

Quickscribe Reporter

Stay Current. Keep Informed.

Vol: XXIV – Issue 12 – December 2025

QS News

2026: The View Ahead

The team at Quickscribe hopes you had a wonderful holiday season surrounded by friends and family.

As we kick off the first week of January, we are excited about several projects currently in the works – all designed to make it easier for you to interpret and track relevant legislation and related developments. Key initiatives for the upcoming year include:

- "Lexi" (Beta): A new and vastly improved AI legislative research assistant.
- Historical Amendment Summaries: More in-depth summaries of past legislative changes (see [Supplemental Notes](#)).
- Enhanced [custom Alert tools](#): New enhancements and summaries to help you more quickly and efficiently assess the nature and intent of changes to the laws that matter most to you.

We hope to have some of these projects completed when the new parliamentary session begins on February 12th. It is expected that the government's first priority will be to amend the [Declaration on the Rights of Indigenous Peoples Act](#) (DRIPA) following the recent Appeals Court [ruling](#) in British Columbia.

Quickscribe will continue to keep you updated on these and other critical legislative developments.

Happy New Year!

New Annotations

New Annotations have been added to Quickscribe:

- [Joel Morris](#), Harper Grey LLP – [Health Professions Act, Mental Health Act](#)
- [Karen Zimmer](#), Alexander Holburn Beaudin + Lang LLP – [Freedom of Information and Protection of Privacy Act, Personal Information Protection Act](#)
- [Richard Bereti](#), Harper Grey LLP – [Environmental Management 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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Want to Track Federal Laws?

For notification of federal amendments, we recommend using our Section Tracking tool to keep informed on changes to federal laws. Look for the paw icon adjacent to the sections you wish to track.

Looking for Previous Reporters?

We have archived the Quickscribe Reporter going back to 2004. Visit the historical [Reporter archives page](#).

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**Company and Finance News:****The Cost of Inadvertent Settlement Offer Disclosure:*****Technology Venture Corporation v The King***

The [Tax Court of Canada Rules \(General Procedure\)](#) provide that a party may be entitled to substantial indemnity costs if the party makes a settlement offer and ends up obtaining an outcome at trial as favourable as or more favourable than that offer. In *Technology Venture Corporation v The King* ([2025 TCC 157](#)), the appellant was denied substantial indemnity costs because the settlement offer, in addition to being sent to the respondent, had inadvertently been sent to the Court.

Costs and settlement offers

Rule 147 grants the Court broad discretion to make costs awards. This power is discretionary, but not arbitrary; it must be exercised on a principled basis. Costs are intended to be compensatory and not punitive. Factors that the Court may consider are listed in rule 147(3), and include the result of the proceeding, the amounts in issue, the volume of work, the complexity of the issues, and any matter relevant to the question of costs.

Read the [full article](#) by Alexander Barnes with Thorsteinssons LLP.

Fiduciary Duties After the Deal: Lessons from Megory Holdings

Purchasers often rely on the continued involvement of sellers to facilitate a seamless transition following a business sale. But what happens when a seller, who remains with the business, undermines the very value of the business they sold?

The Supreme Court of British Columbia's decision in *Megory Holdings Inc. v. ABZ Falling Inc.*, [2025 BCSC 2318](#), provides a cautionary example and guidance for enforcing post-closing fiduciary obligations. Read the [full article](#) by Emma Walsh, Maureen Gillis and Adam Goldenberg with McCarthy Tétrault LLP.

Employee Ownership Trusts (EOTs): What Canadian Business Owners Need to Know

A strong business is built by its founders and by its people. When it's time to sell the business, both founders and employees deserve a future that reflects their contributions. That's why staying informed about new tools and opportunities is essential in today's business landscape.

One of the most important new developments in Canada's business succession landscape is the Employee Ownership Trust – EOTs offer a game-changing way to transition business ownership while protecting your legacy, rewarding your team, and taking advantage of a major new tax incentive. Read the [full article](#) by St. John McCloskey, Lina Kim and David Ford with Clark Wilson.

How Canada's New ITC Provisions Work for Non-Taxable Entities and Why It's Important

The Canadian government's suite of refundable clean economy investment tax credits (ITCs) represents a shift in how large-scale decarbonization projects in Canada will be financed. Crucially, these provisions extend the financial benefit of the credits to entities that are exempt from income tax, unlocking capital for the national clean energy transition.

