



ACTS IN FORCE

May 22, 2019 up to and including July 23, 2019

BUDGET MEASURES IMPLEMENTATION ACT, 2018, S.B.C. 2018, C. 4 (BILL 2)

Amended: *Assessment Authority Act*, R.S.B.C. 1996, c. 2; *British Columbia Transit Act*, R.S.B.C. 1996, c. 38; *Carbon Tax Act*, S.B.C. 2008, c. 40; *Home Owner Grant Act*, R.S.B.C. 1996, c. 194; *Hospital District Act*, R.S.B.C. 1996, c. 202; *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212; *Income Tax Act*, R.S.B.C. 1996, c. 215; *Indian Self Government Enabling Act*, R.S.B.C. 1996, c. 219; *Islands Trust Act*, R.S.B.C. 1996, c. 239; *Land Tax Deferment Act*, R.S.B.C. 1996, c. 249; *Local Government Act*, R.S.B.C. 2015, c. 1; *Local Services Act*, R.S.B.C. 1996, c. 276; *Logging Tax Act*, R.S.B.C. 1996, c. 277; *Motor Fuel Tax Act*, R.S.B.C. 1996, c. 317; *Petroleum and Natural Gas Act*, R.S.B.C. 1996, c. 361; *Property Transfer Tax Act*, R.S.B.C. 1996, c. 378; *Provincial Sales Tax Act*, S.B.C. 2012, c. 35; *School Act*, R.S.B.C. 1996, c. 412; *South Coast British Columbia Transportation Authority Act*, S.B.C. 1998, c. 30; *Tobacco Tax Act*, R.S.B.C. 1996, c. 452; *Vancouver Charter*, S.B.C. 1953, c. 55

Transitional

Provisions: *Income Tax Act* reportable transactions, *Motor Fuel Tax Act* fixed-price contracts and tax on purchase, *Property Transfer Tax Act* tax on residential property value exceeding \$3 million, *Provincial Sales Tax Act* definition, purchases of passenger vehicles, leases of passenger vehicles, passenger vehicles brought into BC, contract for modification of purchased passenger vehicles, retroactive regulation-making power

Statutes

Repealed: None

Summary: Section 81 of Bill 2 amends the *Provincial Sales Tax Act* to retroactively remove the director's authority to exempt, from the requirements of being an agent of the government, collectors who sell or lease tangible personal property or provide telecommunication services on certain passenger-carrying commercial vessels.

In Force: Section 81 is in force retroactively effective April 1, 2013

See related regulations under the *Provincial Sales Tax Act*

BUDGET MEASURES IMPLEMENTATION ACT, 2019, S.B.C. 2019, C. 7 (BILL 5)

Amended: *Carbon Tax Act*, S.B.C. 2008, c. 40; *Community Charter*, S.B.C. 2003, c. 26; *Financial Administration Act*, R.S.B.C. 1996, c. 138; *Income Tax Act*, R.S.B.C. 1996, c. 215; *Motor Fuel Tax Act*, R.S.B.C. 1996, c. 317; *Property Transfer Tax Act*, R.S.B.C. 1996, c. 378; *Provincial Sales Tax Act*, S.B.C. 2012, c. 35; *Small Business Venture Capital Act*, R.S.B.C. 1996, c. 429; *South Coast British Columbia Transportation Authority Act*, S.B.C. 1998, c. 30; *Speculation and Vacancy Tax Act*, S.B.C. 2018, c. 46; *Taxation (Rural Area) Act*, R.S.B.C. 1996, c. 448; *Vancouver Charter*, S.B.C. 1953, c. 55

Transitional

Provisions: *Income Tax Act*, *Motor Fuel Tax Act*, *Provincial Sales Tax Act* and *Small Business Venture Capital Act*

Statutes

Repealed: None

Summary: Section 52 of Bill 5 amends the *Provincial Sales Tax Act* to remove the tax refund requirement that a motor vehicle be returned more than 1 year after the date of purchase.

In Force: Section 52 is in force June 3, 2019

See related regulations under the *Financial Administration Act* and *Provincial Sales Tax Act*

**BUSINESS PRACTICES AND CONSUMER PROTECTION AMENDMENT ACT, 2019,
S.B.C. 2019, C. 22 (BILL 7)**

Amended: *Business Practices and Consumer Protection Act*, S.B.C. 2004, c. 2. Consequential amendments are made to the: *Business Practices and Consumer Protection (Payday Loans) Amendment Act, 2007*, S.B.C. 2007, c. 35; *Miscellaneous Statutes Amendment Act (No. 2), 2005*, S.B.C. 2005, c. 35

Transitional
Provisions: New and amended agreements

Statutes
Repealed: None

Summary: Section 9 of Bill 7 amends the *Business Practices and Consumer Protection Act* to permit different regulations to be made regarding cheque cashing fees for different government cheques or different classes of government cheques.

In Force: Section 9 is in force July 16, 2019
See related regulations under the *Business Practices and Consumer Protection Act*

**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 made to the: *Court Rules Act*, R.S.B.C. 1996, c. 80; *Small Claims Act*, R.S.B.C. 1996, c. 430; *Strata Property Act*, S.B.C. 1998, c. 43

Transitional
Provisions: Definition, claims where no tribunal notice given and grand-parented proceedings

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

Summary: Section 34 amends the *Civil Resolution Tribunal Amendment Act, 2015* to repeal spent or inoperative provisions and is consequential to amendments made to the *Civil Resolution Tribunal Act* by Bill 22.

Section 2 as it enacts the definitions of “cooperative association claim” and “society claim”.

Section 4 as it enacts section 2.1(d) and (e) of the *Civil Resolution Tribunal Act*, S.B.C. 2012, c. 25, provides that the tribunal adjudicate claims in relation to the *Cooperative Association Act*, under Division 5 [Cooperative Association Claims] of Part 10 and claims in relation to the *Societies Act*, under Division 6 [Society Claims] of Part 10.

Section 30 as it enacts section 93(4)(b) and (c) of the *Civil Resolution Tribunal Act* to provide that regulations may be made regarding cooperative association claims that may be different for different classes of associations under the *Cooperative Association Act* and regulations regarding society claims that may be different for different classes of societies under the *Societies Act*.

