

REGULATIONS TO NOTE

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

Assessment Act, amends the Classification of Land as a Farm Regulation (B.C. Reg. 411/95) to exclude medical and non-medical cannabis production from agricultural uses that qualify for farm classification, other than industrial hemp subject to the Industrial Hemp Regulations under the *Controlled Drugs and Substances Act* (Canada)(effective October 17, 2018, B.C. Reg. 200/2018).

The Prescribed Classes of Property Regulation (B.C. Reg. 438/81) is amended by repealing and replacing Schedule B regarding the assessment roll for the 2019 taxation year and designated eligible supportive housing properties for the 2019 taxation year (effective October 22, 2018, B.C. Reg. 217/2018).

Budget Transparency and Accountability Act, amends the Government Organization Accounting Standards Regulation (B.C. Reg. 257/2010) to repeal Part 3 regarding standards and guidelines that comprise generally accepted accounting principles that apply to the British Columbia Hydro and Power Authority (effective November 7, 2018, B.C. Reg. 231/2018).

Business Number Act, amends the Business Number Regulation (B.C. Reg. 388/2003) to add the *Cannabis Control and Licensing Act* and *Cannabis Distribution Act* as designated enactments under the Act (effective October 17, 2018, B.C. Reg. 201/2018).

Cannabis Control and Licensing Act, repeals the Cannabis Control and Licensing Interim Regulation (B.C. Reg. 139/2018)(effective October 17, 2018, B.C. Reg. 202/2018).

Cannabis Licensing Regulation

The Cannabis Licensing Regulation is created (effective October 17, 2018, B.C. Reg. 202/2018). This Regulation has 4 Parts and 2 Schedules.

Part 1 lists definitions.

Part 2 governs licences. Licences are retail store and marketing licences. Recommendations of local governments and Indigenous nations are required. The rules governing fit and proper

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determination by the security manager are prescribed. Applications and other rules and requirements are required, including records retention requirements.

Part 3 provide for compliance and enforcement. Offences and penalties are listed.

Part 4 provides for miscellaneous matters: minors, conduct in stores, service and receipt of documents and fees.

Schedule 1 sets out the required fees. Schedule 2 sets out the monetary penalties and licence suspensions.

Cannabis Control and Licensing Transitional Regulation

The Cannabis Control and Licensing Transitional Regulation is created (effective October 17, 2018, B.C. Reg. 203/2018). This Regulation provides for these matters, including:

- Any reference to authority or permission under the *Cannabis Act* (Canada) to possess medical cannabis or to possess or grow cannabis plants that are medical cannabis includes any such authority or permission under the order of the Federal Court of *Canada in Allard v. Canada*, 2016 FC 237;¹
- Harmonize BC law with federal law regarding the 30 gram dried cannabis personal limit, the 4 cannabis plant cultivation limit and the cannabis personal cultivation limits;
- Prohibit an adult who is in lawful possession of cannabis from delivering the cannabis to another adult for compensation;
- Prohibit cannabis advertising purporting an association with government;
- Create offences of cannabis delivery and advertising purporting an association with government;
- Make the following liable for committing the cannabis delivery or advertising offence:
 - For a corporation, a maximum \$50,000 fine;
 - For an individual who is a licensee, a maximum \$50,000 fine or 6 month's prison or both;
 - For an individual who is not a licensee, a maximum \$10,000 fine or 6 month's prison or both.

Cannabis Control Regulation

The Cannabis Control Regulation is created (effective October 17, 2018, B.C. Reg. 204/2018). This Regulation This Regulation has 7 Parts.

Part 1- Interpretation and Application

Part 1 lists definitions.

¹ <http://canlii.ca/t/gngbz>

Part 2- Sale, Supply and Possession of Cannabis

Part 2 governs sale, supply and possession of cannabis inside and outside BC. The maximum possession limit is set at 1,000 grams of dried cannabis, or equivalent.

Part 3 - Consumption in Public

Part 3 regulates cannabis consumption in public. Smoking or vaping cannabis is prohibited in:

- Provincial parks;
- Regional and municipal parks, except for designated campsites;
- Provincial parks, except in designated smoking areas or as authorized by a park officer;
- Indoor public places, except in a designated room at assisted living or retirement facilities or hospitals or in a hotel room by registered guests, unless the hotel prohibits it;
- Within 6 metres of doorways, windows, air intakes of public buildings, bus stops or bus shelters;
- Public patios;
- Sidewalks or boulevards adjacent to a school property;
- Boats except as specified;
- Motor vehicles, except in motorhomes or other motor vehicles, or campers, or trailers when parked off a public road or forest service road where camping is allowed and when being used as a private residence.

