



REGULATIONS TO NOTE

November 28, 2018 up to and including January 22, 2019

Assessment Act, amends the Exempt Interests Regulation (B.C. Reg. 302/90) is amended including to exempt liability to assessment an interest in Crown land that is the subject of a special use permit issued under the *Forest Practices Code of British Columbia Act* (effective December 10, 2018, B.C. Reg. 262/2018).

The Restricted-Use Property Valuation Regulation (B.C. Reg. 236/2017) is amended to:

- Repeal references to 2018 taxation year and replace them with references to the 2019 taxation year;
- Repeal the Schedule and replace the Schedule with Assessment Roll Designations and Actual Value for the 2019 Taxation Year (effective December 10, 2018, B.C. Reg. 264/2018).

The Electrical Power Corporations Valuation Regulation (B.C. Reg. 217/86) is amended including to:

- Provide that this regulation must be used for determinations of value for the purposes of assessment for the 2019 taxation year;
- Repeal and replace subsections regarding electrical power distribution line classification;
- Repeal and replace subsections regarding electrical power transmission line classification; and
- Repeal and replace Appendix A (Communication Towers – Installed Rates per Foot) (all effective December 14, 2018, B.C. Reg. 279/2018).

The Managed Forest Land and Cut Timber Values Regulation (B.C. Reg. 90/2000) is amended to:

- Provide that this regulation must be used for determinations of value for the purposes of assessment for the 2019 taxation year;

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- Repeal and replace Schedule B (2019 And Subsequent Assessment Years Schedule Of Land Values For Managed Forest Land – Assessment Act – S. 24 (7));
- Repeal and replace Schedule C (2019 And Subsequent Assessment Years Schedule Of Cut Timber Values For Managed Forest Land – Assessment Act – S. 24 (9)); and
- Repeal and replace Schedule D (2019 And Subsequent Assessment Years Schedule Of Cut Timber Values For Managed Forest Land – Assessment Act – S. 24 (9)) (all effective December 14, 2018, B.C. Reg. 280/2018).

The Notice for Eligible Major Industry Property Regulation is created (effective December 14, 2018, B.C. Reg. 281/2018). This Regulation prescribes the General Application and Notice of Commitment Form for Eligible Major Industry Property under Section 20(8) of the Assessment Act (effective December 14, 2018, B.C. Reg. 281/2018).

The Railway and Pipeline Corporations Valuation Regulation (B.C. Reg. 203/86) is amended to:

- Provide that this regulation must be used for determinations of value for the purposes of assessment for the 2019 taxation year;
- Repeal and replace subsections regarding rates to be used to determine the actual value of the track in place of a railway corporation; and
- Repeal and replace Schedule A and B (all effective December 14, 2018, B.C. Reg. 282/2018).

The Railway, Pipeline, Electric Power and Telecommunications Corporation Rights of Way Valuation Regulation (B.C. Reg. 218/86) is amended to:

- Provide that this regulation must be used for determinations of value for the purposes of assessment for the 2019 taxation year; and
- Repeal and replace subsections regarding rates to be used to determine the actual value of a right of way (all effective December 14, 2018, B.C. Reg. 283/2018).

The Telecommunications Corporations Valuation Regulation, B.C. Reg. 226/86, is amended to:

- Provide that this regulation must be used for determinations of assessment for the 2019 taxation year;
- Increase the rate from \$493 to \$501 per access line used to determine the actual value of the pole lines, cables, towers, poles and wires of a telephone corporation;

- Repeal and replace the rates listed in Table 3 (Base Installation Costs) used to determine the actual value of a fibre optics cable;
- Increase the rate from \$376 to \$382 per subscriber drop used to determine the actual value of the lines, cables and wires, including fibre optics cable, of a cable television corporation; and
- Repeal and replace Appendix A regarding communication towers (all effective December 14, 2018, B.C. Reg. 284/2018).

Cannabis Control and Licensing Act, amends the Cannabis Control Regulation (B.C. Reg. 204/2018) to add a new Part 5.1 (Compensation For Seized Cannabis) including to:

- Permit a person to apply for compensation as a result of the person’s cannabis being seized;
- Provide that compensation is available for non-medical cannabis:
 - cannabis purchased for consumption,
 - cannabis plant growing at a dwelling house and cannabis harvested from that plant, and
 - other cases as specified,
- Provide that compensation is available for medical cannabis:
 - purchased medical cannabis other than plants and seeds,
 - medical cannabis plants and seeds and cannabis harvested from plants (all effective (effective December 10, 2018, B.C. Reg. 265/2018).