Section 32 as it enacts Divisions 5 (Cooperative Association Claims) and 6 (Society Claims) of Part 10 of the *Civil Resolution Tribunal Act*.

Sections 35 and 37 make consequential amendments to the *Cooperative Association Act*.

Section 38 makes a consequential amendment to the *Crown Proceeding Act*.

Sections 39 to 42 make consequential amendments to the *Insurance (Vehicle) Act*.

Section 43 makes a consequential amendment to the *Negligence Act*.

Section 44 makes a consequential amendment to the *Parental Liability Act*.

Section 45 makes consequential amendments to the *Societies Act*.

In Force: Section 34 is in force July 8, 2019. Section 2 as it enacts the definitions of “cooperative association claim” and “society claim”, section 4 as it enacts section 2.1(d) and (e) of the *Civil Resolution Tribunal Act*, S.B.C. 2012, c. 25, section 30 as it enacts section 93(4)(b) and (c) of the *Civil Resolution Tribunal Act*, section 32 as it enacts Divisions 5 and 6 of Part 10 of the *Civil Resolution Tribunal Act* and sections 35 to 37 and 45 are in force July 15, 2019

See related regulations under the *Civil Resolution Tribunal Act*

COASTAL FERRY AMENDMENT ACT, 2019, S. B. C. 2019, C. 9 (BILL 25)

Amended: *Coastal Ferry Act, S.B.C. 2003, c. 14*

Transitional
Provisions: None

Statutes
Repealed: None

Summary: Sections 2 and 4 of Bill 25 amend the *Coastal Ferry Act*.

Section 2 increases to 4 from 2, the number of persons appointed by the Lieutenant Governor in Council as directors of the BC Ferry Authority and eliminate the community at large appointments.

Section 4 allows the BC Ferry Authority to set the term of an individual elected as a director to the board of BC Ferries, which term may not exceed 4 years and provide that an individual may not hold office as a director of the board of BC Ferries for a consecutive period exceeding 8 years.

In Force: Section 2 and 4 are in force May 22, 2019

FINANCIAL SERVICES AUTHORITY ACT, 2019, S.B.C. 2019, C. 14 (BILL 26)

Amended: Consequential amendments are made to the: *Business Corporations Act, S.B.C. 2002, c. 57; Credit Union Incorporation Act, R.S.B.C. 1996, c. 82; Financial Information Act, R.S.B.C. 1996, c. 14; Financial Institutions Act, R.S.B.C. 1996, c. 141; Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 16; Insurance Act, R.S.B.C. 2012, c. 1; Insurance Premium Tax Act, R.S.B.C. 1996, c. 232; Land Owner Transparency Act (Bill 23); Mortgage Brokers Act, R.S.B.C. 1996, c. 313; Pension Benefits Standards Act, S.B.C. 2012, c. 3; Public Service Labour Relations Act, R.S.B.C. 1996, c. 388*

Transitional
Provisions: Definition of "commission"; preparation by Authority, assets, liabilities and agreements, dissolution of Financial Institutions Commission and regulations

Statutes
Repealed: None

Summary: Section 1 creates these definitions:

- "Authority";
- "board";
- "chief executive officer"; and
- "director".

Section 2 creates a new Crown corporation: BC Financial Services Authority (the "Authority").

Section 3 provides that the Authority is an agent of government and not liable for taxation.

Section 4(a) specifies that the Authority must exercise the powers and perform the duties of the Authority for the purposes of the *Financial Services Authority Act*.

Section 5 provides that the Authority has capacity and powers of natural person, subject to regulation.

Section 6 provides that the Authority is managed by a board of directors.

Section 7 specifies that certain provisions of the *Administrative Tribunals Act* apply to the Authority.

Section 8 lists the powers and duties of the Authority's board.

Section 9 requires that the board must appoint a chief executive officer of the Authority.

Section 10 requires that, subject to regulation, the board must appoint the chief executive officer to the Superintendent of Financial Institutions, Superintendent of Pensions and the Registrar of Mortgage Brokers.

Section 11 provides that the Authority may appoint officers and employees of the Authority.

Section 13 allows by regulation for designate administrative services that the Authority must obtain from the government or other parties as specified.

Section 14 requires that the Authority must place with the Minister of Finance, for investment, any money the Authority receives but does not require before the end of its next fiscal year for exercising its powers and performing its duties.

Section 15 allows the Authority, subject to regulation and approval of the Minister of Finance, to borrow the sums of money it considers necessary or advisable in order to exercise its powers or perform its duties.

Section 16 requires that Authority must not incur or budget for a deficit, as determined in accordance with generally accepted accounting principles, for a fiscal year without the prior written approval of the Minister of Finance.

Section 17 requires that the Authority must establish and maintain an accounting system satisfactory to the Minister of Finance as specified.

Section 18 provides that, subject to regulation, the *Business Corporations Act* and *Societies Act* may apply to the Act.

Section 19 provides that section 5 of the *Offence Act* does not apply to the Act or the regulations. Section 5 of the *Offence Act* provides for a general offence for a person who contravenes an enactment by doing an act that it forbids, or omitting to do an act that it requires to be done, commits an offence against the enactment.

Section 20 provides for personal liability for the Authority's staff and executive as specified.

Section 21 permits, by regulation, the appointment of a public administrator to exercise the powers and perform the duties of the board.

Section 22 permits specified regulations to be made.

Sections 23 to 25 and section 27 are transitional provisions.

Sections 32(a), 34, 36, 37(a), 41 to 43, 47(a), 48, 52, 53 and 55 to 57 are all consequential amendments.

Note: Sections 4(b) to (g), 12, 26 (dissolving and disestablishing the Financial Institutions Commission), sections 28, 29, 30, 31, 32(b), 33, 35, 37(b), 38, 39, 40, 44, 45, 46, 47(b) and (c), 49, 50, 51, 54, 58 and 59, all come into force by future regulation.

