



Vol: XVII – Issue 3 – March 2024

EnviroFor News

New Bills

The following bills were recently introduced:

Government Bills

- [Bill 8](#) – Athlii Gwaii Legacy Trust (Winding Up) Act
- [Bill 9](#) – Miscellaneous Statutes Amendment Act, 2024
- [Bill 10](#) – Commercial Transport Amendment Act, 2024
- [Bill 11](#) – Vancouver Charter Amendment Act, 2024
- [Bill 12](#) – Public Health Accountability and Cost Recovery Act
- [Bill 13](#) – Land Title and Property Law Amendment Act, 2024
- [Bill 14](#) – Tenancy Statutes Amendment Act, 2024
- [Bill 15](#) – Budget Measures Implementation (Residential Property (Short-Term Holding) Profit Tax) Act, 2024
- [Bill 16](#) – Housing Statutes Amendment Act, 2024
- [Bill 17](#) – Police Amendment Act, 2024

Members' Bills

- [Bill M202](#) – Safe Care Act
- [Bill M203](#) – Short-Term Rental Accommodations Amendment Act, 2024
- [Bill M204](#) – Wildlife Amendment Act, 2024
- [Bill M205](#) – North Island-Coast Development Initiative Trust Amendment Act, 2024
- [Bill M206](#) – Firefighter Protection Act

For more information on the status of these or any other bills, visit our dedicated [Bills page](#), located on the left navigation. If you wish to be notified when these or other changes come into force, check out Quickscribe's customizable alerts via the [My Alerts](#) page. Quickscribe alerts are included with your subscription so feel free to select the alerts that work best for you!

New Annotations

New Annotations have been added to Quickscribe:

- [Richard Bereti](#), Harper Grey LLP – [Impact Assessment Act](#)

If you wish to be alerted when new annotations are published by our contributors, select "[My Alerts](#)" via the top navigation, then select the "View Expert Annotators". Here you can view and "follow" any contributor from the list.

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EnviroFor Reporter Categories

[ENERGY & MINES](#)
[FOREST & ENVIRONMENT](#)
[OCCUPATIONAL HEALTH & SAFETY](#)


ENERGY & MINES NEWS

B.C. First Nations Chiefs Celebrate Mining Exploration Court Decision

The case was led by the Gitxaala Nation, with Gitanyow an intervener

Leaders from the Gitxaala and Gitanyow First Nations were celebrating a historic victory this week after the B.C. Supreme Court ruled the province's laws on mining exploration did not meet the Crown's duty to consult.

The court challenge targeted old laws that let exploration companies stake claims without prior consent, often for as low as \$60 a claim. The ruled found that the duty to consult is triggered when a mining stake is claimed in the province.

For Naxginkw, sustainability director for the Gitanyow hereditary chiefs, the decision was a "mixed bag." There was relief on the duty to consult. But Naxginkw, also known as Tara Marsden, said there was disappointment at what she called the court's "really minimal interpretation" of the United Nations Declaration on the Rights of Indigenous Peoples and the Declaration on the Rights of Indigenous Peoples Act's legal weight on the law on other laws in the province.

Naxginkw also criticized court's permission to allow mineral exploration companies to continue operating under the old law for another 18 months while the province makes changes. Read the [Vancouver Sun article](#).

Consultation Prior to Mineral Claims Staking – Part 3: British Columbia Announces Interim Measures

On March 7, 2024, the Province of British Columbia released interim measures in response to the BC Supreme Court's ruling in *Gitxaala v. British Columbia (Chief Gold Commissioner)*, [2023 BCSC 1680](#). The Province has suspended mining activities in the asserted traditional territories of Gitxaala Nation and Ehattesaht First Nation until 2029 and has indefinitely suspended the registration of new mineral claims in these areas.

Background

Following the release of the Gitxaala decision, we published an in-depth [analysis](#) of its importance. As part of its decision, the Court declined to reverse (or "quash") existing mineral claims in the asserted traditional territories. The Court also granted the Province 18 months to modify its system of granting mineral tenures to account for Indigenous consultation prior to the grant of claims. During the interim 18-month period, the Court permitted ongoing mineral exploration work and the registration of new mineral claims.