Part 4 -Medical Cannabis

Part 4 deals with medical cannabis. Specified documents are prescribed as proof of authority to possess medical cannabis. Exemptions from possession limits are available to specified health care practitioners and individuals possessing medical cannabis as specified.

Part 5 - Compliance and Enforcement

Part 5 has provisions regarding compliance and enforcement. Specified offences are prescribed and violation of these offences may result in liability:

- For a corporation, a maximum \$50,000 fine;
- For an individual who is a licensee, a maximum \$50,000 fine or 6 month's prison or both;
- For an individual who is not a licensee, a maximum \$10,000 fine or 6 month's prison or both.

The process permitting an application for a reconsideration of a compliance order is provided.

If the director imposes a monetary penalty on a person, the director may publish the following information, the:

- Name of the person;
- Amount of the penalty;
- Reasons for imposing the penalty.

If the director imposes a monetary penalty on a person, the director may post 1 or more signs as specified, in prominent locations in the interior or on the exterior of the premises where the contravention occurred.

Part 6- Miscellaneous

Part 6 has miscellaneous provisions. A person must not hold themselves out as a licensee unless the person is a licensee. Advertising cannabis sales by an unauthorized person is prohibited. A person must not market, advertise or promote any place as a place to consume cannabis or to spend time after consuming cannabis. The general manager may enter into information sharing agreement with the BC Ministry of Finance.

Part 7- Transitional Provisions

Part 7 provides for transitional provisions, including temporary proof of authority to possess medical cannabis for 6 months beginning on October 17, 2018.

Child, Family and Community Service Act, amends the Child, Family and Community Service Regulation (B.C. Reg. 527/95) to:

- Add a reference to the Act's provision, that was added by Bill 26, withdrawing before an order is made at the presentation hearing if agreement protects the child and requiring that court reports made under that provision must be in Form B; and
- Add a new Form B (Report to the Provincial Court of British Columbia) (effective October 1, 2018, B.C. Reg. 187/2018).

Civil Resolution Tribunal Act, repeals the Civil Resolution Tribunal Small Claims Regulation (B.C. Reg. 111/2017) (effective January 1, 2019, B.C. Reg. 232/2018).

The Tribunal Small Claims Regulation is created which:

- sets the maximum tribunal small claim amount at \$5,000, exclusive of interest and any expenses as specified under the Act;
- sets the deposit for small claims previously adjudicated by the Tribunal as the amount equal to the amount awarded by the Tribunal against the person;

- sets \$1,000 as the amount for security for costs to be deposited for small claims previously adjudicated by the Tribunal (effective January 1, 2019, B.C. Reg. 232/2018).

Civil Resolution Tribunal Amendment Act, 2018, creates the Accident Claims Regulation, including:

- Having this regulation apply to accident claims under Division 7 (Accident Claims) of Part 10 (Tribunal Jurisdiction) of the *Civil Resolution Tribunal Act*;
- Authorizing the Tribunal to order an independent medical examination if the physical or mental condition of a person is in issue;
- Permit a party to introduce other expert evidence of up to 2 additional experts if the Tribunal considers that this additional evidence is necessary and proportionate to the accident claim;
- Prescribe fees, expenses and charges that one party may be required to pay to another party with a:
 - \$2,000 limit regarding the independent medical examination,
 - \$2,000 limit for expert evidence, and
 - \$5,000 limit for all recoverable fees, expenses and charges,
- Authorize the Tribunal to order payment for independent medical examinations; and
- Prescribe that the maximum amount that the Tribunal may award in an accident claim is \$50,000 (all effective April 1, 2019, B.C. Reg. 233/2018).

Clean Energy Act, repeals the Domestic Long-Term Sales Contracts Regulation (B.C. Reg. 201/2014)(effective October 2, 2018, B.C. Reg. 197/2018).

Community Care and Assisted Living Act, amends the Child Care Licensing Regulation (B.C. Reg. 332/2007) to:

- Repeal and replace the provision to now provide that the director of the early childhood educator registry is the person who holds the position of Director of the office responsible for the early childhood educator registry in the ministry of the minister responsible for the *Child Care BC Act*; and
- Repeal and replace Schedule D regarding educator and assistant certificates from recognized educational institutions (both effective October 1, 2018, B.C. Reg. 188/2018).

Community Charter, amends the Community Airport Exemption Regulation (B.C. Reg. 369/2003) to strike out, add or replace, as the case may be, of the land descriptions for these airports:

- Boundary Bay Airport;
- Comox Valley Airport;
- Kamloops Airport;
- Nanaimo Airport;
- Pitt Meadows Airport;
- Prince George Airport;
- Smithers Regional Airport;
- Terrace-Kitimat Airport;
- Victoria Airport; and
- Williams Lake Airport (effective October 29, 2018, B.C. Reg. 228/2018).