In Force: Sections 1 to 3, 4(a), 5 to 11, 13 to 25, 27, 32(a), 34, 36, 37(a), 41 to 43, 47(a), 48, 52, 53 and 55 to 57 are in force June 4, 2019

HEALTH SECTOR STATUTES REPEAL ACT, S.B.C. 2018, C. 50 (BILL 47)

Amended: A consequential amendment is made to the *Community Services Labour Relations Act*, S.B.C. 2003, c. 27

Transitional
Provisions: None

Statutes
Repealed: *Health and Social Services Delivery Improvement Act*, S.B.C. 2002, c. 2 and *Health Sector Partnerships Agreement Act*, S.B.C. 2003, c. 93

Summary: By way of background, in 2007 the Supreme Court of Canada in the *Health Services and Support - Facilities Subsector Bargaining Assn. v. British Columbia*, [2007] 2 SCR 391, 2007 SCC 27 (CanLII), held that the *Health and Social Services Delivery Improvement Act's* provisions regarding contracting out, layoffs and bumping infringed the right to bargain collectively that is protected by the *Charter* and thus these provisions were unconstitutional. In 2008, the *Health Statutes Amendment Act, 2008*, S.B.C. 2008, c. 34 (Bill 36) repealed these unconstitutional *Health and Social Services Delivery Improvement Act* provisions.

Section 1 of Bill 47 repeals the *Health and Social Services Delivery Improvement Act* and the *Health Sector Partnerships Agreement Act*.

Section 2 of Bill 47 makes a consequential amendment to the *Community Services Labour Relations Act*, S.B.C. 2003, c. 27.

In Force: Sections 1 and 2 are in force July 1, 2019
See related regulations under the *Health and Social Services Delivery Improvement Act* and *Health Sector Partnerships Agreement Act*

HEALTH STATUTES AMENDMENT ACT, 2007, S.B.C. 2007, C. 19 (BILL 26)

Amended: *Business Practices and Consumer Protection Act, S.B.C. 2004, c. 2; Community Care and Assisted Living Act, S.B.C. 2002, c. 75; Community Living Authority Act, S.B.C. 2004, c. 60; Emergency Communications Corporations Act, S.B.C. 1997, c. 47; Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165; Health Care (Consent) and Care Facility (Admission) Act, R.S.B.C. 1996, c. 181; Health Emergency Act, R.S.B.C. 1996, c. 182; Health Planning Statutes Amendment Act, 2002, S.B.C. 2002, c. 15; Emergency and Health Services Act, R.S.B.C. 1996, c. 182; Health Professions Amendment Act (No. 2), 2003, S.B.C. 2003, c. 73; Medical Practitioners Act, R.S.B.C. 1996, c. 285; Pharmacists, Pharmacy Operations and Drug Scheduling Act, R.S.B.C. 1996, c. 363; Pharmacy Operations and Drug Scheduling Act, S.B.C. 2003, c. 77; Representation Agreement Act, R.S.B.C. 1996, c. 405; Supplements Repeal Act, S.B.C. 2006, c. 33; Workers Compensation Act, R.S.B.C. 1996, c. 492*

Transitional Provisions: None

Statutes Repealed: None

Summary: Section 2 of Bill 26 makes a consequential amendment to the *Community Care and Assisted Living Act* as a result of the repeal and replacement by Bill 26 regarding the definition of "care facility" in the *Health Care (Consent) and Care Facility (Admission) Act*.

Sections 6(a), 7, 9 and 10 of Bill 26 amend the *Health Care (Consent) and Care Facility (Admission) Act*.

Section 6(a) repeals the definitions of "care facility" and "facility care proposal".

Section 7 removes a reference to the repealed definition "facility care proposal".

Section 9 substitutes the defined term "manager" and replaces a provision to reflect the new Part 3 (Admission to a Care Facility) of the Act.

Section 10 amends regulation-making powers to reflect the new Part 3 of the Act.

Section 37 of Bill 26 amends the *Representation Agreement Act* to make a consequential amendment to the repeal of the definition of "facility care proposal" in the *Health Care (Consent) and Care Facility (Admission) Act*.

Section 38 of Bill 26 amends the *Supplements Repeal Act* to repeal an inoperative provision.

Section 6(b) of Bill 26, except as it enacts paragraph (b) of the definition of "care facility" in section 1 of the *Health Care (Consent) and Care Facility (Admission) Act*, adds definitions of "care facility", "manager" and "person in care".

Section 8 of Bill 26, except as it enacts section 25(2) and (4)(b) of the *Health Care (Consent) and Care Facility (Admission) Act*, repeals and replaces Part 3 (Admission to a Care Facility), as enacted by section 13 of the *Supplements Repeal Act*. Part 3 has provisions regarding:

- Admission to a care facility;
- Adult's consent to admission;
- Substitute consent;
- Rights and duties of person authorized to give substitute consent;
- Emergency admissions;
- Continued residence in a care facility as specified;
- Determining incapability; and
- Use of restraints.

In Force: Sections 2, 6(a), 7, 9, 10, 37 and 38 of the *Health Statutes Amendment Act, 2007*, are in force November 4, 2019. Section 6(b) of the *Health Statutes Amendment Act*, except as it enacts paragraph (b) of the definition of "care facility" in section 1 of the *Health Care (Consent) and Care Facility (Admission) Act*, is in force November 4, 2019. Section 8 of the *Health Statutes Amendment Act, 2007*, except as it enacts section 25(2) and (4)(b) of the *Health Care (Consent) and Care Facility (Admission) Act*, is in force November 4, 2019

See related regulations under the *Community Care and Assisted Living Act* and the *Health Care (Consent) And Care Facility (Admission) Act*

LAND STATUTES AMENDMENT ACT, 2018, S.B.C. 2018, C. 37 (BILL 37)

Amended: *Boundary Act*, R.S.B.C. 1996, c. 32; *Land Act*, R.S.B.C. 1996, c. 245; *Land Title Act*, R.S.B.C. 1996, c. 250; *Property Transfer Tax Act*, R.S.B.C. 1996, c. 378.
Consequential amendment is made to the *Strata Property Act*, S.B.C. 1998, c. 43

Transitional
Provisions: None

Statutes
Repealed: None

Summary: Sections 3 to 10 of Bill 37 amend the *Land Act*.

Land Act

Section 3 amends a heading to read "Division 1 – Definitions and Application".

Section 4 permits the Surveyor General to recognize additional e-signature technologies.

Section 5 adds a new heading Division 2 (Electronic Plans) to Part 7.2 (Deposit of Electronic Plans in Crown Land Registry).

Sections 6 and 7 are consequential amendments made as a result of section 4 amended by Bill 37.