Read the [full article](#) by [Kevin O'Callaghan](#) and [Nathan Surkan](#) with Fasken Martineau DuMoulin LLP.

Government Uses Little Known Law to Freeze Mining Rights Unless First Nations Consent

On March 6, 2024, one of the largest annual mineral exploration and mining conferences in the world ended in Toronto. The very next day, the BC government [announced](#) four Cabinet orders that upended various rights of prospectors and mineral developers in two parts of British Columbia.

The four orders were made under a little-known law called the [Environment and Land Use Act](#). They prohibit placer and mineral claim staking on Banks Island and part of Vancouver Island, as well as restricting related mineral exploration activities. The BC Government indicated in a corresponding news release that it may amend the orders if affected parties could reach agreement with local First Nations.

No prior government has ever used these powers so broadly, or said openly that the restrictions may be removed if holders of such rights can reach agreement with First Nations.

While these specific orders are limited to only parts of BC and BC's mining laws, if government truly has the legal authority to make them under the *Environment and Land Use Act*, there is nothing that would preclude their future use in other areas of BC and other sectors. And one might reasonably expect some Indigenous groups will ask government to do exactly that. Read the [full article](#) by [Robin M. Junger](#), [Timothy John Murphy](#), [Cory Kent](#), [Joan M. Young](#) and [Sasa Jarvis](#) with McMillan LLP.

Personal Liability for Director of Mining Company on Regulatory Offence: BC Courts Remain Firm on Strict Liability

Recently, the BC Supreme Court issued its decision in *R v Mossman*, [2024 BCSC 443](#). The case involved two appeals from summary convictions under the [Environmental Management Act](#) and the [Fisheries Act](#) (collectively, the "Acts"). The underlying offences occurred at a gold mining site operated by a company near Prince Rupert, British Columbia.

The appeals relate to the liability of the director, president, and chief operating officer of the Company, and the designated 'mine manager' under the [Mines Act](#). He was charged with several offences under the Acts, which the Court divided into three categories. Read the [full article](#) by [Gavin Cameron](#) and [Kerry Kaukinen](#) with Fasken Martineau DuMoulin LLP.

Ren v. Eastern Platinum Limited,

2023 BCSC 404 and 2023 BCSC 706

In these decisions, the Supreme Court of British Columbia granted an application for leave to commence a derivative action against the former CEO of Eastern Platinum Limited (EPL) framed in negligence and breach of fiduciary duty.

EPL, a B.C. public company, owned the right to conduct mining operations at a platinum and chrome mine in South Africa (Mine) through a subsidiary. The petitioner, Ms. Ren, a shareholder of EPL, alleges that the present and former directors of EPL acted negligently and in breach of their fiduciary duties by causing the company to enter into agreements with Union Goal Offshore Limited (Union Goal) for the exploitation of mine tailings at the Mine. Ms. Ren contends that EPL suffered loss as a result of the agreements and sought leave to commence a derivative action under s. 232 of the B.C. [Business Corporations Act](#) in EPL's name against the directors. Ms. Ren's initial draft claim named seven defendants and was based in negligence (against all directors) and breach of fiduciary duty (against Ms. Hu only). EPL opposed the application on the basis it was simply a different version of the same application that had been dismissed in *2538520 Ontario Ltd. v. Eastern Platinum Limited*, [2019 BCSC 1446](#) (Hong Proceeding) and upheld by a majority of the Court of Appeal in [2020 BCCA 313](#), and, therefore, it was an abuse of process. In the alternative, EPL argued that Ms. Ren had not satisfied all statutory prerequisites to her application. Read the [full article](#) by [Aidan Cameron](#) and Lindsay Burgess with McCarthy Tétrault LLP.

Legislative, Procurement and Governmental Updates Signal that British Columbia is Ripe for Renewable Energy Development

Recent legislative, procurement and governmental updates, including BC Hydro's upcoming Call for Power and updates to the BC [Clean Energy Act](#), will create increased opportunities for renewable energy development in the province.