Clean Energy Act, creates the BC Hydro Integrated Resource Plan Regulation (effective December 10, 2018, B.C. Reg. 266/2018). This Regulation prescribes February 28, 2021 as the submission date for an integrated resource plan.

Community Charter, amends the Port Improvements (Berth Corridor) Tax Exemption Regulation (B.C. Reg. 198/2004) 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).

Court Rules Act, amends the Small Claims Rules (B.C. Reg. 261/93) including to:

- Add subrules regarding deposits, default orders and a hearing for a matter that is not a debt;
- Repeal Rule 7.2 (Mediation for Claims up to \$10,000);
- Repeal Rule 7.4 (Mediation of Claims for More Than \$5,000 or for Damages for Personal Injury (Pilot Project – Robson Square Small Claims Registry));
- Add a new Rule 7.21 (Transitional Provisions For Rules 7.2 And 7.4);
- Add these orders that a judge may make after a hearing:
 - order dismissing a claim if no deposit is made by a claimant under the *Civil Resolution Tribunal Act*,
 - default order if no deposit made by a defendant as specified under the *Civil Resolution Tribunal Act*,
- Permit a judge to cancel or dismissal or default order for failing to make a deposit under the *Civil Resolution Tribunal Act*;
- Update reference to the *Residential Tenancy Act* and the *Manufactured Home Park Tenancy Act* regarding fax filing pilot project registries;
- Update Internet links in Form 20 (Fax Cover Sheet);
- Repeal Form 21 (Notice to Mediate);
- Repeal Form 22 (Verification of Non-Attendance);
- Amend Form 24 (Result of Mediation Form) to remove references to Rules 7.2 and 7.4 and add a reference to Rule 7.21;
- Repeal Form 27 (Notice of Mediation Session);

- Add to Form 28 (Electronic Filing Statement) reference to Notice of Civil Resolution Tribunal Claim;
- Add to Form 29 (Notice to Mediate for Claims Between \$10,000 and \$35,000) references to Notice of Civil Resolution Tribunal Claim;
- Add to Form 30 (Fee Declaration) references to Notice of Civil Resolution Tribunal Claim;
- Add to Form 31 (Verification of Default) references to Notice of Civil Resolution Tribunal Claim;
- Add to Form 33 (Trial Statement) references to Notice of Civil Resolution Tribunal Claim;
- Clarify wording on Form 34 (Notice of Civil Resolution Tribunal Claim); and
- Repeal Schedule C (Mediation Registries), Schedule D (Mediation Cases) and Schedule E (Excluded Cases), all consequential to the repealing of Rule 7.2 (all effective January 1, 2019, B.C. Reg. 267/2018).

Employer Health Tax Act, creates the Employer Health Tax Regulation (effective January 1, 2019, B.C. Reg. 268/2018). This Regulation provides that:

- Interest payable to the government under the Act must be calculated at the rate prescribed under the Interest Rate under Various Statutes Regulation (B.C. Reg. 386/92) and calculated on a daily basis and compounded monthly; and
- If an employer's tax payable for the preceding calendar year exceeds the prescribed amount of \$2,925, the employer must pay instalments to the government as specified (effective January 1, 2019, B.C. Reg. 268/2018).

The Interest Rate under Various Statutes Regulation (B.C. Reg. 386/92) is amended to add the *Employer Health Tax Act* to the regulation that prescribes the interest rate on amounts due (effective January 1, 2019, B.C. Reg. 268/2018).

Employment and Assistance Act, amends the Employment and Assistance Regulation (B.C. Reg. 263/2002) including to:

- Increase the crisis supplement for food from \$20 to \$40; and
- Repeal the subsections setting a limit on a family unit or person receiving a crisis supplement (both effective December 1, 2018, B.C. Reg. 248/2018).

Employment And Assistance For Persons With Disabilities Act, amends the Employment and Assistance for Persons with Disabilities Regulation (B.C. Reg. 265/2002) including to:

- Increase the crisis supplement for food from \$20 to \$40; and
- Repeal the subsections setting a limit on a family unit or person receiving a crisis supplement (both effective December 1, 2018, B.C. Reg. 248/2018).

