



## ACTS IN FORCE

September 19, 2018 up to and including November 27, 2018

### **CANNABIS CONTROL AND LICENSING ACT, S.B.C. 2018, C. 29 (BILL 30)**

Amended: Consequential amendments are made to the: *Business Practices and Consumer Protection Authority Act*, S.B.C. 2004, c. 3; *Community Safety Act*, S.B.C. 2013, c. 16; *Liquor Control and Licensing Act*, S.B.C. 2015, c. 19; *Manufactured Home Park Tenancy Act*, S.B.C. 2002, c. 77; *Pharmacy Operations and Drug Scheduling Act*, S.B.C. 2003, c. 77; *Police Act*, R.S.B.C. 1996, c. 367; *Provincial Sales Tax Act*, S.B.C. 2012, c. 35; *Residential Tenancy Act*, S.B.C. 2002, c. 78; *Tobacco and Vapour Products Control Act*, R.S.B.C. 1996, c. 451

Transitional Provisions: Regulations to deal with transitional matters and difficulties, retroactive regulations, application of Bill C-45 definitions

Statutes Repealed: None

Summary: Sections 144 to 153 of Bill 30 make consequential amendments to the *Liquor Control and Licensing Act*.

Section 2 of Part 1, Part 3, Divisions 4 to 6 of Part 4, Part 5 other than section 80, Part 6, Part 7 other than sections 117, 122 and 126, and sections 142, 143, 157 to 159 and 162 of Part 9 of Bill 30.

#### **Part 1 – Definitions and Application**

Section 2 of Part 1 provides that Bill 30 does not apply to medical cannabis or industrial hemp, unless the Act or regulations provide otherwise.

#### **Part 3 – General Rules Relating to Cannabis**

Part 3 of Bill 30 sets out the general rules relating to cannabis. The rules regarding cannabis provide that no one may possess, sell, promote sales, supply or produce cannabis unless permitted under the Act. Persons are required to provide information to the government for cannabis brought into BC. Employees and agents are authorized to anything authorized by the Act, subject to the regulations.

#### **Part 4 – Licences**

Part 4 of Bill 30 regulates licences. Division 4 covers compliance. Part 4 permits the general manager, without a hearing, to temporarily suspend or impose terms and conditions under a licence. As well, the general manager, with a hearing, can cancel or suspend a licence and order for transfer of licence. The general manager can take specified actions against licensees. The general manager may impose a maximum administrative penalty for violating the:

- Sale and production provisions of the Act is \$50,000;
- Action on a licence provisions of the Act is \$25,000.

Under Division 4 of Part 4, the general manager may conduct hearings regarding licences under the Act, including:

- Setting practice and procedure for hearings;
- Granting a stay; and
- Summoning witnesses.

Division 5 of Part 4 authorizes the general manager to require licencees to make reports and provide other information.

Division 6 of Part 4 has special rules that apply to licencees. These rules require that a licensee to:

- Not sell cannabis/accessories by self-service or dispensing device;
- Ensure proper conduct in establishment or government cannabis store, such as not sell cannabis to persons intoxicated by alcohol or cannabis, permit illegal or disorderly conduct in the establishment;
- Prohibit tied houses and inducements.

#### **Part 5 – Special Rules Relating to Cannabis**

Part 5 of Bill 30 has special rules relating to cannabis.

Special rules apply to persons in general. A person may not possess in a public place more than 30 g of dried cannabis, or its prescribed equivalent, unless the person is permitted by law to possess medical cannabis.

A person must not possess in a public place more than 4 cannabis plants, unless the person is permitted by law to possess medical cannabis.

A person must not possess at one location an amount of cannabis that is more than the maximum allowable amount of cannabis.

A person can grow no more than 4 non-medical cannabis for personal use as specified. A person can grow medical cannabis as specified.

A person must not consume cannabis on school property, or within a prescribed distance from school property.

A person must not smoke or vape cannabis on health board property, except in any area designated by the health board as an area in which a person may use tobacco or e-cigarettes within the meaning of the *Tobacco and Vapour Products Control Act*.

A person must not smoke or vape cannabis in an indoor or outdoor public place as specified.

A person must not consume cannabis while operating a vehicle or boat, or in a vehicle or boat being operated by another person.

A person must not smoke or vape cannabis at a bus stop and similar places.

A person must not consume cannabis in a prescribed place.

Vicarious liability applies to specified parties, such as school authorities, property owners/lessees or employers, if a person consume cannabis in violation of the Act or regulations. It is a defence if the school authorities, property owners/lessees or employers demonstrate having taken reasonable steps to prevent the contravention.

A person must not sell or supply cannabis/accessories to minors.

A person who is a licensee or federal producer must not permit a minor to be present or work in that person's cannabis business.

A person who markets, advertises or promotes cannabis must not allow a minor to take part in those activities.

A person must not ask or allow a minor to purchase or attempt to purchase cannabis for the person.