The Port Improvements (Berth Corridor) Tax Exemption Regulation (B.C. Reg. 198/2004) is amended to:

- Add to the definition “Canada port property” a reference to the Vancouver Fraser Port Authority;
- Strike out reference to 2010 tax year and adds a reference to the 2019 tax year regarding the Schedule;
- Repeal and replace the Schedule (Assessment Roll Designations) (effective November 28, 2018, B.C. Reg. 242/2018).

Coroners Act, amends the Coroners Regulation (B.C. Reg. 298/2007) to repeal the provision that required any person to immediately report to the coroner a death from the deceased person having received medical assistance in dying provided under the Criminal Code of Canada (effective November 1, 2018, B.C. Reg. 222/2018).

Correction Act, amends the Correction Act Regulation (B.C. Reg. 58/2005) to provide that unclaimed property abandoned by an inmate at a correctional centre and not claimed by the inmate within 30 days—the former time period was 3 months—is forfeited to the government (effective November 13, 2018, B.C. Reg. 219/2018).

Drinking Water Protection Act, amends the Drinking Water Protection Regulation (B.C. Reg. 200/2003), in a provision regarding an emergency response and contingency plan, to:

- Replace a reference to “public health inspector” from a repealed provision of the *Health Act* with "environmental health officer" which has the same meaning as in the *Public Health Act*;
- Strike out "public health inspector" and substitute "environmental health officer" (effective November 15, 2018, B.C. Reg. 237/2018).

Employment and Assistance Act, amends the Employment and Assistance Regulation (B.C. Reg. 263/2002) to add the following settlements as being exempt from asset, income and hardship assistance limits:

- Cadboro Bay Litigation Settlement Agreement (November 1, 2017) between the Esquimalt Nation and Canada; and
- Settlement agreement (October 30, 2017) between the Songhees Nation and Canada (both effective October 1, 2018, B.C. Reg. 189/2018).

Employment And Assistance For Persons With Disabilities Act, amends the Employment and Assistance for Persons with Disabilities Regulation (B.C. Reg. 265/2002) to add the following settlements as being exempt from asset, income and hardship assistance limits:

- Cadboro Bay Litigation Settlement Agreement (November 1, 2017) between the Esquimalt Nation and Canada; and
- Settlement agreement (October 30, 2017) between the Songhees Nation and Canada (both effective October 1, 2018, B.C. Reg. 189/2018).

Environmental Management Act, prescribes specified provisions of the *Cannabis Control and Licensing Act* as an enactment that a member of the Conservation Officer Service may enforce (effective October 17, 2018, B.C. 209/2018).

Estate Administration Act, repeals the now defunct Official Administrators Designation Regulation (B.C. Reg. 24/58)(effective October 1, 2018, B.C. Reg. 190/2018).

Expropriation Act, amends the Compensation Action Procedure Rule (B.C. Reg. 100/2005) to repeal reference to a now repealed provision of the *Health Act* in the definition of "included claim" (effective November 15, 2018, B.C. Reg. 237/2018).

Financial Administration Act, amends the Government Organization Accounting Standards Regulation (B.C. Reg. 257/2010) to repeal Part 3 regarding standards and guidelines that comprise generally accepted accounting principles that apply to the British Columbia Hydro and Power Authority (effective November 7, 2018, B.C. Reg. 231/2018).

Financial Information Act, amends Schedule 2 by adding specified corporations so they are subject to the Act (effective October 26, 2018, B.C. Reg. 223/2018).

Freedom of Information and Protection of Privacy Act, amends the Committees of the Executive Council Regulation (B.C. Reg. 156/2017) including to add the Reconciliation Committee and Appointment Orders Committee as committees exempt from disclosure under the Act (effective November 26, 2018, B.C. Reg. 241/2018).

Health Authorities Act, repeals the:

- Transfer of Union Board Powers and Duties Regulation (B.C. Reg. 32/97); and
- Vancouver Health Board Regulation (B.C. Reg. 542/95)(effective November 15, 2018, B.C. Reg. 237/2018).

Insurance Premium Tax Act, amends the Insurance Premium Tax Regulation (B.C. Reg. 154/2016) to add to the provision that provides an interest calculation, the requirement for a taxpayer to repay to government excess refunds with interest calculated according to that provision (effective retroactively from June 13, 2016, B.C. Reg. 229/2018).