Forest Act, creates the Refusal of Cutting Permit or Road Permit Regulation is created (effective January 8, 2019, B.C. Reg. 252/2018).

This Regulation:

- States the government’s objective regarding the provision under the Act permitting refusal of a cutting permit or road permit for the BC Timber Sales program within the Ministry;
- Sets out the specified factors that the Minister must consider in determining whether the issuance of a specified cutting permit or road permit would compromise the government’s objective;
- Requires the Minister to give written reasons to an applicant if the Minister determines that the issuance of a specified cutting permit or road permit would compromise government objectives.

Forest and Range Practices Act, amends the Forest Planning and Practices Regulation (B.C. Reg. 14/2004) including to:

- Repeal and replace the definition of “authorized person”;
- Add to the definition of “primary forest activity”, this following paragraph “(b.1) wildlife habitat enhancement”; and
- Add a holder of a special use permit that authorizes the holder to manage or use Crown land for silviculture treatments or wildlife habitat enhancement in the definition of "forest practice" (all effective December 10, 2018, B.C. Reg. 262/2018).

Forest Practices Code of British Columbia Act, amends the Provincial Forest Use Regulation (B.C. Reg. 176/95) including to:
(effective December 10, 2018, B.C. Reg. 274/2018).

- Provide that, unless the context indicates otherwise, words and expressions not defined in this regulation have the meaning given to them in the *Forest and Range Practices Act*;
- Permit use, by means of a special use permit, of Provincial forest:
 - to dispose organic debris from a remote log dump or dry land sort;
 - for silviculture treatments and associated facilities, including camps and waste disposal sites;
 - for wildlife habitat enhancement and associated facilities, including camps and waste disposal sites; and
- Eliminate use, by means of a special use permit, of Provincial forest for sequestration of carbon (all effective December 10, 2018, B.C. Reg. 262/2018).

Insurance (Vehicle) Act, amends the Insurance (Vehicle) Regulation (B.C. Reg. 447/83) is including to:

- Repeal and replace subsections regarding breach of conditions for offences committed by insureds before and after December 18, 2018;
- Repeal and replace the definitions of “convicted” and "motor vehicle related *Criminal Code* offence" regarding breach of conditions for offences committed by insureds before and after December 18, 2018; and
- Repeal and replace the definitions of “convicted” and "motor vehicle related *Criminal Code* offence" in a schedule regarding prohibited uses by insureds for offences committed by insureds before and after December 18, 2018 (all effective December 18, 2018, B.C. Reg. 253/2018).

Liquor Control and Licensing Act, amends the Liquor Control and Licensing Regulation (B.C. Reg. 241/2016) to:

- Add a definition of “dormancy period” that means the period that begins on the date that a licensee ceases operations in an establishment and ends 2 years after that date;
- Expand the prescribed circumstances where, if a licensee satisfies the general manager that any of the prescribed circumstances apply regarding a dormant licence (such as construction, Acts of God or demolition), the general manager must not to cancel the licence (effective December 10, 2018, B.C. Reg. 271/2018).

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

- Repeal the definition of “chains” and add new specified definitions;
- Repeal and replace the provision requiring chains on light commercial motor vehicles;
- Add a new provision requiring chains on heavy commercial motor vehicles without trailers;
- Add a new provision requiring chains on heavy commercial motor vehicles with one trailer;
- Add a new provision requiring chains on heavy commercial motor vehicles with more than one trailer; and
- Add a new provision requiring chains on heavy commercial motor vehicles with trailers and super single tires (all effective November 28, 2018, B.C. Reg. 246/2018).

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

- Repeal and replace Form 1 (Notice of Driving Prohibition and Certificate of Service)(effective January 7, 2019, B.C. Reg. 256/2018);
- Repeal and replace provisions prescribing specified *Criminal Code* offences (effective December 18, 2018, B.C. Reg. 255/2018);
- Add specified *Criminal Code* references to the regulation (effective December 18, 2018, B.C. Reg. 255/2018);
- Add a new prescribed a traffic light safety device (effective December 3, 2018, B.C. Reg. 254/2018).

The Review of 24 Hour Driving Prohibition Regulation (B.C. Reg. 591/2004) is amended in section 2 by striking out "within which a person may apply for a review of a driving prohibition review served under section 215 (2) (b)" (effective December 10, 2018, B.C. Reg. 273/2018).