A minor must not possess, consume, produce, supply, sell, purchase or attempt to purchase cannabis/accessories.

A person must not possess illicit cannabis.

A person must not be intoxicated by cannabis in a public place. A person must not supply cannabis to a person who is intoxicated from alcohol or a drug or shows signs of intoxication from alcohol or a drug.

An adult must not have or use cannabis in a vehicle, subject to exceptions.

Section 80 of Part 5 is not in force. Section 80 requires that a landlord must not allow the premises to be used for the sale of cannabis that contravenes the Act or is prohibited under the *Cannabis Act* (Canada).

### **Part 6 – Enforcement**

Part 6 of Bill 30 provides for enforcement. The general manager may inspect a licensee's premises and receive cooperation as specified. The general manager may apply for a warrant for an inspection and demand information from specified persons.

The general manager may impose a monetary penalty on a person who contravenes the sale and production of cannabis provisions under the Act: that penalty ranges from 2 times the retail cannabis value to actual cannabis value if the person admits to the contravention.

A person who is required to pay a monetary penalty under a compliance order may apply to the director for a reconsideration of the order.

The director may conduct reconsideration hearings under the Act, including:

- Setting practice and procedure for hearings;
- Summoning witnesses; and
- Applying to the Supreme Court for an injunction.

The Act permits cannabis search and seizure as specified.

The penalties for committing offences under the Act for an individual range from a maximum \$100,000 fine or prison for a maximum of 1 year, or to both.

For a corporation, the maximum penalty for committing offences under the Act is a \$100,000 fine. A corporate director or agent who authorizes, allows or acquiesces in the commission of the offence also commits an offence, whether or not the corporation is prosecuted for the offence.

The time limit to commence a prosecution for an offence under the Act is 1 year after the date on which the act or omission that is alleged to constitute the offence occurred.

### **Part 7 – Miscellaneous Matters**

Part 7 of Bill 30 provides for miscellaneous matters.

The general manager may create training programs for licensees and adults who work in establishments or government cannabis stores and for others.

Prescribed training is required for: licensees, sales staff and supervisors or other persons.

The general manager may require public education material to be provided.

The Minister may enter into agreements with an Indigenous nation regarding cannabis.

Debts due to the government under the Act can be filed as a certificate with the Supreme Court. A filed certificate is as if it were a judgment of the court in favour of the government for the recovery of the debt.

Sections 117, 122 and 126 of Part 7 are not in force. Section 117 prescribes registration for cannabis workers. Section 122 requires that service and receipt of documents must be given or served according to the regulations. Section 126 requires that an application for judicial review of a decision of the general manager or director must be commenced within 30 days after the date the applicant receives written notice of the decision.

### **Part 9 – Transitional Provisions and Related and Consequential Amendments**

Part 9 of Bill 30 has transitional provisions and related and consequential amendments.

Section 142 makes a consequential amendment to the *Business Practices and Consumer Protection Act*.

Section, 143 makes a consequential amendment to the *Community Safety Act*.

Sections 157 and 158 makes consequential amendments to the *Police Act*.

Section 159 makes a consequential amendment to the *Provincial Sales Tax Act*.

Section 162 makes a consequential amendment to the *Tobacco and Vapour Products Control Act*.

In Force: Sections 144 to 153 are in force October 1, 2018. Section 2 of Part 1, Part 3, Divisions 4 to 6 of Part 4, Part 5 other than section 80, Part 6, Part 7 other than sections 117, 122 and 126, and sections 142, 143, 157 to 159 and 162 of Part 9 are in force October 17, 2018

See related regulations under the *Cannabis Control And Licensing Act*

**CHILD, FAMILY AND COMMUNITY SERVICE AMENDMENT ACT, 2018, S.B.C. 2018,  
C. 27 (BILL 26)**

Amended: *Child, Family and Community Service Act*, R.S.B.C. 1996, c. 46

Transitional  
Provisions: None

Statutes  
Repealed: None

Summary: The following sections Bill 26 amend the *Child, Family and Community Service Act*:

- (i) section 1(a), insofar as it enacts the definition of “Indigenous child”;
- (ii) section 1(c), insofar as it enacts the definitions of “First Nation” and “First Nation child”;
- (iii) section 1(e), insofar as it enacts the definition of “Treaty First Nation”;
- (iv) section 14;
- (v) section 16;
- (vi) section 18(a), insofar as it repeals and replaces only subsection (2) of section 34 of the *Child, Family and Community Service Act*, R.S.B.C. 1996, c. 46; and
- (vii) section 27.

Section 1(a), insofar as it enacts the definition of “Indigenous child” as specified.

Section 1(c), insofar as it enacts the definitions of “First Nation” and “First Nation child” as specified.

Section 1(e), insofar as it enacts the definition of “Treaty First Nation” as specified.

Section 14 adds the circumstance added by Bill 26-withdrawing before an order is made at the presentation hearing if agreement protects-how long a director has care of a child.

