acting electoral area directors**

- 201.2** (1) An acting director appointed under section 201.1 must appoint an alternate acting director as follows:
- (a) the appointment must be made within 50 days of
    - (i) the appointment of the acting director, or
    - (ii) the office of the alternate acting director becoming vacant through resignation, disqualification or death;
  - (b) the person appointed must have the qualifications necessary to be nominated as a director for the electoral area.
- (2) An appointment under subsection (1) takes effect when
- (a) the appointment has been approved in writing by 2 electors who reside in the electoral area that the acting director represents, and
  - (b) the acting director notifies, in writing, the regional district corporate officer of the appointment of the alternate.
- (3) If an acting director does not appoint an alternate acting director in accordance with subsection (1), the board must, by resolution, appoint a person who has the qualifications necessary to be nominated as a director for that electoral area as an alternate acting director.

- (4) An appointment under subsection (3) takes effect when the resolution making the appointment is passed, and the alternate acting director so appointed holds office until a director elected for the electoral area takes office.
- (5) If the office of an acting director becomes vacant through resignation, disqualification or death,
  - (a) the alternate acting director holds the office until a director for the electoral area takes office following the next election for the office, or
  - (b) if the alternate acting director is unable or unwilling to hold office as an acting director, the board must, by resolution, appoint another person who has the qualifications to be nominated as a director for the electoral area and that person holds the office as provided in paragraph (a).
- (6) On behalf of an absent acting director, the alternate acting director appointed under this section may take the place of, vote and generally act in all matters for the absent acting director, including in relation to a matter delegated to that acting director by the board.
- (7) The acting director who appointed an alternate acting director may appoint, as a replacement for the alternate acting director, another person who has the qualifications necessary to be nominated as a director for that electoral area.
- (8) An alternate acting director appointed by an acting director holds office as an alternate acting director until a director elected for the electoral area takes office.

**37 Section 202 is amended**

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

- (c) in the case of a person appointed as an acting director or alternate acting director, within 45 days after the effective date of the appointment; ,
- (b) in subsection (4) by striking out “other than a person appointed as an alternate director,” and substituting “other than a person appointed as an alternate director, acting director or alternate acting director,” and**
- (c) in subsection (8) by adding “or as provided in section 201 (4) or (8), 201.1 (4) or 201.2 (4) or (8), as applicable,” after “the member is entitled to hold that office through its term”.**

**38 Section 338 (2) is amended by adding the following paragraph:**

- (j) a service for the following purposes:
  - (i) fire safety inspections, within the meaning of the *Fire Safety Act*, under Part 4 [*Fire Safety Inspections*] of that Act;



- (ii) fire investigations, within the meaning of the *Fire Safety Act*, under Division 1 [*Fire Investigations*] of Part 7 [*Fire Investigations and Inquiries*] of that Act.

**39 Section 380 (2) is amended by adding the following paragraph:**

- (l) in the case of services referred to in section 338 (2) (j) [*services under the Fire Safety Act*],
  - (i) subject to subparagraph (ii) of this paragraph, among all the electoral areas, with the service area deemed to be all the electoral areas, and
  - (ii) if the board provides that some or all of the costs are to be apportioned among the electoral areas that the board considers benefit from the services, those costs must be apportioned among those electoral areas, with the service area deemed to be all those electoral areas.

**40 The following sections are added:**

**Limited exception to section 511**

**511.1** (1) In this section, “**cost charge bylaw**” means

- (a) a development cost charge bylaw adopted by the Metro Vancouver Regional District or by the Greater Vancouver Water District incorporated under the *Greater Vancouver Water District Act*, and
  - (b) an amenity cost charge bylaw, as defined in section 570.1 [*definitions in relation to Division 19.1*], adopted by the Metro Vancouver Regional District.
- (2) Despite section 511, this section applies in relation to a cost charge bylaw that was adopted on or before March 22, 2024 and after
- (a) an application for a subdivision of land located outside a municipality has been submitted to a district highway manager in a form satisfactory to that official, or
  - (b) an application for a subdivision of land within a municipality has been submitted to a designated municipal officer and the applicable subdivision fee has been paid.
- (3) Subject to subsection (4), a cost charge bylaw that would otherwise be applicable to the subdivision has no effect with respect to that subdivision on or before March 22, 2026 if
- (a) the application for subdivision was submitted before March 22, 2024, and
  - (b) the cost charge bylaw would increase a development cost charge or amenity cost charge on a person who obtains approval of the subdivision.

- (4) Subsection (3) does not apply if the applicant agrees in writing that the cost charge bylaw should have effect with respect to the subdivision.