Insurance (Vehicle) Act, amends the Insurance (Vehicle) Regulation (B.C. Reg. 447/83) to provide that the definition of “benefits” includes for loss or expense similar to a loss or expense covered by benefits within the meaning of section 1.1 of the Act where a person:

- Has a claim for damages regarding a loss or expense similar to a loss or expense covered by benefits within the meaning of section 1.1,
- Receives a loan or an advance payment in relation to the loss or expense, and
- Must repay the loan or advance payment, in full or in part, if the person receives or is entitled to receive an award of damages, or enters into a settlement, in relation to the claim (effective November 9, 2018, B.C. Reg. 234/2018).

The Insurance (Vehicle) Regulation (B.C. Reg. 447/83) is further amended, including to:

- Add definitions of:
 - "acupuncturist",
 - "chiropractor",
 - "counsellor",
 - "dentist",
 - "health care practitioner,
 - "kinesiologist",
 - "massage therapist",
 - "occupational therapist",
 - "physician",
 - "physiotherapist",
 - "psychologist",

- Amend the definition of "dependent child" to:
 - repeal references to "head of household" with "insured",
 - add as a "dependent child" an insured's child who is born after the death of the insured and survives for at least 60 days after birth,
- Provide that the Insurance Corporation of BC (ICBC) must pay benefits as provided, including according to the new Schedule 3.1;
- Provide that a treatment of a health care service as specified, including as set out in the new Schedule 3.1, is not a necessary health care service unless ICBC's medical advisor or the insured's physician certifies to ICBC in writing that, in the opinion of the medical advisor or physician, the treatment is necessary for the insured;
- Require that medical or rehabilitation benefits paid must not exceed the specified fee limits, including as set out in the new Schedule 3.1;
- Provide that, for the fiscal year beginning on April 1, 2020 and after that, each fee limit must be determined by a specified calculation, including using the BC consumer price index;
- Permit reimbursement to the insured for purchase of health care supplies or of health care services not as listed but within fee limits, where, in the opinion of ICBC's medical adviser, they are likely to promote the rehabilitation of an insured who is injured in an accident for which benefits are provided for under the regulation;
- Repeal and replace provisions regarding death benefits payable, ranging from \$3,000 to \$30,000;
- Repeal and replace the limitation period provision, with a new subsection prescribing how the action is to be commenced;
- Add transitional provisions regarding:
 - disability benefits, funeral expenses and death benefits payable before April 1, 2019,
 - medical or rehabilitation benefits payable before April 1, 2019,
 - limitation period regarding claims before April 1, 2019,
- Amend Schedule 3 (Limits of Coverage); and
- Add a new Schedule 3.1 (Health Care Services, Fee Limits And Pre-Authorized Treatments) (effective April 1, 2019, B.C. Reg. 234/2018).

Minor Injury Regulation

- The Minor Injury Regulation is created (effective April 1, 2019, B.C. Reg. 234/2018). This Regulation has 4 Parts and a Schedule.

Part 1 sets out definitions, including defining:

- A "minor injury" as a:
 - a concussion that does not result in an incapacity,
 - a TMJ disorder,
 - a WAD injury,

- A "serious impairment" that must meet prescribed criteria as specified.

Part 2 governs minor injuries. The burden of proof that the injury is not a minor injury is on the party making the allegation that it is not a minor injury. If a claimant sustains more than one injury as a result of an accident, rules are applied, including that the maximum amount of damages for non-pecuniary loss recoverable by the claimant for all the minor injuries in total must not exceed the minor injury limit. The minor injury limit for the fiscal year beginning on April 1, 2019 is \$5,500. For subsequent years, the minor injury limit is calculated using the formula provided, including using the BC consumer price index. ICBC must post on its website information about the minor injury limit and the calculation that determined this limit. As a result of the legislative changes to the *Civil Resolution Tribunal Act* noted above, effective April 1, 2019, the Civil Resolution Tribunal (CRT) will expand its scope of matters it adjudicates from small claims and strata property matters to motor vehicle law regarding the:

- Entitlement to receive accident benefits;

- Classification of an injury as a minor injury with combined total pain and suffering award for the minor injuries limited to \$5,500; and

- Liability and quantum decisions for motor vehicle injury claims up to \$50,000.

Part 3 provides that physicians registered with the College of Physicians and Surgeons of BC are registered care advisors. Part 3 also prescribes requirements and qualifications for registered care advisors. ICBC must post on its website a registered care advisor register. A physician whose patient may have suffered a minor injury in an accident must consider, no later than 90 days after the date of the accident that caused the injury, referring the patient to a registered care advisor as specified. If a registered care advisor accepts a referral, the registered care advisor must assess the patient and report to the referring physician of the results of that assessment.

The Schedule (Diagnostic And Treatment Protocols) must be used by health care practitioners to diagnose a patient's injury and provide treatment (or referral) for that patient's injury.