Section 16 adds a new section permitting a director to withdraw before an order is made at the presentation hearing if agreement protects the child.

Section 18(a), insofar as it repeals and replaces only subsection (2) of section 34 of the *Child, Family and Community Service Act*, R.S.B.C. 1996, c. 46, disappplies the requirement for the director to attend court if the director withdraws from the hearing.

Section 27 authorizes a director to withdraw from a proceeding as specified and specifies the requirements respecting, and the effect of, a withdrawal.

In Force: Section 1(a), insofar as it enacts the definition of “Indigenous child”, section 1(c), insofar as it enacts the definitions of “First Nation” and “First Nation child”, section 1(e), insofar as it enacts the definition of “Treaty First Nation”, section 14, section 16, section 18(a), insofar as it repeals and replaces only subsection (2) of section 34 of the *Child, Family and Community Service Act*, R.S.B.C. 1996, c. 46 and section 27 are in force October 1, 2018

See related regulations under the *Child, Family and Community Service Act*

### **CIVIL RESOLUTION TRIBUNAL ACT, S.B.C. 2012, C. 25 (BILL 44)**

Amended: Consequential amendments made to the: *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165; *Strata Property Act*, S.B.C. 1998, c. 43; *Strata Property Amendment Act, 2009*, S.B.C. 2009, c. 17

Transitional Provisions: None

Statutes Repealed: None

Summary: Section 86(2) of the *Civil Resolution Tribunal Act* requires that the Civil Resolution Tribunal (“Tribunal”) must ensure that personal information in its custody or under its control is stored only in Canada.

In Force: Section 86(2) is in force January 1, 2019

### **CIVIL RESOLUTION TRIBUNAL AMENDMENT ACT, 2018, S.B.C. 2018, C. 17 (BILL 22)**

Amended: *Civil Resolution Tribunal Act*, S.B.C. 2012, c. 25. Consequential amendments are made to the: *Cooperative Association Act*, S.B.C. 1999, c. 28; *Crown Proceeding Act*, R.S.B.C. 1996, c. 89; *Insurance (Vehicle) Act*, R.S.B.C. 1996, c. 231; *Negligence Act*, R.S.B.C. 1996, c. 333; *Parental Liability Act*, S.B.C. 2001, c. 45; *Societies Act*, S.B.C. 2015, c. 18; *Strata Property Act*, S.B.C. 1998, c. 43; *Workers Compensation Act*, R.S.B.C. 1996, c. 492

Transitional Provisions: Transitional regulations

Statutes Repealed: *Civil Resolution Tribunal Amendment Act, 2015*, S.B.C. 2015, c. 16

- Summary: The following provisions of Bill 22 amend the *Civil Resolution Tribunal Act*:
- Sections 1, 3, 5 to 8, 10 to 14, 17 to 24, 26 to 29, 31, 33;
  - Section 2 except as it enacts the definitions of “accident claim”, “cooperative association claim” and “society claim”;
  - Section 4 except as it enacts section 2.1(d) to (f) of the *Civil Resolution Tribunal Act*;
  - Section 9 as it repeals section 9 and enacts section 9, except as it enacts the words “an accident claim” in section 9(1)(b), of the *Civil Resolution Tribunal Act*;
  - Section 15 except as it enacts sections 16.1(2) and (3) and 16.4(2)(b) of the *Civil Resolution Tribunal Act*;
  - Section 25 except as it enacts section 56.7(2) of the *Civil Resolution Tribunal Act*;
  - Section 30 except as it repeals and replaces section 93(2)(e) and (4)(b) and (c) of the *Civil Resolution Tribunal Act*;
  - Section 32 except as it enacts Divisions 5, 6 and 7 of Part 10 of the *Civil Resolution Tribunal Act*.

#### **PART 1 – Definitions and Tribunal Mandate**

Section 1 adds a new heading “Division 1 (Definitions and Interpretation)” to Part 1.

Section 3 adds a new heading “Division 2 (Tribunal Mandate)” to Part 1.

#### **PART 1.1 – Jurisdiction of the Tribunal**

Section 5 repeals Part 1.1 (Jurisdiction of the Tribunal).

#### **PART 2 – How to Bring a Matter to the Tribunal**

Section 6 adds a new provision providing for a limit to a class of persons who may make a request for tribunal resolution, if the class is specified in a relevant enactment.

Section 7 enables the Tribunal to give an amended initiating notice.

Section 8 provides for discretionary authority of the Tribunal regarding procedure for an initiating notice.

Section 10 repeals and replaces the provision regarding the general authority for Tribunal to refuse to resolve a claim or dispute.

Section 11 repeals the provisions regarding the power of the Provincial Court to order that the Tribunal not adjudicate a tribunal small claim and the power of the Supreme Court to order that the Tribunal not resolve a strata property claim.