Updates to Energy Objectives under the BC Clean Energy Act

On February 15, 2024, the Government of British Columbia announced updates to the energy objectives in the *Clean Energy Act* (British Columbia), with the intent of maximizing affordability and reducing carbon pollution in the province. These changes signal a current focus of the Government of British Columbia to spur renewable energy development within the province and align with other recent renewable energy initiatives that have been announced by provincial governments across the country.

Read the [full article](#) by [Aaron Fransen](#), [Lanette Wilkinson](#), [Tara Watson](#), [Parker Mckibbin](#) and [Kyle Hatton](#) with Stikeman Elliott LLP.

Mineral Tenure Act Reform Advancing

The Province is advancing work to reform the [Mineral Tenure Act](#) (MTA) in alignment with the United Nations Declaration on the Rights of Indigenous Peoples with a clear process for co-operation and consultation with First Nations in British Columbia and engagement with industry and all interested parties.

"Our government is taking steps to acknowledge our past and working to address the consequences of colonial legislation and policies, which have had lasting effects on First Nations. By doing this together, we are building a better future on the land, in communities, and for people in British Columbia," said Josie Osborne, Minister of Energy, Mines and Low Carbon Innovation. "We are committed to the full transformation of B.C.'s mining regulatory system, including modernizing the *Mineral Tenure Act*, and this government-to-government work must be reflective of the shared interests and values of everyone who lives and works on these lands." Read the government [news release](#).

Mining in the Courts, Vol. XIV

The 14th annual edition of [Mining in the Courts](#) provides a one-stop annual update on legal developments impacting the mining industry (available in English only). In addition to providing summaries of many of the most important cases, this edition contains articles with our insights on current legal trends and what we think the industry can expect to face in the coming year. Read the [full article](#) by [Aidan Cameron](#), [Val Lucas](#), [Sarah Adler](#), [François Alexandre Toupin](#) and [Dominique Amyot-Bilodeau](#) with McCarthy Tétrault LLP.

BCUC Accepts Updated BC Hydro IRP, Which Calls for 3,700 GWh of New Generation

The British Columbia Utilities Commission (BCUC) has accepted BC Hydro's Updated 2021 Integrated Resource Plan (IRP), which anticipates the need to acquire about 3,700 GWh of clean or renewable electricity.

The key priorities of BC Hydro's IRP are to reduce greenhouse gas emissions by focusing on non-polluting electricity sources, sustaining BC's low electricity rates, limiting land and water impacts, contributing to BC's reconciliation efforts with Indigenous peoples and supporting the growth of BC's economy.

In this plan, BC Hydro expects electricity demand to increase and proposes a combination of energy efficiency programs (called demand-side management) and energy purchases from independent power producers, including new contracts and renewal of existing contracts. Read the [full article](#) by [Elizabeth Ingram](#) in the *Hydro Review*.

BC Energy Regulator Announcements

The following BC Energy Regulator announcements were posted recently:

- [IU 2024-04](#) – Fee, Levy and Security Regulation Updates
- [TU 2024-03](#) – Program Expands to Include Dormant Facility & Pipeline Liability
- [IU 2024-05](#) – New All Hazards Map

Visit the BC-ER [website](#) for more information.



ENERGY & MINES

Act or Regulation Affected	Effective Date	Amendment Information
Direction to the British Columbia Utilities Commission Respecting the British Columbia Energy Affordability Credit (59/2024)	Mar. 15/24	see Reg 59/2024
Drilling and Production Regulation (282/2010)	Mar. 1/24	by Reg 37/2024
Fee, Levy and Security Regulation (8/2004)	Mar. 4/24	by Reg 38/2024



FOREST AND ENVIRONMENT NEWS

Amendments to the *Forest and Range Practices Act* Now in Force

On March 11, additional provisions of 2021 Bill 23, c. 37, the [Forests Statutes Amendment Act, 2021](#) came into force by [B.C. Reg. 57/2024](#). The Bill amended the [Forest and Range Practices Act](#) to allow the minister to designate areas of catastrophic damage due to wildfires or natural events, to establish plans for reforesting those areas and to grant relief or funding for establishing free growing stands.