For the commercial real estate sector, particularly in the high-emissions environment of Canada's major urban centres, this change is not just welcome – it is important for accelerating the necessary decarbonization of office towers. Read the [full article](#) by Laura Gheorghiu, Mark Giavedoni and Thomas J. Timmins with Gowling WLG.

B.C. Accountant Agrees to U.S. Court Settlement over Alleged Role in \$150 Million Stock Frauds

A B.C. accountant has agreed to a court settlement with the U.S. Securities and Exchange Commission over his alleged role in two pump-and-dump stock schemes that pocketed more than US\$150 million.

In a civil case in the U.S. District Court for the Southern District of New York, the SEC alleged that from at least April 2010 to October 2019, George John Drazenovic, a licensed accountant in B.C., assisted penny stock fraud schemes by at least two distinct groups.

Without admitting or denying the allegations, Drazenovic signed a settlement agreement subject to the approval of the court, according to [information released by the SEC](#). Read the [Vancouver Sun article](#).

The Limits to Proxy Disqualification and Chair Deference in AGMs: Skychain Offers Fresh Insight on Advance Notice Provisions

The Supreme Court of British Columbia recently released its decision in [1154557 B.C. Limited v. Skychain Technologies Inc.](#), a case in which the court addressed the invalidation of shareholder proxies in connection with a contested annual general meeting, and provided guidance on interpreting advance notice provisions in company articles or by-laws, the procedural fairness owed to shareholders, and limits on the deference owed to the chair of a shareholder meeting.

Background

Skychain Technologies Inc. faced significant shareholder unrest following a period of financial losses, management turnover, and a shift in business strategy. Dissident shareholders of Skychain, including 1154557 B.C. Limited (the Petitioner), sought to replace Skychain's board by nominating an alternative slate of directors at Skychain's 2024 annual general meeting (the AGM). The Petitioner gave notice pursuant to the advance notice provisions in Skychain's articles of

incorporation with details of its board candidates and issued a dissident proxy circular soliciting "yellow proxies" in support of its slate.

Skychain's management, citing alleged deficiencies in the dissident group's advance nomination notice – specifically, an alleged failure to disclose arrangements with other shareholders and connections to a former Skychain CEO – declared invalid the yellow proxies, which represented a majority of the voting shares of Skychain. As a result, management's slate of directors was acclaimed.

Read the [full article](#) by Trevor Zeyl and Viktor Hohlaov with Norton Rose Fulbright.

Favourable Changes to the Voluntary Disclosures Program for Non-Compliant Taxpayers

The Canada Revenue Agency (the "CRA") administers the Voluntary Disclosures Program ("VDP") to grant penalty and/or interest relief to taxpayers who voluntarily disclose errors or omissions in their past tax filings and pay the taxes owing, provided they meet the eligibility requirements of the program. These requirements are set out in the CRA's [Information Circular IC00-1R7](#) (for income tax) and [GST/HST Memorandum 16-5-1](#) (for GST/HST and certain other taxes).

Effective October 1, 2025, the CRA changed the requirements of the VDP, making the program more favourable to taxpayers. The key changes to the program are outlined below. Read the [full article](#) by Elizabeth Egberts with Thorsteinssons LLP.

The Wait Is (Still Not) Over: British Columbia Introduces New Restricted Licence Regime for Incidental Sales of Insurance for January 2027

The Government of British Columbia has published the [Restricted Insurance Agent Licence Regulation](#), introducing a new restricted licensing framework for businesses that sell insurance incidentally to their primary goods or services. Certain non-insurance businesses previously exempt from licensure must now apply for a Restricted Insurance Agency (RIA) Licence to continue selling eligible insurance products to sell insurance products. The new regime will take effect January 1, 2027.

This change represents a significant shift for many non insurance businesses that offer add-on insurance with their products. It aligns BC's requirements with comparable regimes in Alberta, Saskatchewan, Manitoba and New Brunswick, and introduces new training, oversight and transparency standards for incidental insurance distribution. Read the [full article](#) by Rick Da Costa and Surajreet Singh with Borden Ladner Gervais LLP.

Updates to BC Sales Taxes

The following updates to sales taxes were recently posted:

Provincial sales tax (includes municipal and regional district tax)

- December 17, 2025**

The [Software](#) and [Telecommunication services](#) pages have been updated to clarify how to determine if a mobile electronic device is considered to be ordinarily situated in B.C.