Section 12 adds a new provision suspending both the basic and ultimate limitation under the *Limitation Act* once a claim is begun and adds a new provision prohibiting certain claims brought or continued in court if specified time limits are not met.

Section 13 repeals provisions regarding suspension of the limitation period and that small claims must go through Tribunal before going to Provincial Court.

Section 14 makes consequential amendments regarding restrictions in relation to court and other proceedings when the Tribunal proceeding starts.

#### **PART 4 – Case Management Phase**

Section 17 makes housekeeping amendments regarding dispute resolution services.

Section 18 limits the number of experts a party may call, or limits the giving of expert evidence regarding one or more issues in a claim to an expert appointed by the Tribunal.

#### **PART 5 – Tribunal Resolution**

Section 19 makes a housekeeping amendment regarding final Tribunal decisions.

Section 20 repeals the provision regarding orders available in strata property claims.

Section 21 permits prescribed limits or restrictions that may be added to an order for payment of expenses.

Section 22 provides that a party may not make a notice of objection if the party has defaulted in the Tribunal.

Section 23 repeals the provision regarding deposit for claims previously adjudicated by the Tribunal.

Section 24 repeals Division 6 (Appeal of Strata Property Final Decision) of Part 5, a consequential amendment as a result of Bill 22.

#### **PART 6 – Enforcement of Tribunal Orders**

Section 26 repeals the provision regarding enforcement by filing in the Supreme Court.

Section 27 adds a new provision that provides for the enforcement of a final decision of the Tribunal regarding certain claims by a person who was not a party.

#### **PART 7 – Tribunal Powers and Procedures**

Section 28 permits forms of evidence to be provided and limits expert witness evidence.

#### **PART 9 – General**

Section 29 gives the Tribunal discretion in publishing final decisions regarding parties in default.

Section 31 renumbers the commencement provision.

Section 33 is a transitional provision regarding regulations.

Sections 46 and 47 are consequential amendments to the *Strata Property Act*.

#### **PART 1 – Definitions and Tribunal Mandate**

Section 2, except as it enacts the definitions of “accident claim”, “cooperative association claim” and “society claim, adds specified new definitions and amends existing definitions.

#### **PART 2 – How to Bring a Matter to the Tribunal**

Section 4, except as it enacts section 2.1(d) to (f) of the *Civil Resolution Tribunal Act*, permits the Tribunal to adjudicate:

- Claims that the Tribunal has jurisdiction because of another enactment;
- Claims regarding the *Small Claims Act*; and
- Claims regarding the *Strata Property Act*.

Section 9 as it repeals section 9 and enacts section 9, except as it enacts the words “an accident claim” in section 9(1)(b), of the *Civil Resolution Tribunal Act*, provides that the government may be a party if the Tribunal claim is:

- A claim over which the Tribunal has exclusive jurisdiction; or
- A claim in a class of claims that is prescribed by regulation.

Section 15, except as it enacts sections 16.1(2) and (3) and 16.4(2)(b) of the *Civil Resolution Tribunal Act*, adds new provisions:

- Requiring that a court must stay or dismiss specified proceedings, unless it is not in the interests of justice and fairness for the Tribunal to adjudicate the claim;
- Permitting that a court may order that the Tribunal not adjudicate a claim, unless it is not in the interests of justice and fairness for the Tribunal to adjudicate the claim;
- Setting out the circumstances a court may consider when deciding whether it is in the interests of justice and fairness for the Tribunal to adjudicate a claim;
- Providing that a person may not bring or continue, a claim within the Tribunal's jurisdiction as a claim in a court unless one or more specified conditions apply.

#### **PART 5.1 – Judicial Review of Tribunal Decisions**

Section 25, except as it enacts section 56.7(2) of the *Civil Resolution Tribunal Act*, adds a new Part 5.1 which provides for the time limit for the application for judicial review of Tribunal decisions and to provide for the applicable standard of review for judicial review of Tribunal decisions.

#### **PART 9 – General**

Section 30, except as it repeals and replaces section 93(2)(e) and (4)(b) and (c) of the *Civil Resolution Tribunal Act*, permits regulations to be made regarding:

- Creating rules of practice and procedure for the Tribunal;
- Repealing or amending a rule made by the Tribunal;
- Prescribing an amount less than or equal to the amount awarded by the tribunal as a deposit and an amount for security for costs for deposit for claims previously adjudicated by the Tribunal;
- Establishing a monetary amount as the maximum tribunal small claim amount;
- Prescribing fees that are to be paid under the Act;
- Any other matter for which regulations are contemplated by the Act; and
- Strata property claims that may be different for different classes, as established by regulation, of strata lots and strata corporations.