Recent Forestry Legislation Changes

On April 1, amendments were made to forestry-related legislation, particularly the [Forest Act](#) and [Forest and Range Practices Act](#), by 2023 Bill 41, c. 43, the [Forests Statutes Amendment Act, 2023](#), which were brought into force by [B.C. Reg. 62/2024](#).

The *Forest Act* was amended to provide greater discretion to decision-makers when issuing cutting permits and road permits, and authorizing them to request additional information in relation to the issuance of permits and during the term of the permits, as well as impose certain conditions on or refuse a permit. The *Forest and Range Practices Act* was amended to reflect the changes to the *Forest Act* and to modify the provisions for administrative penalties and orders for remedial work.

Quickscribe's early consolidations of the [proposed 2019 Bill 21, c. 25 amendments](#) to the *Forest and Range Practices Act* and the [proposed 2021 Bill 23, c. 37](#) amendments to the Act have been updated to reflect the recent changes.

New BC Wildfire Service Open Fire Policy

The BC Wildfire Service has published [a new policy](#) on the use of open fire under sections 20 to 24 of the [Wildfire Regulation](#), intended to provide guidance on requirements for the safe use of open fire, including fuel breaks, preventing open fires from becoming out of control, burn registration numbers and documenting extinguishment. Quickscribe Envirofor has BC Wildfire Services policies [available](#), or the policy can be found on the BC government [website](#).

Amendments Coming to the *Environmental Management Act*: British Columbia to Introduce More Robust Regulation of the Decommissioning and Closure of Industrial Facilities

In April 2022, the BC Ministry of Environment and Climate Change released a discussion paper on its [Public Interest Bonding Strategy](#), an initiative aimed at ensuring that owners of large industrial projects – as opposed to taxpayers – pay for the full costs of environmental clean-up and reclamation, even if projects are abandoned. The strategy was implemented in part due to the recent instances of companies becoming unwilling or unable to complete their environmental clean-up and reclamation activities, highlighting the need to review how the Province approaches financial assurance.

The first phase of the strategy involves a review of financial assurance mechanisms under the [Environmental Management Act](#) and the [Mines Act](#), with a focus on the foreseen clean-up and reclamation costs for existing active and new projects that pose a high environmental and financial risk. In the second phase, the unforeseen clean-up costs under a broader range of statutes, including the [Land Act](#), [Forest Act](#), and [Environmental Assessment Act](#), will be reviewed with the aim of improving co-ordination of financial assurance across ministries. Read the [full article](#) by [Kinsey Furniss](#) and [Adam R. Way](#) with Harper Grey LLP.

BC Court of Appeal Confirms the Defence of Statutory Authority Applies where Aboriginal Fishing Rights are Engaged

On February 26, 2024, the Court of Appeal for British Columbia (the "Court") issued its decision in *Thomas v. Rio Tinto Alcan Inc.*, [2024 BCCA 62](#). The underlying trial dealt with claims of nuisance brought by the Saik'uz First Nation and the Stellat'en First Nation (collectively, the "Nechako Nations") against Rio Tinto Alcan Inc. ("RTA") as a result of its operation of the Kenney Dam, a government authorized project, on the Nechako River. A central issue considered by the Court on appeal was whether the defence of statutory authority was available to RTA to avoid liability. The Court concluded that the defence applied in this instance. Read the [full article](#) by [Dani Bryant](#), [Samuel Geisterfer](#) and [Dustin Horvat](#) with Fasken Martineau DuMoulin LLP.

Federal Impact Assessment in Flux: The Implications of the Supreme Court's Decision in the *Reference re Impact Assessment Act*

On October 13, 2023, Canada's Supreme Court [found](#) core components of the federal [Impact Assessment Act](#) ("IAA") to be unconstitutional. This is the first time a majority of the Supreme Court has declared any federal environmental legislation unconstitutional in four decades.