Interpretation Act, amends the following statutes and regulations by updating references to the responsible Ministry, each as the case may be:

- *Crown Counsel Act*, R.S.B.C. 1996, c. 87;
- *Resort Municipality of Whistler Act*, R.S.B.C. 1996, c. 407;
- Civil Forfeiture Regulation (B.C. Reg. 164/2006) under the *Civil Forfeiture Act*, S.B.C. 2005, c. 29;
- Gasoline Vapour Control Regulation (B. C. Reg. 226/95) under the *Environmental Management Act*, S.B.C. 2003, c. 53;
- Land-based Finfish Waste Control Regulation (B.C. Reg. 68/94) under the *Environmental Management Act*;
- Open Burning Smoke Control Regulation (B.C. Reg. 145/93) under the *Environmental Management Act*; and
- Sewerage System Regulation (B.C. Reg. 326/2004) under the *Public Health Act*, S.B.C. 2008, c. 28 (all effective October 1, 2018, B.C. Reg. 191/2018).

Local Elections Campaign Financing Act, amends the Local Elections Campaign Financing Expense Limit Regulation (B.C. Reg. 309/2018) to:

- Add a new provision that provides elections to which Division 5 (Campaign Contribution Limits) of Part 2 (Candidate and Elector Organization Campaign Financing) of the Act applies; and
- Add a new provision setting campaign contribution limits for an elector organization and all candidates endorsed by the elector organization, including setting a \$1,200 contribution limit for 2019 (effective November 27, 2018, B.C. Reg. 243/2018).

Local Government Bylaw Notice Enforcement Act, amends the Bylaw Notice Enforcement Regulation (B.C. Reg. 175/2004), so that the Act applies to the Corporation of the City of Fernie and the Corporation of the District of Saanich (effective September 26, 2018, B.C. Reg. 183/2018).

The Bylaw Notice Enforcement Regulation is further amended so that the Act applies to the Regional District of Nanaimo (effective October 24, 2018, B.C. Reg. 220/2018).

The Bylaw Notice Enforcement Regulation is still further amended so that the Act applies to the Village of Pemberton, located north of Whistler in the Coastal Mountains (effective November 28, 2018, B.C. Reg. 244/2018).

Logging Tax Act, amends the Logging Tax Regulation (B.C. Reg. 166/2016 to add to the provision that provides an interest calculation, the requirement for a taxpayer to repay to government excess refunds with interest calculated according to that provision (effective retroactively from July 5, 2016, B.C. Reg. 229/2018).

Manufactured Home Park Tenancy Act, amends the Manufactured Home Park Tenancy Regulation (B.C. Reg 481/2003) to decrease the allowable annual rent increase for 2019 to a maximum of 2.5% plus a proportional amount (being local government levies and regulated utility fees) (effective September 26, 2018, B.C. Reg. 184/2018).

Medical Research (BC Cancer Agency) and Health Status Registry Act, amends the British Columbia Cancer Agency Research Information Regulation (B.C. Reg. 286/91) to:

- Change reference from the *Health Act* to the *Medical Research (BC Cancer Agency) and Health Status Registry Act*;
- Delete definition of “agency”, which meant the British Columbia Cancer Agency; and
- Provide that specified information may be requested by the British Columbia Cancer Agency (effective on the date that the *Medical Research (BC Cancer Agency) and Health Status Registry Act* is brought into force, B.C. Reg. 215/2018).

Milk Industry Act, amends the Milk Industry Standards Regulation (B.C. Reg. 464/81) to update references to the *Veterinary Act* in the definitions of "medicated feed" and "veterinary drug" (effective October 26, 2018, B.C. Reg. 227/2018).

Motor Vehicle Act, amends the Motor Vehicle Act Regulations (B.C. Reg. 26/58) to:

- Prescribe the offence of operating a motor vehicle with blood drug concentration in prescribed range under the *Criminal Code* (Canada);
- Provide that, for a breach by operating a motor vehicle with blood drug concentration in prescribed range, the Insurance Corporation of BC (ICBC) must record 6 penalty points on the person’s driving record;
- Provide that, for a breach by operating a motor vehicle while ability impaired by alcohol or drugs as specified, ICBC must record 10 penalty points on the person’s driving record; and
- Provide that, the specified number of remedial program points and ignition interlock program points a person acquires as a result of operating a motor vehicle while ability impaired by alcohol or drugs as specified (all effective October 5, 2018, B.C. 206/2018).

The Motor Vehicle Act Regulations (B.C. Reg. 26/58) are further amended including to:

- Prohibit a person holding specified licences to operate a motor vehicle while having cocaine or tetrahydrocannabinol (THC) in the person's body;
- Prescribe approved drug screening equipment;
- Prohibit the holder of the driver's licence from operating a motor vehicle while having the drug cocaine or tetrahydrocannabinol (THC) in his or her body (all effective October 17, 2018, B.C. 205/2018).