**Limited exception to section 568**

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

**“development cost charge bylaw”** means a development cost charge bylaw adopted on or before March 22, 2024 by the Metro Vancouver Regional District or by the Greater Vancouver Water District incorporated under the *Greater Vancouver Water District Act*;

**“in-stream”** has the same meaning as in section 568 (1);

**“precursor application”** has the same meaning as in section 568 (1).

- (2) Despite section 568 (2), and subject to subsection (3) of this section, a development cost charge bylaw that would otherwise be applicable to the construction, alteration or extension of a building or structure has no effect with respect to that construction, alteration or extension if
- (a) the building permit authorizing that construction, alteration or extension is issued within 24 months after the date the development cost charge bylaw is adopted,
  - (b) a precursor application to that building permit is in-stream on the date the development cost charge bylaw is adopted, and
  - (c) the development cost charge bylaw would increase development cost charges on a person who obtains that building permit.
- (3) Subsection (2) does not apply if the applicant for that building permit agrees in writing that the development cost charge bylaw should have effect.

**Limited exception to section 570.91**

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

**“amenity cost charge bylaw”** means an amenity cost charge bylaw, as defined in section 570.1, adopted by the Metro Vancouver Regional District on or before March 22, 2024;

**“in-stream”** has the same meaning as in section 568 (1);

**“precursor application”** has the same meaning as in section 568 (1).

- (2) Despite section 570.91 (3), and subject to subsection (3) of this section, an amended amenity cost charge bylaw that would otherwise be applicable to the construction, alteration or extension of a building or structure has no effect with respect to that construction, alteration or extension if
- (a) the building permit authorizing that construction, alteration or extension is issued within 24 months after the date the amenity cost charge bylaw is amended,

- (b) a precursor application to that building permit is in-stream on the date the amenity cost charge bylaw is amended, and
  - (c) the amended amenity cost charge bylaw would increase amenity cost charges on a person who obtains that building permit.
- (3) Subsection (2) does not apply if the applicant for that building permit agrees in writing that the amenity cost charge bylaw should have effect.

**41    *The following section is added:***

**Owners must be given notice before tax sale**

- 647.1** (1) At least 30 days before the date of the annual tax sale, the collector must, in relation to a property subject to tax sale, give written notice to a person registered in the land title office as an owner of the fee simple of the property.
- (2) A notice under subsection (1) must include the following:
- (a) the time and place of the annual tax sale;
  - (b) the legal description and street address, if any, of the property subject to tax sale;
  - (c) the amount of the delinquent taxes calculated in accordance with section 246 [*delinquent taxes*] of the *Community Charter* and a statement that, if the amount of delinquent taxes is not paid before the annual tax sale, the collector will offer the property for sale by public auction at the time and place stated in the notice;
  - (d) a statement that, if the property is sold at the annual tax sale, a right of redemption will remain in the owner of the fee simple, or a person registered in the land title office as an owner of a charge on the property, until the end of the redemption period;
  - (e) a statement that the amount payable to redeem the property after the annual tax sale will be greater than the amount of delinquent taxes.
- (3) Subject to any regulations, a notice under subsection (1) must be given to the owner of the fee simple at the address of the owner set out in
- (a) the most recent revised assessment roll, as defined in section 1 (1) of the *Assessment Act*, or
  - (b) the records of the land title office.
- (4) A notice under subsection (1) must be given to the owner of the fee simple by one of the following methods:
- (a) by personal service;
  - (b) by sending the notice by ordinary mail, registered mail or courier;
  - (c) by sending the notice by another method prescribed by regulation.

- (5) If a notice under subsection (1) is given by a method other than sending by registered mail, the collector must create a record of
  - (a) the method by which the notice was given,
  - (b) the date and time the notice was given and, if applicable, the place of mailing, and
  - (c) an acknowledgement, if any, of receipt of the notice by the owner of the fee simple.
- (6) A notice given in accordance with this section, unless received earlier, is conclusively deemed to be received as follows:
  - (a) if given by sending the notice by ordinary or registered mail or courier, on the seventh day after it is mailed or received by the courier, as applicable;
  - (b) if given by sending the notice by another method prescribed by regulation, on the seventh day after it is sent.
- (7) The collector must retain a copy of each notice under subsection (1).
- (8) For the purposes of subsections (3) and (4), the Lieutenant Governor in Council may make regulations in relation to a notice under subsection (1) as follows:
  - (a) specifying alternative addresses or locations at which the notice may be given;
  - (b) establishing alternative methods of giving the notice;
  - (c) establishing restrictions and conditions on the use of alternative addresses, locations or methods.