The result is that section 2 now reads “For the purpose of section 215.1(1) of the Act, the prescribed number of days is 7 days.”

Offence Act, amends the Offence Act Forms Regulation (B.C. Reg. 422/90) to require that instructions to be printed beside or on the reverse side of the copy of the violation ticket are to include the new prescribed traffic light safety device by B.C. Reg. 254/2018 (effective December 3, 2018, B.C. Reg. 254/2018).

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

- Authorize a police officer or inspector to enforce the provisions of the Act and regulations; and
- Add new offences and fines that range from \$275 to \$500 (effective January 15, 2019, B.C. Reg. 278/2018).

Passenger Transportation Act, amends the Passenger Transportation Regulation (B.C. Reg. 266/2004), including to:

- Add definitions of:
 - "perimeter seating",
 - "perimeter seating bus",
 - "unaccompanied minor",
- Require a minor's legal guardian's consent, in the prescribed form, from December 1, 2018, if an unaccompanied minor is in a perimeter seating bus and also require that a licensee retain that consent for at least 1 year after the service date; and
- Require, if a perimeter seating bus provides service to one or more unaccompanied minors, from April 1, 2019 onward, a licensee must ensure that safety monitors, who meet specified requirements set by the Passenger Transportation Board, are present on the bus at all times while the service is being provided (effective December 1, 2018, B.C. Reg. 249/2018).

Pill Press and Related Equipment Control Act, creates the Pill Press and Related Equipment Control Regulation (effective January 15, 2019, B.C. Reg. 278/2018). This Regulation has 3 Parts and a Schedule.

Part 1 lists interpretation. Part 2 deals with controlled equipment, including required records, records retention and required information to be given. Part 3 provides for other matters, including required checks for registration applicants and court applications.

The Schedule has three prescribed forms:

- Form 1 (Information to Obtain a Search Warrant);
- Form 2 (Warrant to Search); and
- Form 3 (Warrant to Search – Telewarrant).

Ports Property Tax Act, amends the Port Land Valuation Regulation (B.C. Reg. 304/2010) to:

- Replace specified references to the 2018 taxation year, with references to the 2019 taxation year; and
- Repeal and replace the Schedule (Assessment Roll Designation And Actual Value For The 2019 Taxation Year) (all effective December 10, 2018, B.C. Reg. 263/2018).

Provincial Sales Tax Act, amends the Designated Accommodation Area Tax Regulation (B.C. Reg. 93/2013) to:

- Extend the 2% tax in the designated accommodation area in the Regional District of East Kootenay from February 1, 2019 to February 1, 2024 (effective February 1, 2019, B.C. Reg. 250/2018); and
- Add a new 2% tax in the designated accommodation area in the Regional District of Central Kootenay, with the designated tax recipient being Arrow Slokan Tourism Association, with the tax being repealed March 1, 2024 (effective March 1, 2019, B.C. Reg. 250/2018).

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 Securities Regulation (B.C. Reg. 196/97) to:

- Add a provision interpreting the definition of "management cease trade order" regarding Part 7 (Fees); and
- Increase specified fees payable (both effective December 30, 2018, B.C. Reg. 258/2018).

The B. C. Reg. 85/2017 as amended in Schedule H, as it enacts Part 3C of National Instrument 41-101 General Prospectus Requirements (B.C. Reg. 59/2008) to:

- Provide that the provision regarding dealer as agent does not apply in BC; and
- Provide what is the meaning of "statutory right of action" regarding purchaser's right of action for failure to deliver or send (effective December 7, 2018, B.C. Reg. 260/2018).

The following regulations are amended:

- Multilateral Instrument 11-102 *Passport System* (B.C. Reg. 58/2008);
- National Instrument 41-101 *General Prospectus Requirements* (B.C. Reg. 59/2008);
- National Instrument 81-101 *Mutual Fund Prospectus Disclosure* (B.C. Reg.1/2000);
- National Instrument 81-102 *Investment Funds* (B.C. Reg. 2/2000);
- National Instrument 81-104 *Commodity Pools* (B.C. Reg. 283/2002);
- National Instrument 81-106 *Investment Fund Continuous Disclosure* (B.C. Reg. 218/2005); and
- National Instrument 81-107 Independent Review Committee for Investment Funds (B.C. Reg. 276/2006) (all effective January 3, 2019, 2018, B.C. Reg. 287/2018).