Although the final impacts of this decision are far from settled, there are some clear implications for proponents of major energy, infrastructure and mining projects in Canada going into 2024. Read the [full article](#) by [Liane Langstaff](#), [Stacy Porter](#) and [Maggie Sainty](#) with Gowling WLG.

Environmental Appeal Board Decisions

The following Environmental Appeal Board decision was made recently:

[Environmental Management Act](#)

- [518235 BC Ltd. dba Xausa Family Trust v. Director, Environmental Management Act](#) [Dismissal Order – Appeal Dismissed]

Visit the Environmental Appeal Board [website](#) for more information.

Forest Appeals Commission Decisions

The following Forest Appeals Commission decision was made recently:

[Wildfire Act](#)

- [Canadian Forest Products Ltd. v. Government of British Columbia](#) [Final Decision – Appeal Dismissed in Part]

Visit the Forest Appeals Commission [website](#) for more information.

**FOREST AND ENVIRONMENT**

Act or Regulation Affected	Effective Date	Amendment Information
Administrative Orders and Remedies Regulation (101/2005)	Mar. 11/24	by Reg 57/2024
	Apr. 1/24	by Reg 62/2024
Administrative Penalties (Environmental Management Act) Regulation (133/2014)	Mar. 18/24	by Reg 61/2024
Advertising, Deposits, Disposition and Extension Regulation (55/2006)	Apr. 1/24	by Reg 62/2024
Allowable Annual Cut Partition Regulation (32/2011)	Apr. 1/24	by Reg 62/2024
Angling and Scientific Collection Regulation (125/90)	Apr. 1/24	by Reg 72/2023
Annual Rent Regulation (122/2003)	Apr. 1/24	by Reg 62/2024
BC Timber Sales Account Regulation (9/2014)	Apr. 1/24	by Reg 62/2024
Carbon Neutral Government Regulation (392/2008)	Mar. 6/24	by Reg 45/2024
Carbon Tax Regulation (125/2008)	Apr. 1/24	by Reg 60/2024
Cleaner Gasoline Regulation (498/95)	Mar. 6/24	by Reg 48/2024
Commercial Transport Fees Regulation (328/91)	Apr. 1/24	by Reg 8/2024
Cut Control Regulation (578/2004)	Apr. 1/24	by Reg 62/2024
Cutting Permit Postponement Regulation (284/2007)	Apr. 1/24	by Reg 62/2024
Deletions and Expropriations (for Parks, Conservancies and Recreation Areas) Regulation (156/2023)	Apr. 1/24	by Reg 62/2024
Drinking Water Protection Regulation (200/2003)	Mar. 6/24	by Reg 42/2024 and Reg 47/2024
Effective Director Regulation (243/94)	Apr. 1/24	by Reg 62/2024
		by 2023 Bill 41, c. 43, sections 1 to 9, 11, 12, 14 to 17, 20, 22 to 25, 27 to 39, 41 to 48, 50, 51, 53 to 62, 64, 66 to 76,