**42** *Section 657 (3) is amended by adding “and section 647.1 [owners must be given notice before tax sale]” after “set out in subsection (1)”.*

**43** *Section 666 (2) (c) is amended by striking out “section 657 [notice of tax sale and redemption period]” and substituting “section 647.1 [owners must be given notice before tax sale] or 657 [notice of tax sale and redemption period]”.*

**44** *Section 676 (3) is amended by striking out “mountain improvement district” and substituting “mountain resort improvement district”.*

**45** *Section 797 is amended*

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

*(1) In this section:*

*“density benefits zoning bylaw” has the same meaning as in section 478.1 [definitions in relation to Division 5 of Part 14];*

**“site-specific density benefits zoning bylaw”** means a type of density benefits zoning bylaw that is limited in its application to a specific site comprised of one or more parcels of land. , *and*

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

- (7) Despite subsections (2) and (3), a site-specific density benefits zoning bylaw of a local government is not required to be amended in accordance with the provisions referred to in subsection (2) (a) to (e) if the following requirements are met:
  - (a) either
    - (i) the local government has the site-specific density benefits zoning bylaw on April 25, 2024, or
    - (ii) the site-specific density benefits zoning bylaw has been given first reading on or after April 25, 2024 but before the prescribed date;
  - (b) the site-specific density benefits zoning bylaw is consistent with the density rules set out in a density benefits zoning bylaw, if any, applicable to a broader geographic area in which the site is located,
    - (i) at the time the site-specific density benefits zoning bylaw is adopted, as contemplated by paragraph (a) (i) of this subsection, or
    - (ii) at the time the site-specific density benefits zoning bylaw is given first reading, as contemplated by paragraph (a) (ii) of this subsection.
- (8) For certainty, a site-specific density benefits zoning bylaw referred to in subsection (7) must, if amended after the prescribed date, be amended in accordance with the provisions referred to in subsection (2) (a) to (e).

**46 Section 797 (2), (3) and (5) (a) is amended by striking out “the date this section comes into force” and substituting “April 25, 2024”.**

### *Vancouver Charter*

**47 The Vancouver Charter, S.B.C. 1953, c. 55, is amended by adding the following section:**

#### **Relationship with Provincial laws**

- 2.3** (1) A provision of a by-law has no effect if it is inconsistent with a Provincial enactment.
- (2) For the purposes of subsection (1), unless otherwise provided, a by-law is not inconsistent with another enactment if a person who complies with the by-law does not, by this, contravene the other enactment.
- (3) Subsection (1) does not apply to section 292 (4) [*subdivision control*].

**48 Section 7 is amended**

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

**“authorized drop-off location”** means a location specified by the chief election officer under section 72 (4.1) *[mail ballot voting]*; ,

**(b) by repealing the definition of “endorsement documents”, and**

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

**“secrecy enclosure”** means a secrecy envelope, secrecy sleeve or other means of keeping a ballot secret; .

**49 Section 44 (1) (g) is repealed and the following substituted:**

(g) if applicable, each of the statements referred to in section 45.3 (1) *[candidate endorsement by elector organization]*.

**50 Section 45 is amended**

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

(4) Nomination documents may be delivered

- (a) by hand,
- (b) by mail or other delivery service,
- (c) by fax, or
- (d) by email. ,

**(b) by repealing subsection (5),**

**(c) in subsection (7) by striking out “provide for public access to nomination documents” and substituting “provide for public access to all or part of the nomination documents”, and**

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

- (7.1) A by-law under subsection (7) that provides for public access by the internet or other electronic means may not permit public access to the residential address of the person nominated other than the municipality, electoral area or treaty lands in which the person is resident.
- (9) Before inspecting nomination documents available under subsection (6) (a), a person other than a city officer or employee acting in the course of duties must sign a statement that the person will not use the information included in them except as permitted under subsection (8).

**51    *Section 45.3 (1) is repealed and the following substituted:***

- (1) Subject to this section, an incorporated or unincorporated organization may endorse a person who is or intends to be a candidate in an election and have that endorsement included on the ballot for the election if
  - (a) the authorized principal official of the elector organization signs a statement that the elector organization endorses the person as a candidate,
  - (b) the person signs a statement consenting to the endorsement, and
  - (c) the statements referred to in paragraphs (a) and (b) are included in the nomination documents in relation to the person's nomination.