Section 8 adds a new heading Division 3 (Certification of Subscribers) to Part 7.2 (Deposit of Electronic Plans in Crown Land Registry).

Section 9 adds a new heading Division 4 (General) to Part 7.2 (Deposit of Electronic Plans in Crown Land Registry);

Section 10 clarifies and adds e-filing offences.

Land Title Act

Section 11, 13, 17, 18, 22 amend the *Land Title Act*.

Section 11 amends the definition of "true copy" to mean, in relation to an electronic document, either an exact copy of the document or a legible paper copy of the document containing every material provision and particular contained in the original.

Sections 13, 17 and 22 are consequential amendments made to the replacement by Bill 37 of Part 10.1 of the Act.

Section 18 repeals and replaces Part 10.1 (Electronic Filing), including to:

- Add new definitions as specified;
- Permit an applicant to file simple applications without the need for a lawyer or notary;
- Permit the director to direct that a document may be submitted electronically or may only be submitted electronically;
- Provide special rules for specified documents, including: plans, charges and supporting documents;
- Specify offences for wilfully making a false certification or signs, using an electronic signature of another person, a document that may be submitted electronically or permits an electronic signature of the person to be used by another person to sign a document that may be submitted electronically.

Property Transfer Tax Act

Sections 30 to 34 amend the *Property Transfer Tax Act*.

Section 30 repeals the definitions of "electronic", "electronic signature" and "subscriber" and adds the definitions of "designate" and "execution copy". Section 30 also amends the definition of "true copy" to mean, in relation to an electronic document, either an exact copy of the document or a legible paper copy of the document containing every material provision and particular contained in the original.

Section 31 repeals and replaces the provision regarding filing electronic returns.

Section 32 aligns an evidentiary rule with the similar rule in the *Land Title Act* for e-filed documents.

Section 33 clarifies and expands e-filing offences.

Section 34 removes unnecessary regulation-making powers.

Strata Property Act

Section 35 makes a consequential amendment to the *Strata Property Act*.

In Force: Sections 3 to 11, 13, 17, 18, 22 and 30 to 35 are in force November 15, 2019
See related regulations under the *Expropriation Act, Land Title Act, Strata Property Act*

MISCELLANEOUS STATUTES AMENDMENT ACT (NO. 2), 2018, S.B.C. 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: Section 31 and 32 of Bill 24 amend the *Riparian Areas Protection Act*.

Section 31 permits regulations that establish methods and criteria for studies, assessments, reports and opinions to refer, for limited purposes, to technical manuals published by the Minister

Section 32 permits the Minister to publish technical manuals.

In Force: Sections 31 and 32 are in force November 1, 2019

See related regulations under the *Riparian Areas Protection 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: Section 5(a), as it enacts the definition of "evaluating officer", sections 5(d) and (f), 6(a) and (c) and 7, section 13(a), as it enacts section 94.6(1)(a.1), (a.2) and (a.3) of the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, sections 13(e) and (f) and 14(d) and (e), section 16(b), as it enacts section 210(3.1)(r), (s) and (u) of the *Motor Vehicle Act* and sections 16(c), 17 and 20 of Bill 17 all amend the *Motor Vehicle Act*.

Section 5(a) enacts the definition of "evaluating officer".

Section 5(d) provides for serving a notice of driving prohibition relating to a person:

- Having a blood drug concentration equal to or exceeding a prescribed blood drug concentration;
- Having a blood alcohol concentration and a blood drug concentration equal to or exceeding the prescribed blood alcohol and blood drug concentrations, or
- Operating a motor vehicle while the person's ability to operate the motor vehicle was impaired by a drug or by a combination of alcohol and a drug;

Section 5(f) is a consequential amendment regarding the repeal and replacement of section 94.2 of the Act by Bill 17.

Sections 6(a) and (c) update references to the *Criminal Code*.

Section 7 provides for the commencement of driving prohibitions resulting from different circumstances by repealing and replacing section 94.2.

Section 13(a), as it enacts section 94.6(1)(a.1), (a.2) and (a.3) of the *Motor Vehicle Act*, provides new grounds on which the superintendent, after considering an application for review under section 94.4 of the Act, must confirm a driving prohibition.

Section 13(e) provides new grounds on which the superintendent, after considering an application for review under section 94.4 of the Act, must revoke a driving prohibition.

Section 13(f) provides the superintendent with discretionary powers if the period for sending a decision to the applicant is extended.

Section 14(d) and (e) add new grounds for the superintendent to revoke a driving prohibition under the section and revises other grounds for consistency with the *Criminal Code*.

Section 16(b), as it enacts section 210(3.1)(r), (s) and (u) of the *Motor Vehicle Act*, permits regulations to be made regarding:

- Prescribing the blood drug concentration for a drug;
- Prescribing a blood alcohol concentration and a blood drug concentration for a drug; and
- Prescribing requirements in relation to an evaluating officer who conducts an evaluation of a person who serves a notice of driving prohibition on a person.

Section 16(c) permits regulations to be made regarding driving prohibitions.

Section 17 updates a reference to the *Criminal Code*.

Section 20 is a transitional provision regarding the period of driving prohibition.

In Force: Section 5(a), as it enacts the definition of "evaluating officer", sections 5(d) and (f), 6(a) and (c) and 7, section 13(a), as it enacts section 94.6(1)(a.1), (a.2) and (a.3) of the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, sections 13(e) and (f) and 14(d) and (e), section 16(b), as it enacts section 210(3.1)(r), (s) and (u) of the *Motor Vehicle Act* and sections 16(c), 17 and 20 of Bill 17 are in force July 15, 2019

See related regulations under the *Motor Vehicle Act* and *Offence Act*

OIL AND GAS ACTIVITIES AMENDMENT ACT, 2018, S.B.C. 2018, C. 54
(BILL 56)

Amended: *Oil and Gas Activities Act*, S.B.C. 2008, c. 36

Transitional
Provisions: None

Statutes
Repealed: None

Summary: Sections 13, 16 and 18 of Bill 56 amend the *Oil And Gas Activities Act*.

Section 13 requires the Commission to investigate after receipt of an application complaining about an alleged contravention regarding the emission of methane.

Sections 16 and 18 are consequential amendments as a result of the new Division 3.1 (Public Requests for Investigation) to Part 5 (Compliance and Enforcement) made by Bill 56.