Forest Act	Apr. 1/24	79, 80, 82, 84, 85 and 89 to 118 only (in force by Reg 62/2024), Forests Statutes Amendment Act, 2023
Forest and Range Practices Act	Mar. 11/24	by 2021 Bill 23, c. 37, sections 63, 70, 72, 77, 78, 79 (part), 85, 92 and 94 only (in force by Reg 57/2024), Forests Statutes Amendment Act, 2021
	Apr. 1/24	by 2019 Bill 21, c. 35, sections 10 and 43 only (in force by Reg 163/2023 , amended by Reg 62/2024), Forest and Range Practices Amendment Act, 2019
		by 2021 Bill 23, c. 37, section 76 only (in force by Reg 62/2024), Forests Statutes Amendment Act, 2021 , amended by 2023 Bill 14, c. 10, section 286 (in force by Royal Assent), Miscellaneous Statutes (Modernization) Amendment Act, 2023
		by 2023 Bill 41, c. 43, sections 119 to 125, 127, 129 to 132, 134, 135, 139 to 141, 143, 145, 147, 149, 151 to 153, 155, 156 and 158 only (in force by Reg 62/2024), Forests Statutes Amendment Act, 2023
Forest Licence Regulation (203/2012)	Apr. 1/24	by Reg 62/2024
Forest Planning and Practices Regulation (14/2004)	Mar. 11/24	by Reg 57/2024
	Apr. 1/24	by Reg 163/2023 and Reg 62/2024
Forest Practices Code of British Columbia Act	Apr. 1/24	by 2023 Bill 41, c. 43, section 160 only (in force by Reg 62/2024), Forests Statutes Amendment Act, 2023
Fort St. John Pilot Project Regulation	Apr. 1/24	by Reg 62/2024
Great Bear Rainforest (Forest Management) Act	Apr. 1/24	by 2023 Bill 41, c. 43, section 162 only (in force by Reg 62/2024), Forests Statutes Amendment Act, 2023
Hazardous Waste Regulation (63/88)	Mar. 6/24	by Reg 42/2024
Innovative Forestry Practices Regulation (197/97)	REPEALED Apr. 1/24	by Reg 62/2024
Integrated Pest Management Regulation (604/2004)	Mar. 5/24	by Reg 41/2024
Laboratory Services Regulation (52/2015)	Mar. 6/24	by Reg 42/2024
Motor Vehicle Prohibition Regulation (18/2024)	NEW Mar. 1/24	see Reg 18/2024
Motor Vehicle Prohibition Regulation (196/99)	REPEALED Mar. 1/24	by Reg 18/2024
Municipal Wastewater Regulation (87/2012)	Mar. 6/24	by Reg 50/2024
Muskwa-Kechika Management Plan Regulation (53/2002)	Mar. 6/24	by Reg 42/2024
Open Burning Smoke Control Regulation (152/2019)	Mar. 6/24	by Reg 42/2024 and Reg 49/2024
Performance Based Harvesting Regulation (175/96)	REPEALED Apr. 1/24	by Reg 62/2024
Permit Regulation (253/2000)	Mar. 1/24	by Reg 35/2024

Pool Regulation (296/2010)	Mar. 6/24	by Reg 54/2024
Provincial Forest Use Regulation (176/95)	Mar. 11/24	by Reg 57/2024
	Apr. 1/24	by Reg 62/2024
Public Access Prohibition Regulation (187/2003)	Mar. 1/24	by Reg 19/2024 and Reg 36/2024
Range Act	Apr. 1/24	by 2023 Bill 41, c. 43, section 163 only (in force by Reg 62/2024), Forests Statutes Amendment Act, 2023
Reductions for First Nation Purpose or BCTS Licence Purpose Regulation (155/2023)	Apr. 1/24	by Reg 62/2024
Refusal of Cutting Permit or Road Permit Regulation (252/2018)	Apr. 1/24	by Reg 62/2024
Special Accounts Appropriation and Control Act	Apr. 1/24	by 2023 Bill 41, c. 43, section 166 only (in force by Reg 62/2024), Forests Statutes Amendment Act, 2023
Special Purpose Areas Regulation (153/2023)	Apr. 1/24	by Reg 62/2024
Stillwater Pilot Project Regulation (96/2001)	Apr. 1/24	by Reg 62/2024
Timber Marking and Transportation Regulation (253/97)	Apr. 1/24	by Reg 62/2024
Tree Farm Licence Area-Based Allowable Annual Cut Trial Program Regulation (482/2004)	REPEALED Apr. 1/24	by Reg 62/2024
Waste Assessment Regulation (262/2019)	Apr. 1/24	by Reg 62/2024
Waste Discharge Regulation (320/2004)	Mar. 6/24	by Reg 51/2024
Wildfire Regulation (38/2005)	Mar. 18/24	by Reg 68/2024
	Apr. 1/24	by Reg 62/2024
Woodlot Licence Planning and Practices Regulation (21/2004)	Mar. 11/24	by Reg 57/2024
	Apr. 1/24	by Reg 62/2024