## **PART 10- Tribunal Jurisdiction**

Section 32, except as it enacts Divisions 5 (Cooperative Association Claims), 6 (Society Claims) and 7 (Accident Claims) of Part 10 (Tribunal Jurisdiction) of the *Civil Resolution Tribunal Act*, adds a new Part 10 (Tribunal Jurisdiction): including:

- Adding a privative clause setting out the exclusive jurisdiction of the Tribunal and specialized expertise of the Tribunal;
- Setting the Tribunal's jurisdiction for small claims to be prescribed by regulation as the maximum tribunal small claim amount; and
- Setting out the Tribunal's jurisdiction for specified strata claims.

The following provisions of Bill 22 amend the *Civil Resolution Tribunal Act*:

- Section 16;
- Section 2 as it enacts the definition of "accident claim";
- Section 4 as it enacts section 2.1(f) of the *Civil Resolution Tribunal Act*, S.B.C. 2012, c. 25;
- Section 9 as it enacts the words "an accident claim" in section 9(1)(b) of the *Civil Resolution Tribunal Act*;
- Section 15 as it enacts sections 16.1(2) and (3) and 16.4(2)(b) of the *Civil Resolution Tribunal Act*;
- Section 25 as it enacts section 56.7(2) of the *Civil Resolution Tribunal Act*;
- Section 30 as it enacts section 93(2)(e) of the *Civil Resolution Tribunal Act*; and
- Section 32 as it enacts Division 7 of Part 10 of the *Civil Resolution Tribunal Act*.

## **PART 2 – How to Bring a Matter to the Tribunal**

Section 16 adds a new provision providing that a party may, as of right, be represented by a lawyer in a tribunal proceeding regarding an accident claim.

Sections 38 to 42 of Bill 2 make consequential amendments to various statutes.

Section 38 amends the *Crown Proceeding Act*.

Sections 39 to 42 amend the *Insurance (Vehicle) Act*.

## **PART 1 – Definitions and Tribunal Mandate**

Section 2 as it enacts the definition of "accident claim" which means a claim over which the tribunal has jurisdiction under Division 7 (Accident Claims) of Part 10 (Tribunal Jurisdiction).

Section 4, as it enacts section 2.1(f) of the *Civil Resolution Tribunal Act*, S.B.C. 2012, c. 25, which permits the Tribunal to adjudicate claims regarding accident claims under Division 7 (Accident Claims) of Part 10.

#### **PART 2 – How to Bring a Matter to the Tribunal**

Section 9 as it enacts the words "an accident claim" in section 9(1)(b) of the *Civil Resolution Tribunal Act*, to provide that the government may be a party if the Tribunal claim is an accident claim.

Section 15 as it enacts sections 16.1(2) and (3) of the *Civil Resolution Tribunal Act* provide that to provide for circumstances when the court may order that the Tribunal not adjudicate a claim.

Section 15 as it enacts section 16.4(2)(b) of the *Civil Resolution Tribunal Act* to permit a party to bring an accident claim that is within the jurisdiction of the Tribunal to the Supreme Court of BC if all parties consent.

#### **PART 5.1 – Judicial Review of Tribunal Decisions**

Section 25, as it enacts section 56.7(2) of the *Civil Resolution Tribunal Act*, provides that the Tribunal's standard of review as an expert tribunal does not apply to an application for judicial review of a final decision of the Tribunal that relates to liability in an accident claim.

#### **PART 9 – General**

Section 30, as it enacts section 93(2)(e) of the *Civil Resolution Tribunal Act*, permits regulations to be made to prescribe a monetary amount as the tribunal limit amount regarding accident claims.

#### **PART 10 – Tribunal Jurisdiction**

Section 32, as it enacts Division 7 of Part 10 of the *Civil Resolution Tribunal Act*, to provide for accident claims under the *Insurance (Vehicle) Act* with a \$50,000 monetary limit prescribed by regulation.

In Force: Sections 1, 3, 5 to 8, 10 to 14, 17 to 24, 26 to 29, 31, 33, 46 and 47, section 2 except as it enacts the definitions of "accident claim", "cooperative association claim" and "society claim", section 4 except as it enacts section 2.1(d) to (f) of the *Civil Resolution Tribunal Act*, section 9 as it repeals section 9 and enacts section 9, except as it enacts the words "an accident claim" in section 9(1)(b), of the *Civil Resolution Tribunal Act*, section 15 except as it enacts sections 16.1(2) and (3) and 16.4(2)(b) of the *Civil Resolution Tribunal Act*, section 25 except as it enacts section 56.7(2) of the *Civil Resolution Tribunal Act*, section 30 except as it repeals and replaces section 93(2)(e) and (4)(b) and (c) of the *Civil Resolution Tribunal*

Act, section 32 except as it enacts Divisions 5, 6 and 7 of Part 10 of the *Civil Resolution Tribunal Act* are in force January 1, 2019

Sections 16 and 38 to 42, section 2 as it enacts the definition of "accident claim", section 4 as it enacts section 2.1(f) of the *Civil Resolution Tribunal Act*, S.B.C. 2012, c. 25, section 9 as it enacts the words "an accident claim" in section 9(1)(b) of the *Civil Resolution Tribunal Act*, section 15 as it enacts sections 16.1(2) and (3) and 16.4(2)(b) of the *Civil Resolution Tribunal Act*, section 25 as it enacts section 56.7(2) of the *Civil Resolution Tribunal Act*, section 30 as it enacts section 93(2)(e) of the *Civil Resolution Tribunal Act* and section 32 as it enacts Division 7 of Part 10 of the *Civil Resolution Tribunal Act* are in force April 1, 2019

See related regulations under the *Civil Resolution Tribunal Act*, *Civil Resolution Tribunal Amendment Act, 2018* and the *Insurance (Vehicle) Act*.