Speculation And Vacancy Tax Act, creates the Speculation and Vacancy Tax Regulation. This Regulation prescribes:

- Specified land and improvements that are not residential property;
- Amounts that are excluded for the purposes of the definition of "unreported income";
- Exempted uses of residential property owned by not-for-profit corporations;
- What is annual fair market rent; and
- Calculation of interest for amounts due to the government (effective December 10, 2018, B.C. Reg. 275/2018).

The Interest Rate under Various Statutes Regulation (B.C. Reg. 386/92) is amended to set the interest rate at 3% above the prime lending rate (effective December 10, 2018, B.C. Reg. 276/2018).

Water Sustainability Act, amends the Water Sustainability Regulation (B.C. Reg. 36/2016) to provide that a person who holds a permit regarding mineral exploration activities or placer mining activities is exempt from the requirement to hold an authorization for water use and diversion, extending that exemption from December 31, 2018 to December 31, 2019 (effective December 3, 2018, B.C. Reg. 259/2018).

Wildlife Act, amends the Hunting Regulation (B.C. Reg. 190/84) to create an offence of hunting protected wildlife (effective January 2, 2019, B.C. Reg. 1/2019).

The Hunting Licensing Regulation (B.C. Reg. 8/99) is amended to remove “licensed guide” and substitute “guide outfitter or assistant guide” regarding the offence of hunting wildlife in a special area (effective January 2, 2019, B.C. Reg. 1/2019).

The Permit Regulation (B.C. Reg. 253/2000) is amended to:

- Remove “licensed guide” and substitute “guide outfitter or assistant guide” regarding offences; and
- Require a hunter to provide a specified report to the permit issuer, failing to do so, results in the commission of an offence (effective January 2, 2019, B.C. Reg. 1/2019).

The Wildlife Act Commercial Activities Regulation (B.C. Reg. 338/82) is amended including to:

- Add a provision that a regional manager may not issue a guide outfitter licence to a person unless the person is 19 years of age or older;
- Repeal and replace requiring a guide outfitter to have \$2 million public liability insurance, adding that the insurance must cover the guiding activities of each assistant guide employed by the guide outfitter as permitted under the Act;
- Make it an offence for a guide outfitter, under his or her licence, to block or damage a road, trail, airstrip or [sic] watercourse or other real or personal property while providing services under a guide outfitter licence;
- Make it a serious offence under the Act with a maximum \$200,000 fine and/or 2 years in prison for a guide outfitter guides a hunter outside the guide outfitter's guiding area, or allows an assistant guide employed by the guide outfitter to do so;

- Make it a serious offence under the Act with a maximum \$200,000 fine and/or 2 years in prison for a person to possess or traffic in specified bear parts;
- Make it a serious offence under the Act with a maximum \$200,000 fine and/or 2 years in prison for a person to traffic in dead wildlife;
- Make it a serious offence under the Act with a maximum \$200,000 fine and/or 2 years in prison for a person to trap black bear;
- Make it a serious offence under the Act with a maximum \$200,000 fine and/or 2 years in prison for a person to act as a transporter unless that person holds a transporter licence;
- Make it an offence for a transporter to violate terms and conditions of a transporter licence as specified and that offence is a serious offence under the Act with a maximum \$200,000 fine and/or 2 years in prison;
- Add a new provision requiring a transporter to report as specified and failure to do so results in the commission of an offence; and
- Add a required form, the Transporter Licence Activity Report (all effective January 2, 2019, B.C. Reg. 1/2019).

The Wildlife Act General Regulation (B.C. Reg. 340/82) is amended, including to:

- Repeal Division 18 (Penalties); and
- Repeal and substitute the provision stipulating the consequences for failing to submit specified reports (effective January 2, 2019, B.C. Reg. 1/2019).

Wildlife Act General Regulation (B.C. Reg. 340/82) is further amended, including to:

- Add definitions of “authorization” and “licence year”;
- Add a provision showing how a person can demonstrate the person had authorization to transport wildlife or fish; and
- Require a hunter or supervising hunter to retain all species licences while transporting wildlife or fish (all effective April 1, 2019, B.C. Reg. 1/2019).

END