In Force: Sections 13, 16 and 18 are in force January 1, 2020

See related regulations under the *Oil and Gas Activities Act*

PASSENGER TRANSPORTATION AMENDMENT ACT, 2018, S.B.C. 2018 (BILL 55)

Amended: *Passenger Transportation Act*, S.B.C. 2004, c. 39. Consequential amendments are made to the: *Commercial Transport Act*, R.S.B.C. 1996, c. 58; *Community Charter*, S.B.C. 2003, c. 26; *Insurance Corporation Act*, R.S.B.C. 1996, c. 228; *Insurance (Vehicle) Act*, R.S.B.C. 1996, c. 23; *Local Government Act*, R.S.B.C. 2015, c. 1; *Miscellaneous Statutes Amendment Act (No.2)*, 2007, S.B.C. 2007, c. 24; *Motor Vehicle Act*, R.S.B.C. 1996, c. 318; *Public Sector Employers Act*, R.S.B.C. 1996, c. 384; *Vancouver Charter*, S.B.C. 1953, c. 55

Transitional
Provisions: Definitions and interpretation, passenger directed vehicles, inter-city buses, vehicle identifiers and vehicle identification certificates, pending applications to amend licences or obtain temporary operating permits, municipal chauffeur permit holders, record check certificates, restrictions on local government jurisdiction, regulations

Statutes

Repealed: None

Summary: Sections 1(a), (c) to (j) and (m), section 2(a), section 2(b), except as it enacts section 5(2)(b) of *the Passenger Transportation Act*, sections 2(c) and (d), 3(a) and (b), 10 and 12 to 14 of Bill 55 amend the *Passenger Transportation Act*.

Part 1 (Definitions)

Section 1(a) adds definitions of "accessible passenger directed vehicle" and "fleet size".

Section 1(c) repeals and replaces the definition of "inter-city bus".

Section 1(d) adds a definition of "inter-city bus authorization".

Section 1(e) amends the definition of "managing".

Section 1(f)) adds a definition of "mobility aid".

Section 1(g) repeals and replaces the definition of "passenger directed vehicle".

Section 1(h) adds a definition of "passenger directed vehicle authorization".

Section 1(i) repeals and replaces the definition of "rates".

Section 1(j) repeals and replaces the definition of "special authorization".

Section 1(m) adds the definitions of:

- "transportation network services";
- "transportation network services authorization";
- "vehicle identifier".

Part 2 (Registrar of Passenger Transportation)

Section 2(a) adds an audit power to the powers of the Registrar of Passenger Transportation.

Section 2(b), except as it enacts section 5(2)(b) of *the Passenger Transportation Act*, with new powers regarding:

- Safety certificates;
- Compliance with the Act;
- Licence or temporary operating permits;
- Penalties imposed and orders made;
- Specified investigations; and
- Any other matter in relation to which the Registrar or the board has powers or duties under the Act.

Section 5(2)(b) of *the Passenger Transportation Act* adds an audit and investigation power regarding criminal record checks under section 42.2 of the Act, as added by Bill 55.

Sections 2(c) and (d) add audit powers to investigation powers regarding specified matters.

Part 3 (Passenger Transportation Board)

Section 3(a) and (b) add audit powers to the Board and give the Board the power to conduct investigations into any matter related to the provision of transportation network services.

Part 4 (Licences)

Section 10 provides that a licence is required to provide transportation network services and that specified requirements are met.

Section 12 changes the heading to “Division 3 – Inter-City Buses, Passenger Directed Vehicles and Transportation Network Services”.

Section 13 permits the Registrar to conduct an audit regarding considering applications.

Section 14 requires the Board to specify the authorizations to be included in a licence, if issued, and sets out the terms and conditions that may or must be established by the Board regarding authorizations included in the licence.

Part 1 (Definitions)

Section 1(b) repeals the definition of "general authorization vehicle identifier".

Section 1(k) repeals the definition of "special authorization vehicle identifier".

Section 1(l) amends the definition of "temporary operating permit".

Part 2 (Registrar of Passenger Transportation)

Section 2(b), as it enacts section 5(2)(b) of the *Passenger Transportation Act* regarding adding an audit and investigation power regarding criminal record checks under section 42.2 of the Act, as added by Bill 55.

Sections 3(c) adds power to the Board to set rates regarding passenger directed vehicles or transportation network services as specified.

Part 3 (Passenger Transportation Board)

Section 4 requires the Board to make annual reports and recommendations to the minister.

Part 4 (Licences)

Section 5 prohibits a person from operating a motor vehicle as a type of commercial passenger vehicle unless the motor vehicle is being operated under a valid licence and other specified requirements are met.

Sections 6 and 7 update terminology for consistency.

Section 8 repeals a provision that is unnecessary given section 59.6 of the Act, as added by Bill 55.

Section 9 adds a new provision regarding licences required to provide transportation network services.

Section 11(a), except as it enacts section 25(1)(e) of the *Passenger Transportation Act*, sets out requirements that must be met before the Registrar may issue a licence that includes only a general authorization. Section 25(1)(e) of the *Passenger Transportation Act* requires prescribes fees to be paid.

Section 11(b) requires that the Registrar must establish as a term or condition of a licence regarding the display of vehicle identifiers.

Section 11(c) authorizes the Registrar to include other terms and conditions in the licence.

Section 15, except as it enacts section 29(1)(e)(ii) of the *Passenger Transportation Act*, sets out the Registrar's powers and duties regarding the issuance of licences that include special authorizations. Section 29(1)(e)(ii) of the *Passenger Transportation Act* requires a prescribed fee for vehicle identifiers.

Section 16 sets out rules regarding the application of provisions in Divisions 2 and 3 of Part 4 to transfers of licences. Section 16 also requires a person who transfers a licence to cease displaying vehicle identifiers and to collect and return those identifiers.

Section 17 amends cross-references, consequential to amendments made by Bill 55.

Section 18 permits a licensee to operate additional motor vehicles as general passenger vehicles or inter-city buses without obtaining an amendment to the licensee's licence. Section 18 also prohibits a licensee from increasing the licensee's fleet size or providing additional transportation network services unless the licensee obtains an amendment to the licensee's licence.

Section 19(a) removes references to vehicle identification certificates, consequential to the removal by Bill 55 of vehicle identification certificates from the Act.