**52    *Section 45.4 is repealed.***

**53    *Section 49 is amended***

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

- (b) the usual names of the candidates for each office and the municipalities, electoral areas or treaty lands in which the candidates are resident; , ***and***

***(b) by repealing subsections (5) and (6).***

**54    *Section 72 is amended***

***(a) in subsection (4) by striking out “in any manner the chief election officer considers will give reasonable notice to the electors who will be entitled to vote by this means” and substituting “in any manner the chief election officer considers appropriate”,***

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

- (4.1) The chief election officer may specify one or more locations at which persons voting may return mail ballot packages and, if this is done, the notice under subsection (4) must include the location and office hours of each specified location. ,

***(c) in subsection (6) (b) and (c) by striking out “secrecy envelope” and substituting “secrecy enclosure”,***

***(d) by repealing subsection (6) (d) and substituting the following:***

- (d) an outer envelope on which is printed the address of the chief election officer at the City Hall and in which the secrecy enclosure under paragraph (b), the certification envelope under paragraph (c) and, if applicable, the registration application under paragraph (e) are to be returned; ,

***(e) in subsection (7) (b) by adding “and” at the end of subparagraph (i) and by repealing subparagraph (ii),***

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

(7.1) In order to vote using a mail ballot, an elector must return the elector’s mail ballot package to

(a) the address printed on the outer envelope included in the mail ballot package, or

(b) an authorized drop-off location, if any. , ***and***

***(g) by repealing subsection (8) and substituting the following:***

(8) In order to be counted for an election, a mail ballot must be received at the address referred to in subsection (7.1) (a) or an authorized drop-off location, if any, before the close of voting on general voting day, and it is the obligation of the person voting by mail ballot to ensure that the mail ballot is received within this time limit.

**55 Section 77 is amended**

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

(d) if applicable, the name, abbreviation or acronym of the endorsing elector organization for a candidate, as included in the register of elector organizations maintained under section 30.10 [*register to be open to public*] of the *Local Elections Campaign Financing Act.* , ***and***

***(b) in subsection (2) by striking out “after consulting with the authorized principal official of the elector organization,” and substituting “after consulting with the BC chief electoral officer and the authorized principal official of the elector organization,”.***

**56 Section 91 (1) (b) is repealed and the following substituted:**

(b) while the ballot is screened from observation, mark it to clearly indicate the candidate or candidates for whom the elector wishes to vote in accordance with the instructions provided for the voting opportunity, .

**57 Section 101 is amended**

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

(1) Marks that clearly indicate the intention of the elector to vote for a candidate or candidates are to be accepted and counted as valid votes unless the ballot is rejected under subsection (4). , ***and***

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



**58    *Section 119 is repealed and the following substituted:***

**Status of an elected candidate**

- 119.**    (1) A person affected by an application under section 115 who has been declared elected is entitled to take office and to vote and otherwise act in the office unless the court declares the candidate disqualified, or the election invalid, and the office vacant.
- (2) If a person who is declared disqualified to hold office by the Supreme Court appeals the decision, the appeal does not operate as a stay of the declaration and the person is disqualified pending the final determination of the appeal.
- (2.1) If the election of a person is declared invalid by the Supreme Court and the decision is appealed, the appeal does not operate as a stay of the declaration and the person ceases to hold office pending the final determination of the appeal.
- (3) If, on the final determination of an appeal, a person is declared qualified to hold office, or an election is declared valid, the court may order that any money paid under section 117 (5) be repaid with interest as directed by the court.
- (4) A person who, on the final determination of an appeal, is declared qualified to hold office or validly elected is entitled,
- (a) if the term of office for which the person was elected has not ended, to take office for any unexpired part of the term and, for this purpose, any person elected or appointed to the office since the declaration of disqualification or invalidity ceases to hold office at the time the person declared qualified or validly elected takes office, and
- (b) if the term of office for which the person was elected is expired, to be nominated for and to be elected at any following election if otherwise qualified.

**59    *Section 122 (1) (b) and (2) (b) is amended by striking out “and endorsement documents”.***

**60    *Section 127 is amended***

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

- (1) The minister may, in the following circumstances, make any order the minister considers appropriate to achieve the purposes of this Part or Part II [*Assent Voting*]:
- (a) the minister considers the order necessary because of special circumstances regarding an election or assent voting;

- (b) the minister considers the order necessary because of an irregularity or procedural error in the administration or conduct of an election or assent voting. , *and*

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

- (4) An order under this section may be made retroactive to a date not earlier than the first day of the election period or 80 days before general voting day established under section 134 [*general voting day for assent voting*] for the assent voting, as applicable, and, if made retroactive, is deemed to have been made on the specified date.

**61    *Section 272 (1) (f) is amended by striking out “, except to the extent that the person is subject to regulation by some other Statute”.***

**62    *Section 279A.1 (4) is repealed.***

**63    *Section 311 (h) is amended by striking out “so long as such by-laws are not repugnant to any provision of that Act or the regulations thereunder”.***

**64    *Section 317.1 is amended by adding the following subsection:***

- (5) For certainty, the restrictions described in this section do not limit an authority of the Council under this Act to require a permit or to establish or impose a fee.