### **GREENHOUSE GAS REDUCTION TARGETS AMENDMENT ACT, 2018, S.B.C. 2018, C. 32 (BILL 34)**

Amended: *Greenhouse Gas Reduction Targets Act*, S.B.C. 2007, c. 42. Consequential amendments made to the: *Carbon Tax Act*, S.B.C. 2008, c. 40; *Clean Energy Act*, S.B.C. 2010, c. 22; *Community Charter*, S.B.C. 2003, c. 26; *Environmental Management Act*, S.B.C. 2003, c. 53; *Greenhouse Gas Industrial Reporting and Control Act*, S.B.C. 2014, c. 29; *Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act*, S.B.C. 2008, c. 16; *Greenhouse Gas Reduction (Vehicle Emissions Standards) Act*, S.B.C. 2008, c. 21; *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212; *Liquefied Natural Gas Project Agreements Act*, S.B.C. 2015, c. 29; *Local Government Act*, R.S.B.C. 2015, c. 1; *Vancouver Charter*, S.B.C. 1953, c. 55

Transitional Provisions: None

Statutes Repealed: None

Summary: Sections 1, 3, 4 and 5 of Bill 34 amend the *Greenhouse Gas Reduction Targets Act*.

Section 1 changes the title of the Act to the "Climate Change Accountability Act".

Section 3 adds a new Part 1.1 (Preparing for Climate Change) requiring reports on climate change risks and progress.

Section 4 authorizes regulations to be made:

- Prescribing categories of information that public sector organizations must provide to the minister for use in preparing the minister's public report under the new Part 1.1;
- Providing exemptions from requirements for achieving carbon neutral status.

Section 5 makes amendments consequential to the retitling of the *Greenhouse Gas Reduction Targets Act* by Bill 34.

In Force: Sections 1, 3, 4 and 5 are in force November 9, 2018

### ***LIQUOR CONTROL AND LICENSING ACT, S.B.C. 2015, C. 19 (BILL 27)***

Amended: Consequential amendments are made to the: *Liquor Control and Licensing Act*, R.S.B.C. 1996, c. 267; *Liquor Control and Licensing Amendment Act, 2014*, S.B.C. 2014, c. 13; *Liquor Distribution Act*, R.S.B.C. 1996, c. 268; *Miscellaneous Statutes Amendment Act (No. 3), 2010*, S.B.C. 2010, c. 21; *Miscellaneous Statutes Amendment Act (No. 2), 2012*, S.B.C. 2012, c. 18; *Provincial Sales Tax Act*, S.B.C. 2012, c. 35; *Vancouver Charter*, S.B.C. 1953, c. 55; *Wills, Estates and Succession Act*, S.B.C. 2009, c. 13

Transitional Provisions: Conversion, penalties and suspensions, time limit for judicial review, regulations

Statutes Repealed: *Liquor Control and Licensing Act*, R.S.B.C. 1996, c. 267

Summary: Section 83(b) of Bill 27 permits regulations to be made to allow specified fees to be collected and retained by a person who provides a training or recertification program as remuneration for the provision of the training or recertification program.

In Force: Section 83(b) is in force October 1, 2018

**MEDICAL RESEARCH (BC CANCER AGENCY) AND HEALTH STATUS REGISTRY ACT,  
R.S.B.C. 2018, C. 1**

Amended: None

Transitional  
Provisions: None

Statutes  
Repealed: None

Summary: The *Medical Research (BC Cancer Agency) and Health Status Registry Act*, R.S.B.C. 2018, c. 1, is brought into force as a limited revision under the *Statute Revision Act*, R.S.B.C. 1996, c. 440 and replaces the *Health Act*, R.S.B.C. 1996, c. 179