The Physical Coordination Test Regulation is created (effective October 17, 2018, B.C. 205/2018). This Regulation prescribes the physical coordination test which consists of the following standard field sobriety tests, if administered together, the:

- Horizontal gaze nystagmus test;
- Walk-and-turn test;
- One-leg stand test.

Offence Act, amends the Violation Ticket Administration and Fines Regulation (B.C. Reg. 89/97) to renumber references regarding specified offences under the *Trespass Act* (effective October 1, 2018, B.C. Reg. 193/2018).

The Violation Ticket Administration and Fines Regulation (B.C. Reg. 89/97) is amended including to:

- Add references to the *Cannabis Control and Licensing Act* in Schedule 1 listing offences;
- Add specified offences under the *Cannabis Control and Licensing Act*, along with fines and levy and ticketed amounts (effective October 17, 2018, B.C. 207/2018).

The Violation Ticket Administration and Fines Regulation (B.C. Reg. 89/97) is further amended to add to Schedule 2 offences for smoking or using tobacco or an e-cigarette in a park, conservancy or recreation area under the *Park Act* (effective October 17, 2018, B.C. Reg. 210/2018).

The Violation Ticket Administration and Fines Regulation (B.C. Reg. 89/97) is still further amended to:

- Repeal and replace references to offences of using tobacco or e-cigarette in motor vehicle when person under age 16 is present;
- Repeal and replace references to offences regarding commercial motor vehicle daily logs and other documents (effective October 28, 2018, B.C. Reg. 208/2018).

The Violation Ticket Administration and Fines Regulation (B.C. Reg. 89/97) is yet again amended to raise fines from \$81 to \$357 for party buses and commercial vehicles that fail to display a valid certificate proving they have undergone an approved safety inspection (effective October 26, 2018, B.C. Reg. 224/2018).

The Offence Act Forms Regulation (B.C. Reg. 422/90) is amended to add new forms:

- Form Q (Violation Ticket); and
- Form Q.1 (How to Pay the Ticket)(both effective October 28, 2018, B.C. Reg. 208/2018).

Oil and Gas Activities Act, the Administrative Penalties Regulation (B.C. Reg. 35/2011) is amended, including to:

- Make minor spelling and statutory reference errors;
- Make statutory reference corrections to offences under the Drilling and Production Regulation (B.C. Reg. 282/2010);
- Correct references to the Pipeline Regulation (B.C. Reg. 281/2010), this regulation was formerly known as the Pipeline and Liquefied Natural Gas Facility Regulation; and
- Strike and replace references to administrative penalties under the Emergency Management Regulation (B.C. Reg. 217/2017) (all October 22, 2018, B.C. Reg. 221/2018).

The Oil and Gas Activities Act General Regulation (B.C. Reg. 274/2010) is amended regarding tax payments to:

- Require a collector to invoice each producer, no longer monthly, but by the 23rd day of the second calendar month after each production month; and
- Require the producer who receives an invoice from a collector to pay the collector, no longer within 15 business days of receiving the invoice but before the end of the calendar month in which the invoice is received (effective November 1, 2018, B.C. Reg. 221/2018).

The Fee, Levy and Security Regulation (B.C. Reg. 8/2014) is amended to increase the petroleum and natural gas levy that permit holders as producers must pay (effective December 1, 2018, B.C. Reg. 240/2018).

Park Act, amends the Park, Conservancy and Recreation Area Regulation (B.C. Reg. 180/90) to require park rangers to be responsible for enforcing compliance with specified provisions of the *Trespass Act* (effective October 1, 2018, B.C. Reg. 193/2018).

The Park, Conservancy and Recreation Area Regulation (B.C. Reg. 180/90) is amended to require park rangers to be responsible for enforcing compliance with the *Cannabis Control and Licensing Act* (effective October 17, 2018, B.C. 209/2018).

The Park, Conservancy and Recreation Area Regulation (B.C. Reg. 180/90) is further amended to prohibit a person from smoking or using tobacco or an e-cigarette in a park, conservancy or recreation area except as permitted by signage or authorized by a park officer (effective October 17, 2018, B.C. Reg. 210/2018).