[Bulletin PST 309, PST and Non-Residents \(PDF, 330KB\)](#), has been updated to:

- Add Major Events MRDT information to the Accommodation section
- Clarify how to determine if a mobile electronic device is considered to be ordinarily situated in B.C.

- December 18, 2025**

The [List of zero-emission vehicles available in Canada](#) page has been updated to clarify vehicle models and improve user experience.

For more information, visit the BC government [website](#).

BC Securities – Policies & Instruments

The following policies and instruments were recently published on the BCSC website:

- [13-315](#) – Securities Regulatory Authority Closed Dates 2026
- [31-368](#) – Client Focused Reforms: Review of Registrants' Know Your Client, Know Your Product and Suitability Determination Practices and Additional Guidance [CSA and CIRO Staff Notice]
- [31-369](#) – Guidance on the Application of Securities Legislation to Finfluencer Activity [CSA and CIRO Staff Notice]
- [33-521](#) – Relief from sections of NI 33-109 Registration Information related to obligations to fill out specific forms

For more information, visit the BC Securities [website](#).

Act or Regulation Affected	Effective Date	Amendment Information
Business Practices and Consumer Protection Act	Dec. 3/25	by 2025 Bill 38, c. 31, sections 8, 9 and 12 only (in force by Royal Assent), Business Practices and Consumer Protection Amendment Act (No. 2), 2025
Financial Institutions Act	Dec. 18/25	by 2019 Bill 37, c. 39, section 60 (part) only (in force by Reg 247/2025), Financial Institutions Amendment Act, 2019
	Jan. 1/26	by 2019 Bill 37, c. 39, section 19 only (in force by Reg 117/2025), Financial Institutions Amendment Act, 2019

Insurance Council Regulation (569/2004)	Dec. 18/25	by Reg 247/2025
National Instrument 31-103 Registration Requirements, Exemptions and Ongoing Registrant Obligations (226A/2009)	Jan. 1/26	by Reg 249/2025



ENERGY & MINES

Energy and Mines News:

UNDRIP Moves From Principle To Practice in BC law: Key Takeaways from Gitxaala

On December 5, 2025, the British Columbia Court of Appeal released its decision in *Gitxaala v. British Columbia (Chief Gold Commissioner)*, [2025 BCCA 430](#). This decision further moves the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) from principle to practice. It specifically confirms that UNDRIP, through BC's [Declaration on the Rights of Indigenous Peoples Act](#) (DRIPA), now actively shapes how all BC laws are to be read and applied, and that courts can declare provincial regimes inconsistent with UNDRIP.

Redefining UNDRIP's role in BC law

The dispute arose from an earlier version of BC's mineral tenure system, which at the time allowed automatic online registration of mineral claims without prior consultation. The BC Supreme Court found this breached the Crown's duty to consult under section 35 of the [Constitution Act, 1982](#), and suspended its declaration to give the province time to redesign the regime.

The chambers judge treated UNDRIP as non-binding, stating DRIPA section 3 was not justiciable, and declining to adjudicate the question of inconsistency with UNDRIP.

Read the [full article](#) by Maya Stano, Paul Seaman and Elana Yamanouchi with Gowling WLG.

BC to Amend DRIPA Legislation in Response to Court Ruling

A recent Appeals Court [ruling](#) in British Columbia has declared that aspects of the province's [Mineral Tenure Act](#) are inconsistent with Indigenous rights, particularly as enshrined in the [Declaration on the Rights of Indigenous Peoples Act](#) (DRIPA). This landmark decision highlights a significant legal and practical challenge to how resource extraction has historically been managed in BC. In response, Premier David Eby has committed to amending DRIPA. This development marks a pivotal moment for Indigenous reconciliation and the future of resource development in British Columbia.

Regulatory Package Continues Work of Energy Statutes Amendment Act

On Oct. 20, 2025, government tabled the energy statutes amendment act ([Bill 31](#)), a series of regulatory and legislative measures introduced to streamline the approvals and permitting process.

Bill 31 received royal assent on Nov. 27, 2025, and the [regulatory measures](#) and [ministerial order](#) came into effect on Monday, Dec. 8, 2025.

Regulatory changes will address existing BC Hydro tariffs, making it easier for large industrial projects to connect to the North Coast Transmission Line (NCTL), and to support a final investment decision. Read the government [news release](#).