**65    *Section 634 is amended***

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

- (1) In this section:

“**density benefits zoning by-law**” has the same meaning as in section 564B [*definitions for Division (3) of Part XXVII*];

“**site-specific density benefits zoning by-law**” means a type of density benefits zoning by-law that is limited in its application to a specific site comprised of one or more parcels of land. , *and*

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

- (7) Despite subsections (2) and (3), a site-specific density benefits zoning by-law of the Council is not required to be amended in accordance with the provisions referred to in subsection (2) (a) to (e) if the following requirements are met:
  - (a) either
    - (i) the Council has the site-specific density benefits zoning by-law on April 25, 2024, or

- (ii) the site-specific density benefits zoning by-law has been given first reading on or after April 25, 2024 but before the prescribed date;
- (b) the site-specific density benefits zoning by-law is consistent with the density rules set out in a density benefits zoning bylaw, if any, applicable to a broader geographic area in which the site is located,
  - (i) at the time the site-specific density benefits zoning by-law is adopted, as contemplated by paragraph (a) (i) of this subsection, or
  - (ii) at the time the site-specific density benefits zoning by-law is given first reading, as contemplated by paragraph (a) (ii) of this subsection.
- (8) For certainty, a site-specific density benefits zoning bylaw referred to in subsection (7) must, if amended after the prescribed date, be amended in accordance with the provisions referred to in subsection (2) (a) to (e).

**66** *Section 634 (3) and (5) (a) is amended by striking out “the date this section comes into force” and substituting “April 25, 2024”.*

## Transitional Provisions

### Local elections statutes transition – application to elections

- 67** (1) In this section, “**former provision**” means a provision of the *Islands Trust Act*, *Local Elections Campaign Financing Act*, *Local Government Act*, *School Act* or *Vancouver Charter* that applies in relation to an election referred to in section 1 [*elections to which this Act applies*] of the *Local Elections Campaign Financing Act*, or voting referred to in section 2 [*assent voting to which this Act applies*] of that Act, as the provision read immediately before this section comes into force.
- (2) Despite the repeal, replacement or amendment by this Act of a former provision, the former provision continues to apply in relation to an election referred to in section 1 of the *Local Elections Campaign Financing Act*, or voting referred to in section 2 of that Act, held before the 2026 general local election.

### Local Government Act transition – endorsement documents

- 68** (1) In this section, “**endorsement documents**” means endorsement documents as defined in section 47 of the *Local Government Act*, as that section read immediately before the date this section comes into force.

- (2) Despite section 32 of this Act, section 160 (1) (b) and (2) (b) [*retention of nomination documents and endorsement documents*] of the *Local Government Act*, as that section read immediately before the date this section comes into force, applies in relation to endorsement documents filed under section 93 [*endorsement documents*] of the *Local Government Act* before the repeal of that section by section 24 of this Act.

**Vancouver Charter transition – endorsement documents**

- 69 (1) In this section, “**endorsement documents**” means endorsement documents as defined in section 7 of the *Vancouver Charter*, as that section read immediately before the date this section comes into force.
- (2) Despite section 59 of this Act, section 122 (1) (b) and (2) (b) [*retention of nomination documents and endorsement documents*] of the *Vancouver Charter*, as that section read immediately before the date this section comes into force, applies in relation to endorsement documents filed under section 45.4 [*endorsement documents*] of the *Vancouver Charter* before the repeal of that section by section 52 of this Act.

**Consequential and Related Amendments**

*Miscellaneous Statutes Amendment Act, 2023*

- 70 *Sections 13, 14 and 15 of the Miscellaneous Statutes Amendment Act, 2023, S.B.C. 2023, c. 2, are repealed.*

*Miscellaneous Statutes Amendment Act (No. 3), 2023*

- 71 *Section 119 of the Miscellaneous Statutes Amendment Act (No. 3), 2023, S.B.C. 2023, c. 47, is repealed.*

*School Act*

- 72 *Section 45 of the School Act, R.S.B.C. 1996, c. 412, is amended by adding the following subsection:*

- (2.1) A board conducting a trustee election for a school district other than School District No. 39 (Vancouver) must, by bylaw, identify the places that are to be public notice posting places for the purposes of section 50 [*public notice requirements*] of the *Local Government Act*, as that section applies in relation to the trustee election.