Sections 19(b) to (d) replace references to special authorization vehicle identifiers with references to vehicle identifiers.

Section 20 requires the Registrar to renew a licence if satisfied that specified requirements are met. Section 20 also requires the Registrar to provide vehicle identifiers with a renewed licence, if required under the renewed licence. Section 20 repeals a subsection, consequential to the removal by Bill 55 of vehicle identification certificates from the Act.

Section 21 adds a reference to a transportation network services authorization, consequential to the addition by this Bill 55.

Section 22 permits a person who is not a licensee to temporarily operate commercial passenger vehicles if the person has a valid temporary operating permit. Section 22 also permits a person who is not a licensee to apply to the

Registrar for a temporary operating permit and requires the Registrar to consider the application as specified.

Section 23 adds a new provision regarding an application by a licensee to temporarily increase fleet size. Section 23 also permits the Board, if satisfied that specified requirements are met, to issue a temporary operating permit in response to an application received under the new provision added by Bill 55 regarding an application by a licensee to temporarily increase fleet size.

Section 24 requires the Registrar, if satisfied that specified requirements are met, to issue a temporary operating permit in response to an application as specified.

Section 25 permits the board, if satisfied that specified requirements are met, to issue a temporary operating permit in response to an application received as specified.

Section 26 amends requirements for passenger directed vehicles operated under temporary operating permits by allowing persons who operate those motor vehicles to carry in the motor vehicle either a copy of the temporary operating permit or evidence of authority to operate under that permit.

Section 27 authorizes the Registrar or the board to require a licensee, or a person who operates motor vehicles under the licensee's licence, to complete a specified education or training program.

Section 28 removes the reference to a vehicle identification certificate, consequential to the removal by Bill 55 of vehicle identification certificates from the Act.

Section 29 adds a new provision that requires the Legislative Assembly to appoint a special committee, by January 1, 2022, to conduct a review of passenger directed vehicle services and transportation network services administered under the Act.

Part 5 (Operation of a Commercial Passenger Vehicle)

Section 30 requires prescribed record checks for drivers of passenger directed vehicles. Section 30 requires that a record check certificate must be displayed in a passenger directed vehicle.

Section 31 repeals and replaces the provision regarding licence or evidence of authority to operate must be carried in motor vehicle.

Section 32 requires a person who is operating a motor vehicle as a commercial passenger vehicle to display the vehicle identifier required unless exempted as specified.

Section 33 requires a licensee to report to the Registrar, and to collect and return vehicle identifiers issued by the Registrar, if the licensee voluntarily ceases to operate a commercial passenger vehicle or provide transportation network services under a licence. Section 33 also requires a person who operates a commercial passenger vehicle under a licence to cease displaying a vehicle identifier, and to return the vehicle identifier to the licensee, if the licensee voluntarily ceases to operate the commercial passenger vehicle under the licence.

Section 34 requires a licensee or permit holder to make reasonable efforts to ensure compliance with specified provisions of the Act.

Part 6 (Enforcement)

Section 35 updates prohibition orders that the registrar may make as specified. Section 35 also increases from \$1,500 to \$50,000 the administrative fine regarding licences. Section 35 further adds a new subsection that sets out matters that must be considered before the registrar proposes to impose an administrative fine on a licensee.

Section 36 authorizes the Registrar to impose penalties, without notice, on a licensee if specified requirements are not met or if the licensee fails to comply with specified provisions. Section 36 also removes requirements relating to vehicle identification certificates, consequential to the removal by this Bill of vehicle identification certificates from the Act, and updates references and requirements relating to vehicle identifiers.

Section 37 makes consequential amendments.

Part 7 (General)

Section 38 permits regulations to be made regarding fees and charges.

Section 39 adds references to temporary operating permits and removes the reference to vehicle identification certificates, consequential to the removal by this Bill of vehicle identification certificates from the Act, and replaces references to general authorization vehicle identifiers and special authorization vehicle identifiers with references to vehicle identifiers.

Section 40, except as it enacts sections 57.1(2)(a) and 57.3(4)(a) and (6)(a) of the *Passenger Transportation Act*, amends offence provisions.

Section 57.1(2)(a) provides that an individual who commits an offence regarding record checks for drivers of passenger directed vehicles is liable to a minimum \$1,000 fine.

Section 57.3(4)(a) provides that an individual who commits an offence regarding specified offences is liable to a minimum \$1,000 fine.

Section 57.3(6)(a) provides that, if an offence as specified continues for more than one day, separate fines may be imposed for each day the offence continues and, for this purpose, each fine must be, as applicable, more than the \$1,000 minimum fine.

Part 7.1 (Regulations)

Section 41 adds a new heading “Part 7.1 (Regulations)”.

Section 42 authorizes regulation-making powers as specified.

Transitional Provisions

Section 43 is a transitional provision regarding definitions and interpretation.

Section 44 is a transitional provision regarding passenger directed vehicles.

Section 45 is a transitional provision regarding inter-city buses.

Section 46 is a transitional provision regarding vehicle identifiers and vehicle identification certificates.

Section 47 is a transitional provision regarding pending applications to amend licences or obtain temporary operating permits.

Section 48 is a transitional provision regarding municipal chauffeur permit holders.

Section 49 is a transitional provision regarding record check certificates.

Section 50 is a transitional provision regarding restrictions on local government jurisdiction.

Section 51 is a transitional provision regarding regulations.

Consequential Amendments

Section 54 makes a consequential amendment to the *Community Charter*.

Sections 57, 58, 59 and 60 make consequential amendments to the *Insurance (Vehicle) Act*.

Sections 62, 63, 64 and 65 make consequential amendments to the *Local Government Act*.

Section 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77 make consequential amendments to the *Motor Vehicle Act*.

Section 79 makes a consequential amendment to the *Vancouver Charter*.