OCCUPATIONAL HEALTH AND SAFETY NEWS

Permanent Disability Evaluation Schedule – Range of Motion Method and Disabilities of the Spine

from WorkSafeBC:

Our Policy, Regulation and Research Department (PRRD) is releasing a [discussion paper](#) on the Permanent Disability Evaluation Schedule – Range of Motion Method and Disabilities of the Spine to stakeholders for comment. Following concerns raised by stakeholders regarding the reliability and validity of the range of motion (ROM) method for measuring permanent disabilities involving the spine, a systematic review on the appropriateness of the ROM method and other diagnostic approaches was undertaken. Read the full WorkSafeBC [news release](#).

National Safety Council Releases New Opioid Prevention Initiatives

Thanks to the National Safety Council (NSC), employers now have more resources that can help them address the issue of opioid misuse in the workplace. The nonprofit has launched several new initiatives to combat overdose in the workplace. "Workplace overdose deaths are occurring at devastating rates, and we know more can be done to save lives," said Lorraine Martin, president and CEO of the NSC. "By providing essential tools, resources, and education, we can empower workplaces to be prepared, resilient, and ultimately save lives. We implore employers to join NSC in stocking these medications at all worksites." Read the [full article](#) by Jim Wilson with Canadian Occupational Safety.

OHSR Guidelines Updated (March 14):

from Worksafe BC:

The following guidelines were revised:

- Part 5 Chemical Agents and Biological Agents
[G5.48-5 Welding fumes](#)
- Part 12 Tools, Machinery and Equipment
[G12.124 Respiratory protection during specific short duration welding, burning, or similar operations and during emergency work](#)

New and revised guidelines are posted for a 60-day preliminary period, during which time the stakeholder community may comment and request revisions. Visit [Worksafe BC](#) for these and other guideline updates.

Public Consultation on the Permanent Disability Evaluation Schedule – Range of Motion Method and Disabilities of the Spine
[from WorkSafe BC](#)

Following concerns raised by stakeholders about the range of motion (ROM) method for measuring permanent disabilities involving the spine, a systematic review on the appropriateness of the ROM method and other diagnostic approaches was undertaken. Overall, the systematic review found that all assessment methods were weak, and that there was no preference for one instrument over another. This consultation is to determine whether this issue should remain on the current workplan. Our Policy, Regulation and Research Department is releasing a discussion paper on the Permanent Disability Evaluation Schedule – Range of Motion Method and Disabilities of the Spine, for public consultation. You're invited to provide feedback until 4:30 p.m. on Friday, April 26, 2024.

BOD Decision: Cancer as a Compensable Consequence
[from WorkSafe BC:](#)

On February 6, 2024, WorkSafeBC's Board of Directors approved changes to Item C3-22.40, Compensable Consequences — Certain Diseases and Conditions, in the Rehabilitation Services & Claims Manual, Volume II. Amendments were made to policy on cancer as a compensable consequence to reflect current medical and scientific literature. The amended policy applies to all decisions made on or after June 1, 2024, respecting claims for injuries occurring on or after January 1, 2014. You can also review the complete [Resolution](#).

Crane Safety Improvements Needed in British Columbia

In the wake of a series of incidents involving tower cranes in British Columbia, the state of crane safety in the province has come under intense scrutiny. "When we look at the recent spate of unfortunate events relating to tower cranes, they are extremely concerning," says Clinton Connell, executive director of BC Crane Safety. There were two incidents within four days in January, and fortunately nobody was hurt. But a third incident in February caused the [death of 41-year-old mother of two Yuridia Flores](#). A rally was held on Friday [March 15] calling for justice and better safety conditions. Read the [full article](#) by [Shane Mercer](#) with Canadian Occupational Health & Safety.



OCCUPATIONAL HEALTH AND SAFETY

Act or Regulation Affected	Effective Date	Amendment Information
Workers Compensation Act	Mar. 4/24	by Reg 40/2024

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