BCSC Panel Finds B.C.-Based Mining Company Filed Misleading Technical Report

A panel of the B.C. Securities Commission (BCSC) [has found](#) that a B.C.-based public mining company and its CEO made false or misleading statements in a report it filed.

Shaun Methven Dykes, a B.C. resident, is the president, CEO and a director of Multi-Metal Development Ltd., previously known as American CuMo Mining Corporation. At the time of the misconduct, the company's principal asset was a molybdenum-copper deposit in Idaho.

In 2019, Multi-Metal filed a technical report that contained an electronic signature of a qualified person – a professional engineer – and listed him as an author. A qualified person must meet specific requirements for education, training and experience, and must consent to the filing of the technical report by a publicly-traded company. The expert's certification is intended to ensure the reliability of the scientific and technical information in the report. Read the BCSC [news release](#).

The Supreme Court's Lundin Mining Decision Redefines the Meaning of Material Change for Public Companies

The Supreme Court of Canada's (the "SCC") decision in [Lundin Mining Corp. v. Markowich](#) ("Lundin Mining") marks a turning point for Canadian securities law by revisiting the meaning of "material change", resulting in significant implications for reporting issuers and the broader Canadian capital markets.

For reporting issuers, the message is clear: timely disclosure obligations are broader than many issuers may have assumed. Issuers must move faster and disclose more. Operational events that were once viewed as routine, particularly in industries like mining, may now constitute a "material change," requiring immediate public disclosure even when they are temporary or inherent to the industry.

Issuers should now adopt a proactive disclosure posture. The safest strategy is to err on the side of timely transparency. Delaying disclosure until scheduled quarterly updates or relying on internal assessments that downplay operational incidents are no longer defensible. Read the [full article](#) by Geoff Clarke, Andrew Powers and Madison Derraugh with Miller Thomson.

B.C. Firm Penalized \$142k for 'Major' Waste Leaks at Gold Mine

A B.C. firm has been penalized more than \$142,000 for failing to maintain a shuttered gold mine that was found to have leaked waste into the environment at levels dozens of times over provincial limits.

Located about 25 kilometres outside of Stewart, B.C., Ascot Resources Ltd. purchased the Premier Gold Mine in 2018 with the goal of restarting operations. The mine was initially opened during the First World War and operated for more than seven decades before going into care and maintenance in 1996. Read the [BIV article](#).

BC Energy Regulator Announcements

The following BC Energy Regulator announcements were posted recently:

- [TU 2025-18](#) – Interim Guidance for Renewable Energy Permit Applications Now Available
- [TU 2025-19](#) – Changes to Water Sales Application and Licence Holder Requirements
- [TU 2025-20](#) – Methane Emission Submission Updates for Permit Holders
- [DIR 2025-02](#) – BCER Expands Water Suspensions to include Nicola Lake
- [TU 2025-21](#) – Updates to the Application Management System (AMS) for Wind Facility and Renewable Energy Projects
- [IU 2025-11](#) – Interim Cost Recovery for Renewable Energy Projects
- [TU 2025-22](#) – New Notification Process for Equipping Additional Wells at Approved Well Facilities

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

Act or Regulation Affected	Effective Date	Amendment Information
Direction to the British Columbia Utilities Commission Respecting the North Coast Transmission Line Project (227/2025)	NEW Dec. 8/25	see Reg 227/2025
Environmental Protection and Management Regulation (200/2010)	Dec. 15/25	by Reg 237/2025
North Coast Transmission Line Project Exemption Regulation (228/2025)	NEW Dec. 8/25	see Reg 228/2025
Renewable Energy Projects (Streamlined Permitting) Regulation (93/2025)	Dec. 15/25	by Reg 237/2025



FAMILY & CHILDREN

Family and Children News:

Corporate Financial Disclosure and Child Support:

Insights from *Boucher v. Boucher* and BC Law

The recent decision in *Boucher v. Boucher*, 2025 MBCA 39 ("Boucher") highlights an important issue in family law concerning the disclosure of corporate financial records for child support purposes. The Manitoba Court of Appeal's decision offers a helpful comparison to how BC courts may approach similar disclosure issues.

The Boucher Case: A Manitoba Perspective

Boucher concerns a review of the parties' child support obligations. Ms. Boucher sought an order requiring her husband, Mr. Boucher, to disclose corporate financial records from two companies in which he had an interest. In one company, he was a minority shareholder, and in the other, he served as a director and officer.