In Force: Sections 1(a), (c) to (j) and (m), section 2(a), section 2(b), except as it enacts section 5(2)(b) of the *Passenger Transportation Act*, sections 2(c) and (d), 3(a) and (b), 10 and 12 to 14 are in force September 3, 2019. Section 1(b), (k) and (l), section 2(b), as it enacts section 5 (2) (b) of the *Passenger Transportation Act*, sections 3(c) and 4 to 9, section 11(a), except as it enacts section 25(1)(e) of the *Passenger Transportation Act*, section 11(b) and (c), section 15, except as it enacts section 29(1)(e)(ii) of the *Passenger Transportation Act*, sections 16 to 18, 19(a) to (d) and 20 to 39, section 40, except as it enacts sections 57.1(2)(a) and 57.3(4)(a) and (6)(a) of the *Passenger Transportation Act*, sections 41 to 51, 54, 57 to 60, 62 to 65, 67 to 77 and 79 55 are in force September 16, 2019

See related regulations under the *Commercial Transport Act*, *Insurance (Vehicle) Act*, *Local Government Act*, *Motor Vehicle Act*, *Offence Act*, *Passenger Transportation Act* and *Utilities Commission Act*

SUPPLEMENTS REPEAL ACT, S.B.C. 2006, C. 33

Amended: Consequential amendments are made to the: *Commercial Arbitration Act, R.S.B.C. 1996, c. 55; Family Maintenance Enforcement Act, R.S.B.C. 1996, c. 127; Family Relations Act, R.S.B.C. 1996, c. 128; Health Care (Consent) and Care Facility (Admission) Act, R.S.B.C. 1996, c. 181; Health Emergency Act, R.S.B.C. 1996, c. 182; Hospital Act, R.S.B.C. 1996, c. 200*

Transitional

Provisions: Repeal of inoperative provisions

Statutes

Repealed: None

Summary: Section 13 of the *Supplements Repeal Act* amends the *Health Care (Consent) and Care Facility (Admission) Act* to add a new Part 3 (Admission to a Care Facility) with provisions regarding:

- Facility care proposal required;
- If a facility care proposal is rejected;
- Who can accept the proposal if the adult is incapable;
- Duty to notify others of admission;
- Authority to consent to health care not included;
- Use of restraints; and
- Right to leave care facility.

In force: Section 13 is in force November 4, 2019

See related regulations under the *Health Care (Consent) And Care Facility (Admission) Act*

TEMPORARY FOREIGN WORKER PROTECTION ACT, S.B.C. 2018, C. 45 (BILL 48)

Amended: Consequential amendments are made to the: *Employment Standards Act, R.S.B.C. 1996, c. 113 and the Workers Compensation Act, R.S.B.C. 1996, c. 492*

Transitional

Provisions: Part 12

Statutes

Repealed: None

Summary:

Part 1 (Introductory Provisions)

Sections 1 lists definitions.

Section 2 provides that the requirements of this Act and regulations cannot be waived.

Part 2 (Licences for Foreign Worker Recruiters)

Section 4 provides that only an individual is eligible to be issued a licence as a foreign worker recruiter.

Section 5 requires that an applicant must apply as specified for a licence as a foreign worker recruiter.

Section 6 authorizes the director to issue or refuse a licence.

Section 7 authorizes the director to amend, suspend or cancel a licence as specified.

Section 8 requires that before the director makes a specified decision regarding a licence, the director must give notice to the applicant or licensee, as applicable, and an opportunity to make written representations to the director.

Section 9 provides that if the licensee's licence is suspended or cancelled, the licensee's rights and privileges under the licence are removed for the period during which the licence is suspended, or, in the case of a cancellation, are terminated.

Part 3 (Certificates of Registration for Employers of Foreign Nationals)

Part 4 (Reconsiderations Respecting Licences and Certificates of Registration)

Section 16(a) and (b) provides that "decision" means a decision by the director regarding issuance or refusal of licence and amendment, suspension or cancellation of licence.

Section 17(a) and (b) provide that a copy of a decision served on a person regarding issuance or refusal of licence or opportunity to be heard respecting actions in relation to licence, must include notification that the person may request a reconsideration by the director of the decision;

Section 18 provides that a person who is subject to a decision may request the director to reconsider the decision by filing a request for reconsideration with the director.

Section 19 provides for how the director is to act regarding reconsideration of a decision.

Part 5 (Foreign Worker Recruiter and Employer Obligations)

Section 24 provides that a foreign worker recruiter must disclose to the director the names and addresses of all the foreign worker recruiter's partners, affiliates or agents located or operating inside or outside of BC.

Section 28(1) provides that a licensee or former licensee must retain all records specified regarding recruitment services provided by the licensee or former licensee to a foreign national.

Section 28(3) provides that specified records must be retained at least 4 years after the date on which they were created and be available for inspection.

Part 6 (Registry and Information Sharing)

Section 29(1)(a) requires that the director must establish and maintain a registry regarding foreign worker recruiters as specified.

Section 30 authorizes the director to provide information collected and obtained under this Act, including personal information as defined in the *Freedom of Information and Protection of Privacy Act*, to specified organizations or persons.

Part 7 (Investigations, Complaints and Determinations)

Section 31 makes a definition of "complaint".

Section 32 authorizes the director to conduct investigations as specified.

Section 36 requires that, if an investigation is conducted, the director must make reasonable efforts to give a person under investigation an opportunity to respond.

Section 37 provides that the director is not required to give an oral hearing to any person the director investigates as specified.

Section 38(1) authorizes the director to make specified determinations if a person has contravened the Act.

Section 38(3) authorizes the director may make a requirement as specified.

Section 38(4) requires that a person on whom the director imposes a requirement under this section must comply with that requirement.

Section 38(5) provides that, if the director requires a person to pay costs or an administrative penalty, the amount required to be paid is a debt due to the government and may be collected under the Act by the director.

Section 38(6) requests that a person who is required to pay an amount owing must pay the amount whether or not the person had been convicted of an offence under the Act or is also liable to pay a fine for an offence.

Section 38(7) provides that if the director is satisfied that the requirements of this Act and the regulations have not been contravened, the director must dismiss the complaint.

Section 39 requires that the director must serve any person named in the determination with a copy of the determination that includes specified information.

Section 40 provides that once a determination is made requiring payment of an amount, a person may commence another proceeding to recover the amount only if the director has consented in writing or the director or the tribunal has cancelled the determination.

Section 42 authorizes the director to compel persons to answer questions and order disclosure.

Section 43 authorize the director to make orders or give directions that the director considers necessary for the maintenance of order at the hearing.

Section 44 provides that the director may apply to the Supreme Court for a contempt order for an uncooperative person.

