

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 132, Approved and Ordered FEB 24 2005

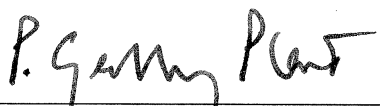


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) section 6 of the *Justice Modernization Statutes Amendment Act, 2004*, S.B.C. 2004, c. 65, is brought into force, and
- (b) the attached Electronic Court Documents Regulation is made.



Attorney General and Minister Responsible
for Treaty Negotiations



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Evidence Act*, R.S.B.C. 1996, c. 124, ss. 41.1 (2) and 41.3 (3);

Other (specify): *Justice Modernization Statutes Amendment Act, 2004*, S.B.C. 2004, c. 65, s. 10

ELECTRONIC COURT DOCUMENTS REGULATION

Definition

- 1 In this regulation, “Act” means the *Evidence Act*.

Electronic court systems

- 2 The following electronic information or record systems are designated as electronic court systems for the purposes of section 41.1 of the Act:
 - (a) the Civil Electronic Information System;
 - (b) the Court Services Online System;
 - (c) the Justice Information System;
 - (d) the Web Court of Appeal Tracking System;
 - (e) the Supreme Court Scheduling System;
 - (f) the Prisoner Information Management System;
 - (g) the Search Warrant Tracking System.

Secure electronic signatures

- 3 (1) A record contained within an electronic court system and signed electronically by a person described in subsection (2) is a prescribed electronic record for the purpose of section 41.3 of the Act.
- (2) The persons who may electronically sign a record for the purpose of subsection (1) are the following:
 - (a) a person who exercises an adjudicative function in a court, if the record being signed relates to a matter in which the person has acted as adjudicator;
 - (b) a clerk of a court, if he or she is acting in the capacity of clerk in relation to the record being signed;
 - (c) a peace officer or a person acting in an enforcement capacity under any enactment, if the peace officer or person is acting in their official capacity in relation to the record being signed;
 - (d) a person accused or convicted of an offence under any enactment, or the person’s representative, if the record being signed relates to the person accused or convicted;
 - (e) a person who is an employee of the government of any jurisdiction, or who is working on contract for or on behalf of the government of any jurisdiction, if the person is acting in their official capacity in relation to the record being signed.