Read the [full article](#) by Lina Kim, Ty Bradford and Matt Ostrow with Clark Wilson LLP.

Bill C-16: Updates to Canada's Federal Child Sexual Abuse and Exploitation Material Reporting Regime

The Government of Canada has introduced [Bill C-16](#), the *Protecting Victims Act*, to "protect victims and survivors of sexual violence, gender-based violence, and intimate partner violence, and to keep our kids safe from predators."

Bill C-16 proposes a broad range of criminal law reforms, including a suite of targeted amendments to [An Act respecting the mandatory reporting of Internet child sexual abuse and exploitation material by persons who provide an Internet service](#) (Mandatory Reporting Act) that clarify the Act's scope of application and update law enforcement notification obligations relating to child sexual

abuse and exploitation material (CSAEM) for online services.

Notably, Bill C-16 reprises key elements of the Mandatory Reporting Act amendment package previously proposed under [Bill C-63 \(the Online Harms Act\)](#), signaling the federal government's intent to prioritize targeted CSAEM reforms over the development of a broader online harms regime.

The bill was introduced and received first reading in the House of Commons on December 9, 2025, and was ordered for second reading at the next sitting of the House. Read the [full article](#) by John Salloum and Maryna Polataiko with Osler, Hoskin & Harcourt LLP.

Protecting Parents from Extra Daily Child Care Fees

Guideline updates set minimum 9.5 hours of care before extended-hour fees apply

The Province is protecting parents from extra child care fees by requiring providers to offer at least 9.5 hours of care per day before charging for extended hours.

Effective April 1, 2026, this policy update makes it clear for families and operators what is included in a base fee and sets a minimum threshold before additional extended-hour fees can apply. Providers will continue to set their hours based on what works for their program, staff and families. Read the government [news release](#).

B.C. Announces New Measures to Combat

Intimate Partner Violence

British Columbia's attorney general has announced further provincial measures aimed at combating intimate partner violence, while calling newly tabled federal legislation "a step toward justice."

Nikki Sharma said Tuesday [Dec. 9] the province will be establishing a comprehensive provincial framework to provide guidance to all those within the justice system to help better respond to intimate partner violence.

B.C. will also be creating an "internal government accountability mechanism to monitor the implementation" of reforms. Read the [Canadian Press article](#).

Sneaky Trusts: The Legal Plot Twist with Gratuitous Property Transfers

It is increasingly common for families to make financial decisions aimed at minimizing probate fees and income tax. However, these arrangements can have unexpected legal consequences. In this blog, we explore one such outcome: the presumption of resulting trust.

Presumption of Resulting Trust

The presumption of resulting trust applies to gratuitous transfers of property. It presumes that the transfer is not a gift to the recipient but is rather held in trust for the transferor. Two key elements give rise to a presumption of resulting trust:

- there is a gratuitous transfer of property, either as a gift or through the purchase of property in someone else's name; and
- there is no clear written or oral reason for why the transfer or purchase was made.

Read the [full article](#) by Emma Ferguson, Sabrina Ouyang and Valeria Laut with Alexander Holburn Beaudin + Lang LLP.

Act or Regulation Affected	Effective Date	Amendment Information
Child, Family and Community Service Act	Dec. 3/25	by 2025 Bill 29, c. 30, sections 1 to 5 only (in force by Royal Assent), Child, Family and Community Service Amendment Act, 2025



FOREST & ENVIRONMENT

Forest and Environment News:

BC Announces Support for Western Forest Products and Island Timber Frame

Through the Look West economic strategy, two Vancouver Island wood-product manufacturers will soon be able to produce more, higher-value products, including mass-timber products and inputs, with new funding that will help protect and create sustainable jobs, and reinforce British Columbia's supply chains.

Western Forest Products' value-added division in Chemainus, through the Province's BC Manufacturing Jobs Fund (BCMJF), is receiving as much as \$7.5 million to add two new continuous dry kilns to its manufacturing operations. By improving drying precision, these kilns allow Western to expand high-value applications for second-growth western hemlock, including in future mass-timber inputs. This support increases the stability of its operation and harvesting operations on Vancouver Island. Read the [full article](#) published by Canadian Forest Industries (paywall).