Section 45 provides that the director or person acting on behalf of the director is immune from legal proceedings.

Section 46 provides the director with entry and inspection powers as specified.

Section 47 permits the director to vary or cancel a determination as specified.

Section 48 provides that the director does not have jurisdiction over constitutional questions relating to the *Canadian Charter of Rights and Freedoms*.

Section 49 provides that the director does not have jurisdiction to apply the *Human Rights Code*.

Part 8 (Enforcement)

Section 54(1) authorizes the director to file in a Supreme Court registry a determination or an order of the tribunal.

Section 54(2) provides that a filed determination is enforceable in the same manner as a judgment of the Supreme Court as specified.

Section 54(4) provides that, if a filed determination or order is varied, cancelled or suspended, the director must promptly withdraw the determination or order from filing in the Supreme Court registry.

Section 60 requires that the director must pay to Minister of Finance all money received by the director under the Act.

Part 9 (Employment Standards Tribunal)

Part 10 (Appeals)

Part 11 (General Provisions)

Section 73 provides that the director may delegate powers as specified.

Section 74 provides that the right to sue is presumed as specified.

Section 75 authorizes a warrant to be issued to carry out inspection powers under the Act.

Section 76 provides that the director cannot be required to give evidence in other proceedings.

Section 77 provides for service of notices, decisions, determinations or demands.

Section 78 provides that a technical irregularity does not invalidate a proceeding under the Act.

Section 79 provides that there is a 2 year limitation for an offence under the Act.

Section 80 lists offences, including a maximum \$50,000 fine or maximum 1 year imprisonment for an individual who commits an offence and a maximum \$100,000 fine, in the case of a corporation who commits an offence.

Section 81 lists evidence and burden of proof as specified.

Section 82 permits specified regulations to be made.

Part 12 (Transitional Provisions and Consequential Amendments)

Section 83 makes a transitional amendment regarding regulations.

Section 84 makes a consequential amendment to the *Employment Standards Act*.

Part 1 (Introductory Provisions)

Part 2 (Licences for Foreign Worker Recruiters)

Section 3 provides that a person must not provide recruitment services or act as or purport to be a foreign worker recruiter unless the person holds a licence, subject to exceptions.

Part 3 (Certificates of Registration for Employers of Foreign Nationals)

Part 4 (Reconsiderations Respecting Licences and Certificates of Registration)

Part 5 (Foreign Worker Recruiter and Employer Obligations)

Section 22 requires that, if a foreign worker recruiter is receiving a fee or compensation for referring a foreign national to another person, the recruiter must clearly disclose that fact in writing to the foreign national.

Section 23 requires that a foreign worker recruiter who provides recruitment services to an employer and immigration services to a foreign national must disclose that fact that the recruiter is acting for both parties, disclose the nature of services provided, obtain consent and have a signed contract as specified.

Section 25 requires that a foreign worker recruiter must ensure that specified parties comply with the Act and regulations.

Section 26(1) requires that a foreign worker recruiter must make available to each foreign national approved information about the rights of foreign nationals and foreign workers under the Act.

Section 27 specifies information that must be in a contract that a foreign worker recruiter must enter into with the foreign national or the employer.

Part 6 (Registry and Information Sharing)

Section 29(2) requires that the director must publish the information in the licensed foreign worker recruiter registry and registered employer registry.

Part 7 (Investigations, Complaints and Determinations)

Section 33(1)(c) to (f) permits a person to complain that a person has contravened specified provisions of the Act.

Section 33(2) provides that a complaint must be in writing and be delivered to an office of the Employment Standards Branch within 2 years of the date of the alleged contravention.

Section 34 requires that the director must, if requested in writing by a complainant, not disclose any identifying information about the complainant subject to exceptions.

Section 35 requires that the director must investigate a complaint.

Section 41(1) bans a foreign worker recruiter from mistreating a person because of a complaint or investigation.

Part 8 (Enforcement)

Section 50 provides for liens for amounts owing under a determination or order.

Section 51 provides that, if a person owes an amount under a determination or an order of the tribunal to another person, the person owing the amount must pay interest at the prescribed rate.

Section 52 authorizes the director to make a demand to a third party regarding payment of debt as specified.

Section 53 authorizes the director to enforce recovery of the amount stated in the demand if a person fails to comply with a demand made by the director.

Section 54(3) provides that a filed tribunal order is enforceable as if it was a judgment of the Supreme Court in favour of the director for the recovery of a debt in the amount stated in the order.

Section 55 authorizes the director to seize assets in order to satisfy determination or order amounts and seizure costs.

Section 56 requires that the director must release an asset if satisfied that the asset is owned by someone other than a person required to pay under a determination or an order of the tribunal.

Section 57 prohibits a person from removing assets seized by the director, except as specified.

Section 62 permits the director to publish violators' names.

Section 63 permits a person to search records held by the director after paying a prescribed fee.

Part 9 (Employment Standards Tribunal)

Section 64 provides for the application of specified provisions of the *Employment Standards Act*.

Section 65 permits the tribunal to hire a registrar and other employees.

Section 66 specifies the powers of the tribunal.

Section 67 provides that the tribunal has exclusive jurisdiction as specified.

Part 10 (Appeals)

Section 68 permits a person to appeal a director's determination to the tribunal.

Section 69 provides that a person who appeals a determination may request the tribunal to suspend the effect of the determination.

Section 70 provides that the tribunal may dismiss an appeal as specified.

Section 71 permits the tribunal to make orders.

Section 72 permits the tribunal to reconsider its decisions.

Part 11 (General Provisions)

Part 12 (Transitional Provisions and Consequential Amendments)

Section 85 makes a consequential amendment to the *Workers Compensation Act*.

In Force: Sections 1, 2, 4 to 9, 16(a) and (b), 17(a) and (b), 18, 19, 24, 28(1) and (3), 29(1)(a), 30, 31, 32, 36, 37, 38(1) and (3) to (7), 39, 40, 42 to 49, 54(1), (2) and (4), 60 and 73 to 84 are in force. Sections 3, 22, 23, 25, 26(1), 27, 29(2), 33(1)(c) to (f) and (2), 34, 35, 41(1), 50 to 53, 54(3), 55 to 57, 62 to 72 and 85 are in force October 1, 2019

See related regulations under the *Temporary Foreign Worker Protection Act*

END