In Force: November 15, 2018

**MISCELLANEOUS STATUTES AMENDMENT ACT (NO. 2), 2018, C. 23 (BILL 24)**

Amended: *Business Corporations Act*, S.B.C. 2002, c. 57; *College and Institute Act*, R.S.B.C. 1996, c. 52; *Cooperative Association Act*, S.B.C. 1999, c. 28; *Credit Union Incorporation Act*, R.S.B.C. 1996, c. 82; *Financial Institutions Act*, R.S.B.C. 1996, c. 141; *Infants Act*, R.S.B.C. 1996, c. 223; *Liquor Control and Licensing Act*, S.B.C. 2015, c. 19; *Liquor Distribution Act*, R.S.B.C. 1996, c. 268; *Procurement Services Act*, S.B.C. 2003, c. 22; *Property Law Act*, R.S.B.C. 1996, c. 377; *Public Guardian and Trustee Act*, R.S.B.C. 1996, c. 383; *Societies Act*, S.B.C. 2015, c. 18. Consequential amendments are made to the: *Business Practices and Consumer Protection Authority Act*, S.B.C. 2004, c. 3; *Capital Region Water Supply and Sooke Hills Protection Act*, S.B.C. 1997, c. 5; *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165; *Islands Trust Act*, R.S.B.C. 1996, c. 239; *Land Title and Survey Authority Act*, S.B.C. 2004, c. 66; *Library Act*, R.S.B.C. 1996, c. 264; *Local Government Act*, S.B.C. 2015, c. 1; *Ombudsperson Act*, R.S.B.C. 1996, c. 340; *Riparian Areas Protection Act*, S.B.C. 1997, c. 21; *Safety Authority Act*, S.B.C. 2003, c. 38; *The Cultus Lake Park Act*, S.B.C. 1932, c. 63; *Vancouver Charter*, S.B.C. 1953, c. 55

Transitional  
Provisions: Islands Trust Conservancy, *Societies Act* registrar may order access or copies and restoration by registrar

Statutes  
Repealed: None

Summary: Sections 18 to 20 and 22 to 26 of Bill 24 amend the *Societies Act*.



Section 18 adds rules from the Societies Transitional Interim Regulation regarding the voting threshold for a special resolution in a society's bylaws that exceeds the voting threshold set out in the Act.

Section 19 requires societies to keep, in the minutes of each meeting of members or directors, the text of each resolution voted on at the meeting.

Section 20 permits the registrar to issue a written notice with a specified explanation about an applicant's claim to a society that the registrar will issue an order requiring the society to provide the registrar with a copy of a record, or an explanation of why the record is not being provided, unless the copy or explanation is provided within 15 days of the notice.

Section 22 removes the 21-day waiting period for the restoration of societies that were dissolved for specified reasons within the year before the application for restoration.

Section 23 clarifies from the Societies Transitional Interim Regulation, that a reference in the Act to a special resolution includes a special resolution passed or consented to before the Act came into force.

Section 24 prohibits, from the Societies Transitional Interim Regulation, a pre-existing society from passing a special resolution to alter provisions of its bylaws that were previously unalterable or that are reporting society provisions until the society has filed its transition application;

Section 25 permits the registrar to order access or copies.

Section 26 provides a transitional rule regarding restoration applications filed with the registrar as specified.

In Force: Sections 18 to 20 and 22 to 26 are in force October 1, 2018  
See related regulations under the *Societies Act*

### **MOTOR VEHICLE AMENDMENT ACT, 2010, S.B.C. 2010, C. 14 (BILL 14)**

Amended: *Motor Vehicle Act*, R.S.B.C. 1996, c. 318; *Motor Vehicle Amendment Act (No. 2)*, 1997, S.B.C. 1997, c. 31; *Traffic Safety Statutes Amendment Act, 1997*, S.B.C. 1997, c. 43

Transitional

Provisions: *Motor Vehicle Act*

Statutes

Repealed: None

Summary: Sections 16, 17 and 18 of Bill 14 amend the *Motor Vehicle Act*.

Section 16 permits a person served with a driving prohibition to request the peace officer to administer a physical coordination test, and provide that if the person satisfies the peace officer that his or her ability to drive is not affected, his or her prohibition from driving is terminated. Section 16 also permits regulations to be made to prescribe physical coordination tests.

Section 17 permits a person to request a review of a driving prohibition imposed because of a person's ability to drive being affected by a drug other than alcohol.

Section 18 distinguishes the grounds for revoking a driving prohibition depending on whether the prohibition was based on a person's ability to drive being affected by alcohol or by a drug other than alcohol.

In Force: Sections 16, 17 and 18 are in force October 17, 2018

See related regulations under the *Motor Vehicle Act*

### **MOTOR VEHICLE AMENDMENT ACT, 2018, S.B.C. 2018, C. 18 (BILL 17)**

Amended: *Motor Vehicle Act*, R.S.B.C. 1996, c. 318. Consequential amendments are made to the: *Motor Vehicle Amendment Act, 2010*, S.B.C. 2010, c. 14; *Motor Vehicle Amendment Act (No. 2)*, 2012, S.B.C. 2012, c. 34; *Public Safety and Solicitor General Statutes Amendment Act, 2009*, S.B.C. 2009, c. 10

Transitional

Provisions: Period of driving prohibition, duties of a peace officer, consideration on review of driving prohibition

Statutes

Repealed: None

Summary: Sections 2, 3 and 4, section 16(a), as it enacts section 210(2)(k.01) of the *Motor Vehicle Act*, and sections 18 and 24 of Bill 17 amend the *Motor Vehicle Act*.