Recent Legislative Developments Relating to Greenwashing

and Environmental Claims in Canada

As we approach the end of 2025, there are some legislative developments of note in the greenwashing space.

Federal Bill C-15

On November 18, 2025, the federal government introduced [Bill C-15](#) as part of its efforts to advance its "Climate Competitiveness Strategy" outlined in the 2025 Federal Budget. Bill C-15 amends the "anti-greenwashing" provisions originally set out in Bill C-59, enacted in June 2024.

In an effort to clarify the [Competition Act's](#) greenwashing rules, Bill C-15 eases some of the standards imposed by Bill C-59, particularly around substantiation requirements for business-related environmental claims and private enforcement in respect of those matters.

Read the [full article](#) by Bill Gilliland and Nada Farag with Dentons.

Professional Forestry Leadership

Forest Professionals British Columbia has formalized a previously undefined area of professional practice: Professional Forestry Leadership. Since the inception of the *Foresters Act*, and now under the [Professional Governance Act](#), the practice of forestry has shifted and grown. Whereas our profession was once based almost exclusively in the field, it now spans many different variations and applications of foundational forestry knowledge. The Professional Forestry Leadership area of practice carries a particular weight: it demands a high level of responsibility with regards to judgment, ethical awareness, accountability to the public. It may be reflected in policy, in practice, or in academia, but it is a unique set of skills and knowledge that represent a significant cohort of our professional base. By naming it and giving structure to the parameters of what it means for professional forestry, BC's regulatory framework strengthens its reliance on forest professionals, and their accountability and protection of the public interest – while providing registrants with clear professional practice guidance.

A professional area of practice is one in which registered professionals may perform certain decisions, advice, or tasks. It is how we self-identify our areas of competence and provide the public with equal understanding. Read the [full article](#) by Tara Bergeson in the Winter 2026 issue of *BC Forest Professional*.

Government Actions Regulation Order

The [following order](#) was recently posted and signed under the authority of the [Government Actions Regulation 582/2004](#) impacting Ungulate Winter Ranges:

Notice is hereby given that Ungulate Winter Ranges (UWRs) U-4-003 and U-4-004 in the Rocky Mountain Natural Resource District and Selkirk Natural Resource District are established for bighorn sheep in the Kootenay Boundary Region. The Order was signed on December 19, 2025 under the authority of sections 9(2) and 12(1) of the Government Actions Regulation (B.C. Reg. 281/2023) of the [Forest and Range Practices Act](#) and section 31 of the Environmental Protection and Management Regulation (B.C. Reg. 219/2024) of the [Energy Resource Activities Act](#).

Details of the Order may be obtained from the Ecosystems Section, Kootenay Boundary Region, Ministry of Water, Land and Resource Stewardship, No. 401 - 333 Victoria Street, Nelson, BC V1L 4K3.

The Government Actions Regulation Order, accompanying maps, and spatial files may also be obtained from:
https://www.env.gov.bc.ca/wld/frpa/uwr/approved_uwr.html [de24]

The Consequences of Canada's Climate Backslide

With Canada in the throes of an about-face on climate policies, advocates say the shift could jeopardize the viability of Canada's climate agenda.

The federal government's recent memorandum of understanding with Alberta included a deal to build a new crude oil pipeline, suspend clean electricity regulations in the province, and scrap the cap on oil and gas emissions.

This comes after a slew of policies that reverse Canada's previous climate commitments, including the consumer carbon price, anti-greenwashing legislation, and measures aimed at supporting household electrification, such as the Canada Greener Homes Loan Program. Read the [full article](#) by Moira Donovan in the *CBA National*.

Federal Plastics Registry: Key Updates for 2026

Environment and Climate Change Canada (ECCC) has announced a delay to Phases 2 and 3 of reporting under the Federal Plastics Registry (Registry), giving businesses more time to prepare and improve data quality. Phase 1 remains in effect, and late reporting is still accepted, though enforcement actions are being considered. The amended Section 46 notice reflecting these changes will be published in the Canada Gazette in 2026. Businesses should use this time to strengthen internal reporting systems, engage suppliers, and monitor regulatory updates. Read the [full article](#) by Ingrid Anton and Victoria Asikis with Norton Rose Fulbright Canada LLP.

Drift Logs Destroying Intertidal Ecosystems in B.C., Study Finds

A new study by biologists at the University of Victoria has revealed why the simple back-and-forth motion of drift logs on B.C. beaches has destroyed critical ecosystems that keep the ocean healthy.

