
Second Session, Forty-third Parliament
4 Charles III, 2026
Legislative Assembly of British Columbia

BILL 5

TRADE RECOGNITION ACT

Honourable Ravi Kahlon
Minister of Jobs and Economic Growth

Explanatory Note

This Bill, which replaces Part 1 of the *Economic Stabilization (Tariff Response) Act*, reduces trade barriers by recognizing other provinces' regulatory measures for the sale and use of goods and the supply of services.

BILL 5 – 2026
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HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

PART 1 – DEFINITIONS

Definitions

- 1 In this Act:

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

“**regulatory measure**” includes

- (a) an enactment, and

- (b) a directive, requirement, guideline, program, policy, practice, procedure, standard and assessment.

PART 2 – RECOGNITION

Division 1 – Recognition

Sale and use of goods

- 2 Subject to Division 2 and the regulations,
 - (a) a good that may be sold in another province of Canada may be sold in British Columbia,
 - (b) a good that may be used in another province of Canada may be used in British Columbia, and
 - (c) paragraphs (a) and (b) apply despite any regulatory measure relating to the sale or use of goods.

Supply of services

- 3 Subject to Division 2 and the regulations,
 - (a) a service that may be supplied in another province of Canada may be supplied in British Columbia, and
 - (b) paragraph (a) applies despite any regulatory measure relating to the supply of services.

Division 2 – Exclusions

Post-entry rules excluded

- 4
 - (1) Division 1 does not apply in relation to a regulatory measure relating to
 - (a) how a good is sold or used, or
 - (b) how a service is supplied.
 - (2) Division 1 does not apply in relation to an enactment relating to
 - (a) who may sell, purchase or use a good, or
 - (b) to whom a service may be supplied.

Other excluded regulatory measures

- 5 Division 1 does not apply in relation to a regulatory measure relating to any of the following:
 - (a) Indigenous peoples;
 - (b) maintenance of a monopoly;
 - (c) taxation;
 - (d) incorporation.

Division 3 – Conformance

Definitions

6 In this Division:

“**conform**”, in relation to a regulatory measure, means that the measure is not disapplied by operation of Division 1;

“**regulatory authority**”, in relation to a regulatory measure, means the person or other entity that is authorized under an enactment to make the measure.

Responsible minister may require conformance

- 7 (1) The minister charged with administration of the Act under which a regulatory measure is made may request the regulatory authority for the measure to
- (a) amend the measure to make the measure conform, or
 - (b) repeal the measure to the extent the measure does not conform.
- (2) If a regulatory authority does not comply with a request under subsection (1) within 60 days after the request is made, the requesting minister may exercise the powers of the regulatory authority to carry out the request.

PART 3 – GENERAL

Application of *Offence Act*

8 Section 5 [*general offence*] of the *Offence Act* does not apply to this Act.

Application of *Labour Mobility Act*

9 This Act does not apply in relation to an extraprovincial occupation to which the *Labour Mobility Act* applies.

Regulations

- 10 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- (a) excluding a good from section 2 (a) or (b);
 - (b) excluding a service from section 3 (a);
 - (c) excluding a province from section 2 (a) or (b) or 3 (a);
 - (d) providing that a regulatory measure continues to apply despite
 - (i) section 2 (a) and (c),
 - (ii) section 2 (b) and (c), or
 - (iii) section 3.

- (3) In making a regulation under subsection (2), the Lieutenant Governor in Council may do one or more of the following:
- (a) delegate a matter to a person;
 - (b) confer a discretion on a person;
 - (c) make different regulations in relation to
 - (i) different goods, services, provinces, persons, things, circumstances or other matters, or
 - (ii) different classes of goods, services, provinces, persons, things, circumstances or other matters.

Consequential and Related Amendments

Economic Stabilization (Tariff Response) Act

- 11** *Part 1 of the Economic Stabilization (Tariff Response) Act, S.B.C. 2025, c. 11, is repealed.*
- 12** *Section 20 is amended by striking out “a regulation that is made” and substituting “a regulation in relation to Part 3 that is made”.*
- 13** *Section 21 is amended*
- (a) in subsection (2) by striking out “section 3 (4), 5, 7, 13, 17, or 19” and substituting “section 13 or 17, or section 19 as it relates to Part 3,” and*
 - (b) in subsection (3) by striking out “section 3 (4), 5, 7, 13, 17, or 19,” and substituting “section 13 or 17, or section 19 as it relates to Part 3,”.*
- 14** *Section 22 is amended*
- (a) by repealing subsection (1) (a), and*
 - (b) in subsection (2) by striking out “subsection (1) (a) or (c)” and substituting “subsection (1)”.*

Commencement

- 15** This Act comes into force by regulation of the Lieutenant Governor in Council.