Section 2 imposes a condition on a class of drivers' licences that the holder of the driver's licence must not operate a motor vehicle while having a prescribed drug in his or her body.

Section 3 adds a definition of "approved drug screening equipment" and permit regulations to be made.

Section 4 makes a consequential amendment as a result of section 2 of Bill 17.

Section 16(a), as it enacts section 210(2)(k.01) of the *Motor Vehicle Act*, permits regulations to be made prescribing drugs for the classes of drivers' licences and approved drug screening equipment provisions amended by Bill 17.

Section 18 makes a consequential amendment as a result of amendments made by Bill 17.

Section 24 makes a consequential amendment to the *Motor Vehicle Amendment Act, 2010*.

In Force: Sections 2, 3 and 4, section 16(a), as it enacts section 210(2)(k.01) of the *Motor Vehicle Act*, and sections 18 and 24 of the *Motor Vehicle Amendment Act, 2018*, are in force October 17, 2018

See related regulations under the *Motor Vehicle Act*

## **REAL ESTATE DEVELOPMENT MARKETING AMENDMENT ACT, 2018, S.B.C. 2018, C. 25 (BILL 25)**

Amended: *Real Estate Development Marketing Act*, S.B.C. 2004, c. 41. Consequential amendments made to the: *Income Tax Act*, R.S.B.C. 1996, c. 215; *Property Transfer Tax Act*, R.S.B.C. 1996, c. 378

### Transitional

Provisions: Definitions, duties if assignment of pre-existing purchase agreement, if no information or records collected and regulations for transition to Part 2.1 (Assignment Reporting Requirements)

### Statutes

Repealed: None

Summary: Sections 4, 5, 7, 10 and 12 to 15 of Bill 25 amend the *Real Estate Development Marketing Act*.

Section 4 adds a new Part 2.1 (Assignment Reporting Requirements) including to:

- Add definitions of "administrator" and "assignment";
- Limit the application of Part 2.1 to sales or leases of strata lots in development properties located in BC;
- Require, unless the developer does not permit the assignment of the purchase agreement, a developer to include in the purchase agreement terms prescribed by regulation;
- Require developers, who do permit the assignment of the purchase agreement, to collect and retain for the prescribed period specified information and records for each assignment, including personal information from each party to the assignment;
- Prohibit persons, who have custody or control of information or records collected under Part 2.1, from using or disclosing the information or records except as authorized;
- Permit orders to be made exempting persons, land or transactions from all or part of a provision of Part 2.1.

Section 5 adds circumstances in which a developer may be considered non-compliant with the new Part 2.1 of the Act added by Bill 25.

Section 7 permits the superintendent to make orders against developers who are non-compliant with the requirements of the new Part 2.1 of the Act.

Section 10 provides that a person who contravenes the Act's provisions regarding assignment requirement and filing information for assignments commits an offence.

Section 12 permits specified regulations to be made regarding the new Part 2.1 of the Act.

Section 13 adds transitional provisions.

Section 14 makes a consequential amendment to the *Income Tax Act*.

Section 15 makes a consequential amendment to the *Property Transfer Tax Act*.

In Force: Sections 4, 5, 7, 10 and 12 to 15 are in force January 1, 2019

See related regulations under the *Real Estate Development Marketing Act*

### **TRESPASS ACT, R.S.B.C. 2018, C. 3**

Amended: Consequential amendment made to the *Miscellaneous Statutes Amendment Act (No. 3), 2010*, S.B.C. 2010, c. 21

Transitional  
Provisions: None

Statutes  
Repealed: None

Summary: The *Trespass Act*, R.S.B.C. 2018, c. 3, is brought into force as a limited revision under the *Statute Revision Act*, R.S.B.C. 1996, c. 440 and repeals and replaces the *Trespass Act*, R.S.B.C. 1996, c. 462.

In Force: October 1, 2018  
See related regulations under the *Offence Act* and *Park Act*

### **VETERINARY DRUGS ACT, R.S.B.C. 2018, C. 2**

Amended: Consequential amendments made to the: *E-Health (Personal Health Information Access and Protection of Privacy) Act*, S.B.C. 2008, c. 38 and the *Pharmacy Operations and Drug Scheduling Act*, S.B.C. 2003, c. 77

Transitional  
Provisions: None

Statutes  
Repealed: None

Summary: The *Veterinary Drugs Act*, R.S.B.C. 2018, c. 2, is brought into force as a limited revision under the *Statute Revision Act*, R.S.B.C. 1996, c. 440 and repeals and replaces the *Veterinary Drugs Act*, R.S.B.C. 1996, c. 363.

In Force: October 26, 2018  
See related regulations under the *Milk Industry Act* and *Provincial Sales Tax Act*  
END