Visitors to most beaches on the West Coast will quickly notice the free-floating drift logs that have washed up onto shore.

When the tides go out the logs go with them, and when they come in the logs crash onto rocks and beaches. Read the [CBC article](#).

Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

[Environmental Management Act](#)

- [MBEC Communications Inc. dba The UPS Store v. Director, Environmental Management Act](#) [Dismissal Order – Appeal Dismissed]

Water Sustainability Act

- [161884 Canada Inc. v. Assistant Water Manager](#) [Dismissal Order – Appeal Dismissed]

Wildlife Act

- [Richard Garlock v. Deputy Regional Manager, Wildlife Act](#) [Settlement Order – Appeal Abandoned]

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

Act or Regulation Affected	Effective Date	Amendment Information
Drainage, Ditch and Dike Act	Dec. 3/25	by 2025 Bill 22, c. 32, section 20 only (in force by Royal Assent), Statutes Act
Forest and Range Practices Act	Jan. 1/26	by 2019 Bill 21, c. 25, section 5 only (in force by Reg 163/2023), Forest and Range Practices Amendment Act, 2019
Forest Planning and Practices Regulation (14/2004)	Jan. 1/26	by Reg 163/2023
Low Carbon Fuels (Technical) Regulation (295/2023)	Jan. 1/26	by Reg 24/2025
Reviewable Projects Regulation (243/2019)	Dec. 15/25	by Reg 237/2025



HEALTH

Health News:

Detainees Under BC's Mental Health Act Now Entitled to Meet Independent Rights Adviser

The British Columbia government has announced that individuals undergoing a mental health crisis have a legal right to communicate with an independent rights adviser, now that amendments to BC's [Mental Health Act](#), 1996, have entered into force.

The Mental Health Act permits the relevant authorities to involuntarily detain, admit, and treat or care for those with severe mental health disorders at designated mental health facilities to prevent their substantial mental or physical deterioration, protect them from themselves, or protect others. Read the [full article](#) by Bernise Carolino in the *Canadian Lawyer*.

New Safe Supply Rules Take Effect in B.C., with Mixed Reactions

New restrictions to British Columbia's safe supply program are now in effect.

Some addictions specialists worry the changes will push people back to toxic street drugs, while others say the changes were long overdue.

"A majority of our clients haven't had an issue with the changes," said Jake Flood, operations manager at the Umbrella Society, a Victoria-based non-profit that connects people to treatment and recovery services.

Those changes – to further restrict access to the province's prescription opioid program or safe supply – rolled out Dec. 30. Now, most patients who take prescription opioids such as hydromorphone or fentanyl patches will have to do so under the supervision of a pharmacist or health professional. Read the [CBC article](#).

Province Provides Second Report on Community-Based Primary Care Services

As part of the Cooperation and Responsible Government Accord 2025 (CARGA), the Province and BC Green Caucus are releasing the second of two reports highlighting shared findings and recommendations to strengthen primary care throughout British Columbia.

The [second report](#) highlights feedback shared by partners during engagement sessions led by the Ministry of Health and the British Columbia Association of Community Health Centres. The report details challenges that affect the expansion and effectiveness of primary care in B.C., particularly community health centres (CHCs). Read the government [news release](#).

'Lost Economic Output': Medical Wait Times in Canada Still at 28.6 Weeks in 2025

Canadian patients are still facing months-long delays for medically necessary care, with direct implications for employers and HR leaders managing absence, disability and benefit costs, according to a new Fraser Institute study.

The median wait between referral from a general practitioner (GP) and receipt of treatment is 28.6 weeks, down from 30.0 weeks in 2024.

However, the 2025 data are still "208 per cent longer than the 9.3 week wait Canadian patients could expect in 1993." Read the [full article](#) by Jim Wilson in the *Canadian HR Reporter*.

BC Court of Appeal Dismisses Proposed Privacy Class Action; Finds Use of Professionals' Names Was Not Commercial Exploitation

In *RateMDs Inc. v. Bleuler*, [2025 BCCA 329](#), the BC Court of Appeal overturned certification of a proposed privacy class action, finding that the plaintiff's novel claims that use of health professionals' names violated their privacy and amounted to commercial exploitation under provincial privacy statutes were bound to fail. This decision reaffirms the BC courts' commitment to screening out novel claims that are bound to fail at certification. There is no justification for engaging significant court and party resources to litigate claims that have no prospect of success simply because they are novel.