**PART 3 – POST-SECONDARY EDUCATION  
AND FUTURE SKILLS AMENDMENTS**

***Professional Governance Act***

- 73** *Section 1 (1) of the Professional Governance Act, S.B.C. 2018, c. 47, is amended in the definition of “reserved practice” by striking out “the right to practice” and substituting “the right to practise”.*
- 74** *Sections 52 (3) and 57 (2) (b) are amended by striking out “practice” and substituting “practise”.*
- 75** *Section 118 (2) (i) is repealed and the following substituted:*
- (i) in respect of the following matters under Part 5 [*Reserved Titles and Reserved Practice*]:
    - (i) prescribing a reserved title for the purposes of section 51 (1) (a) [*exclusivity of reserved titles and right of practice of reserved practice*];
    - (ii) respecting the use of a reserved title or other name, title, description or abbreviation of a name or title, or an equivalent of a reserved title or other name or title in another language, for the purposes of sections 51 and 52 [*prohibition and limitation – use of reserved titles*];
    - (iii) respecting a reserved practice for the purposes of section 51 (1) (b);
    - (iv) respecting the right of practice of a reserved practice for the purposes of sections 51 and 54 [*prohibitions regarding reserved practice*];
    - (v) amending Schedules 2 and 3 to this Act for the purposes of section 51 (2);
    - (vi) respecting uses of a reserved title or other name, title, description or abbreviation of a name or title, or an equivalent of a reserved title or other name or title in another language, that do not constitute a contravention of section 52; .
- 76** *Section 119 (c) is repealed and the following substituted:*
- (c) establish classes of persons, entities, regulatory bodies, places, things, decisions, transactions or activities;

- (d) make different regulations for different persons, entities, regulatory bodies, places, things, decisions, transactions or activities or for different classes of persons, entities, regulatory bodies, places, things, decisions, transactions or activities.

**77    *The heading to Schedule 3 is amended by striking out “Right to Practice” and substituting “Right to Practise”.***

## **PART 4 – WATER, LAND AND RESOURCE STEWARDSHIP AMENDMENTS**

### *Wildlife Act*

**78    *Section 1 (1) of the Wildlife Act, R.S.B.C. 1996, c. 488, is amended***

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

**“aquatic invasive species”** means a controlled alien species, whether alive or dead, at any developmental stage, that is designated by regulation under section 6.4 (b); , ***and***

***(b) in paragraph (a) of the definition of “controlled alien species” by striking out “under section 6.4” and substituting “under section 6.4 (a) or (b)”.***

**79    *Section 6.4 is repealed and the following substituted:***

#### **Designation of controlled alien species and aquatic invasive species**

**6.4** If the minister considers that a non-native species described in paragraph (a) or (b) of the definition of “species” poses a risk to the health or safety of any person or poses a risk to property, wildlife or wildlife habitat, the minister may make regulations designating the species as

- (a) a controlled alien species, or
- (b) a controlled alien species that is an aquatic invasive species.

**80    *Section 6.5 is repealed and the following substituted:***

#### **Regulation of controlled alien species and aquatic invasive species**

**6.5** (1) The minister may, by regulation, regulate, prohibit and impose requirements in relation to the following:

- (a) the possession of a species individual of a controlled alien species;
- (b) the breeding of controlled alien species;

- (c) the release of a species individual of a controlled alien species;
  - (d) trafficking in species individuals of a controlled alien species;
  - (e) the shipping or transporting in British Columbia of, or the engaging of another person to ship or transport in British Columbia, a species individual of a controlled alien species.
- (2) The minister may, by regulation, regulate, prohibit and impose requirements in relation to any of the following for the purposes of preventing aquatic invasive species from entering into or spreading in British Columbia:
- (a) the driving, operating, shipping or transporting in British Columbia of, or the engaging of another person to drive, operate, ship or transport in British Columbia, any of the following:
    - (i) a motor vehicle or other vehicle;
    - (ii) an aircraft designed to land on water;
    - (iii) a boat;
  - (b) the shipping or transporting in British Columbia of, or the engaging of another person to ship or transport in British Columbia, any of the following:
    - (i) a boat trailer;
    - (ii) any item used for fishing;
    - (iii) a wharf or dock;
    - (iv) any item used for water-based activities;
    - (v) any equipment associated with, and any component of, an aircraft designed to land on water, a boat or a thing referred to in this paragraph.
- (3) The minister may make the following regulations in relation to inspections for the purposes of preventing aquatic invasive species from entering into or spreading in British Columbia:
- (a) establishing a specified period or a specified event before which there must be an inspection, in accordance with section 95.1, of a vehicle, aircraft, boat, trailer, item, wharf, or dock, or any equipment, referred to in subsection (2);
  - (b) requiring the creation or retention of records, including, without limitation, a requirement for the retention of records related to the inspection or decontamination of a vehicle, aircraft, boat, trailer, item, wharf, or dock, or any equipment, referred to in subsection (2).