Petroleum and Natural Gas Act, amends the Petroleum and Natural Gas Royalty and Freehold Production Tax Regulation (B.C. Reg. 495/92), including to:

- Repeal, replace and add specified definitions;
- Repeal and replace subsections regarding royalty and tax payments;
- Repeal and replace subsections regarding royalty and tax calculations;
- Add a new section regarding a royalty for unaccounted quantities;
- Repeal and replace subsections regarding specified information that must be reported to the collector;
- Repeal and replace subsections regarding examination of return and assessment of royalty or tax;
- Add a new subsection providing that, subject to specified conditions, a Crown invoice is valid and binding despite any error, defect or omission in the Crown invoice or penalty or in procedure;
- Repeal and replace a section so that a collector may reconsider or vary a Crown invoice for royalty, tax or penalty on the request of a producer or the operator of a reporting facility who objects in writing to the invoiced amount;
- Repeal and replace a section regarding appeals;
- Repeal and replace a section regarding interest and penalties;
- Add a new section setting transition regarding payments and interest (all effective November 1, 2018, B.C. Reg. 194/2018).

The Net Profit Royalty Regulation (B.C. Reg. 98/2008) is amended, including to:

- Repeal, replace and add specified definitions;
- Repeal and replace a subsection regarding gross revenue;
- Repeal and replace subsections regarding royalty payments;
- Repeal and replace subsections regarding specified information that must be reported to the collector;
- Repeal and replace subsections regarding interest on royalty payments;
- Repeal and replace a section regarding penalties;

- Repeal and replace subsections regarding notice of assessment;
- Add a new subsection providing that, subject to specified conditions, an invoice is valid and binding despite any error, defect or omission in the invoice or penalty or in procedure;
- Repeal and replace a section so that the collector may reconsider or vary an invoice for net profit royalty or penalty on the request of a producer who objects in writing to the invoiced amount;
- Repeal and replace a section regarding appeals; and
- Add a new section setting transition regarding payments and interest (all effective November 1, 2018, B.C. Reg. 194/2018).

Provincial Sales Tax Act, amends B.C. Reg. 141/2018 is amended regarding the repeal and replacement of the definition of residential dwelling in the Provincial Sales Tax Regulation (B.C. Reg. 96/2013) (effective September 28, 2018, B.C. Reg. 185/2018).

Provincial Sales Tax Regulation (B.C. Reg. 96/2013)

The Provincial Sales Tax Regulation (B.C. Reg. 96/2013) is amended to:

- Add a definition of "cannabis";
- Prescribe cannabis regarding the definition of "eligible tangible personal property" of the Act;
- Permit a collector to record the number of a licence issued under the *Cannabis Control and Licensing Act* to a person on the receipt, bill, invoice or written agreement instead of the person's registration number if specified conditions are met (effective October 17, 2018, B.C. 211/2018).

The Provincial Sales Tax Regulation (B.C. Reg. 96/2013) is further amended to provide that Provincial sales tax (PST) applies to all cannabis sales in British Columbia, except for specified prescription drugs under the Drug Schedules Regulation (B.C. Reg. 9/98) under the *Pharmacy Operations and Drug Scheduling Act*, S.B.C. 2003, c. 77 and foods containing hemp (effective October 17, 2018, B.C. 212/2018).

Designated Accommodation Area Tax Regulation (B.C. Reg. 93/2013)

The Designated Accommodation Area Tax Regulation (B.C. Reg. 93/2013) is amended by adding the District of Squamish as a new designated accommodation area, Squamish located on the north end of Howe Sound on the Sea to Sky Highway (effective November 1, 2018, B.C. Reg. 195/2018).

The Designated Accommodation Area Tax Regulation (B.C. Reg. 93/2013) is further amended to extend the 2% tax in the designated accommodation area in the City of Langford, located on Vancouver Island, to November 1, 2023 (effective November 1, 2018, B.C. Reg. 225/2018).

The Designated Accommodation Area Tax Regulation (B.C. Reg. 93/2013) is still further amended to:

- Increase the tax from 2% to 3% in the designated accommodation area for the Resort Municipality of Whistler (RMOW); and
- Permit RMOW to spend the money paid to it for:
 - convention centre marketing, and
 - improvements to the Whistler Conference Centre (both effective December 1, 2018, B.C. Reg. 226/2018).

Provincial Sales Tax Exemption and Refund Regulation (B.C. Reg. 97/2013)

The Provincial Sales Tax Exemption and Refund Regulation (B.C. Reg. 97/2013) is amended by adding a new Part 5.1 (Specified Major Projects) regarding:

- Exemptions from tax for tangible personal property for use in a project, software, services and electricity;
- Specified tangible personal property is excluded from these exemptions;
- Tangible personal property exemption provisions and declarations are prescribed for the purposes of various provisions of the Act;
- Add a new Schedule 6 under Part 5.1 (Specified Major Projects - Kitimat LNG Facility (LNG Canada)) (all effective October 2, 2018, B.C. Reg. 196/2018).