- (4) In making regulations under this section, the minister may do one or more of the following:
- (a) define classes of the following:
    - (i) controlled alien species;
    - (ii) vehicles, aircrafts, boats, trailers, items, wharves, docks or equipment referred to in subsection (2);
  - (b) make different regulations for the following:
    - (i) different controlled alien species or classes of controlled alien species;
    - (ii) different vehicles, aircrafts, boats, trailers, items, wharves, docks or equipment referred to in subsection (2) or classes of vehicles, aircrafts, boats, trailers, items, wharves, docks or equipment referred to in subsection (2);
  - (c) exclude a person or a vehicle, aircraft, boat, trailer, item, wharf, or dock, or any equipment, referred to in subsection (2) or classes of persons or vehicles, aircrafts, boats, trailers, items, wharves, docks or equipment referred to in subsection (2);
  - (d) delegate a matter to a person;
  - (e) confer a discretion on a person.

**81** *Section 6.6 (1) is amended by adding “, 95.3” after “95”.*

**82** *Section 83 (2) is amended by striking out “a sign or notice posted” and substituting “a sign, notice or traffic control device posted or erected”.*

**83** *Section 84 (1) (b) (i) is amended by striking out “95 (2)” and substituting “95.3 (2), (3), (4) or (5)”.*

**84** *Section 95 is repealed and the following substituted:*

**Power to stop and obtain information**

**95** (1) In this section and sections 95.1 to 95.3:

“**aircraft**” means a private or chartered aircraft;

“**specified person**” means a person in possession of any of the following:

- (a) an aircraft designed to land on water;
- (b) a boat;
- (c) any water-related equipment;

“**vehicle**” means a motor vehicle or other vehicle;



**“water-related equipment”** means any of the following:

- (a) a boat trailer;
  - (b) any item used for fishing;
  - (c) a wharf or dock;
  - (d) any item used for water-based activities;
  - (e) any equipment associated with, and any component of, an aircraft designed to land on water, a boat or a thing referred to in paragraphs (a) to (d) of this definition.
- (2) An officer may, for the purposes of this Act, stop a person who is driving or operating a vehicle, aircraft or boat to determine whether or not the driver, operator or occupants have been hunting, trapping or angling, and to obtain information about wildlife or game fish possessed by them.
- (3) An officer may, for the purposes of preventing aquatic invasive species from entering into or spreading in British Columbia, stop any of the following persons to obtain any of the records or information referred to in subsection (4):
- (a) the driver or operator of a vehicle transporting
    - (i) an aircraft designed to land on water,
    - (ii) a boat, or
    - (iii) any water-related equipment;
  - (b) the operator of an aircraft designed to land on water;
  - (c) the operator of a boat;
  - (d) a specified person.
- (4) The following records or information may be obtained under subsection (3):
- (a) information from the driver or operator, any occupant or a specified person in relation to the use of the vehicle, aircraft, boat or water-related equipment in water-based activities;
  - (b) information from the driver or operator, any occupant or a specified person in relation to the exposure of the vehicle, aircraft, boat or water-related equipment to water;
  - (c) records or information in relation to the vehicle, aircraft, boat or water-related equipment, including, without limitation, any of the following:
    - (i) vehicle, aircraft or boat registration;
    - (ii) boating records;
    - (iii) inspection or decontamination records;
    - (iv) prescribed records or information;
  - (d) any other information in relation to aquatic invasive species.

**Power to stop and inspect**

- 95.1** (1) For the purposes of preventing aquatic invasive species from entering into or spreading in British Columbia, an officer may, without a warrant, stop any of the following persons to conduct an inspection in accordance with subsection (2):
- (a) the driver or operator of a vehicle transporting
    - (i) an aircraft designed to land on water,
    - (ii) a boat, or
    - (iii) any water-related equipment;
  - (b) the operator of an aircraft designed to land on water;
  - (c) the operator of a boat;
  - (d) a specified person.
- (2) For the purposes of preventing aquatic invasive species from entering into or spreading in British Columbia, an officer may, without a warrant, do any of the following:
- (a) inspect an aircraft designed to land on water, a boat or any water-related equipment, including, without limitation, any of the following:
    - (i) the interior or exterior of the aircraft, boat or equipment;
    - (ii) bait buckets;
    - (iii) ballast tanks;
    - (iv) bilge areas;
    - (v) compartments;
    - (vi) through-hull fittings;
  - (b) inspect the exterior of a vehicle transporting any of the following:
    - (i) an aircraft designed to land on water;
    - (ii) a boat;
    - (iii) any water-related equipment;
  - (c) enter the interior of a vehicle in which a boat or any water-related equipment is contained and inspect the boat or water-related equipment if
    - (i) the vehicle contains a boat or any equipment that was exposed to water, and
    - (ii) the boat or equipment cannot reasonably be removed from the vehicle.