The Provincial Sales Tax Exemption and Refund Regulation (B.C. Reg. 97/2013) is further amended to update a reference to the *Veterinary Act* regarding tax exempt veterinary drugs (effective October 26, 2018, B.C. Reg. 227/2018).

Real Estate Development Marketing Act, amends the Real Estate Development Marketing Regulation (B.C. Reg. 505/2004) including to:

- Add references to the new Part 2.1 (Assignment Reporting Requirements) of the Act added by *Real Estate Development Marketing Amendment Act, 2018*, S.B.C. 2018, c. 25 (Bill 25);
- Add a new Part 3.1 (Assignment Reporting) including to:
 - require specified terms and notices to be in the purchase agreement,
 - require identity, contact or business information and records regarding a proposed party to an assignment agreement be included in the agreement,
 - require specified information to be included in an assignment agreement,
 - require that a developer who has consented to an assignment of a purchase agreement must keep a copy of the assignment agreement for 6 years as prescribed;

- set out filing requirements, including required assignment information are prescribed;
 - provide that the Land Title and Survey Authority of BC is authorized to accept filing on the administrator's behalf,
- Increase the filing fees regarding developer filed disclosure statements;
 - Increase copy fees from 50 cents per page to \$1 per page; and
 - Add a new provision setting rules for assignment of pre-existing purchase agreements for developers subject to the transitional provisions added to the Act by Bill 25 (all effective January 1, 2019, B.C. Reg. 230/2018).

Residential Tenancy Act, amends the Residential Tenancy Regulation (B.C. 477/2003) to decrease the allowable annual rent increase for 2019 to a maximum of 2.5% (effective September 26, 2018, B.C. Reg. 184/2018).

Safety Standards Act, amends the Administration Delegation Regulation (B.C. Reg. 136/2004) to provide that the City of Vancouver's jurisdiction does not include excluded port lands regarding the Vancouver Fraser Port Authority and delegation to the local government of specified provisions of the Act (effective November 28, 2018, B.C. Reg. 245/2018).

Securities Act, amends the National Instrument 45-106 Prospectus Exemptions (B.C. Reg. 227/2009) to:

- Add a new subsection where an issuer or underwriter is not required to file a report for a distribution of a security as specified;
- Add Alberta, along with Ontario, as a jurisdiction where an exemption as specified is not permitted; and
- Repeal and replace the Form 45-106FI (Report of Exempt Distribution)(all effective October 5, 2018, B.C. Reg. 198/2018).

Societies Act, repeals the Societies Transitional Interim Regulation (B.C. Reg. 99/2016)(effective October 1, 2018, B.C. Reg. 192/2018).

Strata Property Act, amends the Bare Land Strata Regulations (B.C. Reg. 75/78) to:

- Amend the definition of "code" to mean regulations under the *Drinking Water Protection Act* and the *Public Health Act* and regulations made under the *Safety Standards Act* (which superceded previous references to the now repealed *Health Act*, *Gas Safety Act* and the *Electrical Safety Act*);

- Repeal the definition of “medical health officer”; and
- Repeal and replace the definition of "potable water" (effective November 15, 2018, B.C. Reg. 237/2018).

Tobacco and Vapour Products Control Act, amends the Tobacco and Vapour Products Control Regulation (B.C. Reg. 232/2007) to provide exemptions to the restrictions and requirements on the sale, distribution, provision, advertising, promotion or display of vapour products that are also cannabis accessories (effective October 17, 2018, B.C. 213/2018).

Wildlife Act, amends the Closed Areas Regulation (B.C. Reg. 76/84), including to:

- Repeal and replace the provisions each for Line Creek, Elkview and Coal Mountain operations, all near Sparwood (located near the BC and Alberta border in the Rocky Mountains) regarding no shooting or hunting areas;
- Repeal reference to Natal Ridge, near Sparwood regarding no shooting areas;
- Repeal reference to Fording Coal Limited McGillivray Mine, near Elkford (located near the BC and Alberta border in the Rocky Mountains) regarding no shooting areas;
- Repeal reference to Sparwood Ridge, near Sparwood regarding no shooting areas;
- Repeal and replace the provisions each for Line Creek and Coal Mountain operations, all near Sparwood regarding no shooting areas;
- Repeal reference to Teck Greenhills, near Elkford regarding no hunting areas;
- Add, repeal, replace and substitute specified closed area maps (all effective November 22, 2018, B.C. Reg. 239/2018).

The Hunting Regulation (B.C. Reg. 190/84) is amended including to:

- Add a new provision regarding open season for deer hunting on Valdes Island, located in the Gulf Islands;
- Repeal and replace the provision regarding open seasons and bag limits for lynx in the Kootenays (both effective November 22, 2018, B.C. Reg. 239/2018).

END