- (3) An officer who is conducting an inspection under this section may do any of the following for the purposes of the inspection:
- (a) require the driver or operator or an occupant of a vehicle, aircraft designed to land on water or boat or a specified person to facilitate access to the vehicle, aircraft or boat, or any equipment, including, without limitation, by uncovering or unlocking an area to be inspected;
  - (b) take samples of water, aquatic invasive species or suspected aquatic invasive species and perform analyses and tests;
  - (c) take photographs of
    - (i) a vehicle,
    - (ii) an aircraft designed to land on water,
    - (iii) a boat,
    - (iv) any water-related equipment, or
    - (v) water, aquatic invasive species or suspected aquatic invasive species that are in or on a vehicle, aircraft, boat or equipment referred to in subparagraphs (i) to (iv);
  - (d) make copies of relevant records.

**Sign or traffic control device to stop vehicle**

**95.2** For the purposes of stopping a person under section 95 or 95.1, an officer may post or erect a sign or traffic control device directing that any of the following persons must stop as indicated on the sign or device:

- (a) a person driving or operating a vehicle, aircraft or boat;
- (b) a specified person.

**Offences under sections 95, 95.1 and 95.2**

- 95.3** (1) An officer must be wearing an officer's official uniform or displaying an officer's official identification for the purposes of enforcing an offence under this section.
- (2) A person commits an offence if, when signalled or requested by an officer under section 95 or 95.1, the person fails to stop.
- (3) A person commits an offence under section 95 if the person does any of the following:
- (a) being the driver or operator of a motor vehicle, in or on which there is wildlife or game fish or an article or device that may be used for hunting, trapping or fishing, fails, refuses or neglects to stop the motor vehicle when signalled or requested to stop by an officer;
  - (b) fails to identify themselves when requested to do so by an officer;
  - (c) refuses to give information respecting hunting, trapping or fishing, when requested to do so by an officer;

- (d) fails to give information relating to the person's use of any of the following in water-based activities, when requested to do so by an officer:
    - (i) a vehicle;
    - (ii) an aircraft designed to land on water;
    - (iii) a boat;
    - (iv) any water-related equipment;
  - (e) fails to give information relating to an exposure to water of any of the following, when requested to do so by an officer:
    - (i) a vehicle;
    - (ii) an aircraft designed to land on water;
    - (iii) a boat;
    - (iv) any water-related equipment;
  - (f) fails to provide a record or information specified in section 95 (4) (c), when requested to do so by an officer.
- (4) A person commits an offence under section 95.1 if the person does any of the following:
- (a) fails to allow an officer to inspect any of the following:
    - (i) a vehicle;
    - (ii) an aircraft designed to land on water;
    - (iii) a boat;
    - (iv) any water-related equipment;
  - (b) fails to facilitate access for an officer for the purposes of an inspection;
  - (c) fails to allow an officer to take samples of water, aquatic invasive species or suspected aquatic invasive species;
  - (d) fails to allow an officer to take photographs of
    - (i) a vehicle,
    - (ii) an aircraft designed to land on water,
    - (iii) a boat,
    - (iv) any water-related equipment, or
    - (v) water, aquatic invasive species or suspected aquatic invasive species that are in or on a vehicle, aircraft, boat or equipment referred to in subparagraphs (i) to (iv);
  - (e) fails to allow an officer to make copies of relevant records.
- (5) A person, including a specified person, commits an offence if the person fails to stop as indicated on a sign or traffic control device posted or erected under section 95.2.

**85** *Section 109 is amended by adding the following subsections:*

- (3) The minister may make regulations for the purposes of section 95 (4) (c) (iv).
- (4) The minister may make regulations for the purposes of research or education in relation to preventing the entry and spread of aquatic invasive species in British Columbia, including, without limitation, regulations in relation to any of the following:
  - (a) the collection and retention of samples of water, aquatic invasive species or suspected aquatic invasive species;
  - (b) the photography of any of the following:
    - (i) water, aquatic invasive species or suspected aquatic invasive species;
    - (ii) vehicles, aircrafts designed to land on water, boats or water-related equipment, as defined in section 95 (1).

**Commencement**

- 86** 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 8	By regulation of the Lieutenant Governor in Council, which may be made retroactive to a date not earlier than March 21, 2025 and, if made retroactive, is deemed to have come into force on the date specified in the regulation
3	Sections 12 to 37	January 1, 2026
4	Section 40	By regulation of the Lieutenant Governor in Council, which may be made retroactive to a date not earlier than March 21, 2025 and, if made retroactive, is deemed to have come into force on the date specified in the regulation
5	Section 45	April 25, 2024
6	Sections 48 to 60	January 1, 2026
7	Section 65	April 25, 2024
8	Sections 67 to 69	January 1, 2026
9	Section 72	January 1, 2026

Item	Column 1 <b>Provisions of Act</b>	Column 2 <b>Commencement</b>
10	Sections 78 to 85	By regulation of the Lieutenant Governor in Council