The plaintiff in RateMDs alleged that the defendant's use of health professionals' names and contact information to create profiles about them on its website, under which patients could post reviews, was a violation of the health professionals' privacy and an unauthorized use of their names for commercial purposes, giving rise to claims under ss. 1 and 3(2) of the BC [Privacy Act](#) and comparable privacy legislation in other provinces. Read the [full article](#) by Katherine Booth and Nina Butz with Bennett Jones LLP.

Supreme Court Restores Woman's Conviction for Mother's Attempted Murder with Insulin

The decision sidesteps an attempt to put a bright line between murder and assisted suicide

The Supreme Court of Canada has restored an attempted murder conviction in a case involving an apparent attempted murder-suicide with a Toronto nurse, her mother and daughter.

The [6-3 decision](#) sidestepped an attempt to put a bright line between murder and assisted suicide. It included a partial dissent centred on jury instructions and the air of reality of a theory that the trial judge did not raise in those instructions.

In June of 2019, B.F., her mother I.F., and daughter E were all found unconscious with five emptied insulin pens nearby. B.F. and I.F. made full recoveries, but E suffered permanent brain damage and irreparable damage to other organs, and will require medical care for the rest of her life. Read the [full article](#) by Dale Smith in the *CBA National*.

Act or Regulation Affected	Effective Date	Amendment Information
Drug Schedules Regulation (9/98)	Dec. 15/25	by Reg 238/2025
Mental Health Act	Dec. 3/25	by 2022 Bill 23, c. 17, sections 1 to 8 only (in force by Reg 157/2025), Mental Health Act
		by 2025 Bill 32, c. 28, sections 1 and 2 only (in force by Royal Assent), Mental Health Amendment Act (No. 2), 2025
Mental Health Regulation (233/99)	Dec. 3/25	by Reg 157/2025
	Dec. 15/25	by Reg 234/2025
Vaping Product Damages and Health Care Costs Recovery Act	NEW Dec. 3/25	c. 29, SBC 2025, Bill 24 , whole Act in force by Royal Assent



LABOUR & EMPLOYMENT

Labour and Employment News:

Dec. 12: New Leaves Take Effect

As of today, Dec. 12, 2025, federally regulated employees have new protections around pregnancy loss and the death of a child, and employers face sharper compliance obligations and penalties if they fail to deliver them.

Key amendments to Part III of the [Canada Labour Code](#) are now in effect, and the changes significantly expand leave entitlements while raising the stakes for non-compliance through new administrative monetary penalties.

Also of note to employers: new record-keeping obligations are taking effect. Read the [full article](#) by Sarah Dobson in the *Canadian HR Reporter*.

Wrongful Dismissal During Probation:

Key Lessons for Employers

In *Liivam v. MacKay Contracting Ltd.*, [2025 BCSC 582](#), the British Columbia Supreme Court (the "Supreme Court") held the employer wrongfully dismissed an employee during the employee's probationary period. The Supreme Court held that the employer did not

give the employee a reasonable opportunity to display his suitability for the position and made its decision on the basis of allegations that were not properly investigated.

In this case, the plaintiff was employed by the defendant, Mackay Contracting Ltd. (the "Defendant Mackay"), as a Site Supervisor on a construction site in Cuba. The Defendant Mackay contracted with the defendant, Sherritt International Corporation (the "Defendant Sherritt"), to provide on-site construction management, supervision and other services. The Defendant Mackay's contract with the Defendant Sherritt included a number of policies, including a "Department Policy". Their agreement also included a separate document titled "Special Terms and Conditions". Read the [full article](#) by Tiffany Lee with Pushor Mitchell LLP.

Minimum Rates Increase Dec. 31 for Hand-Harvest Farm Workers

The minimum piece rates for hand harvesting of specified farm crops will increase by 2.6% on Wednesday, Dec. 31, 2025.

The increase applies to 15 agricultural crops harvested by hand, as specified in the [Employment Standards Regulation](#). The hand-harvested crops are peaches, apricots, brussels sprouts, daffodils, mushrooms, apples, beans, blueberries, cherries, grapes, pears, peas, prune plums, raspberries and strawberries.

This is an annual increase based on B.C.'s average annual inflation rate in 2024 and is consistent with the 2.6% increase to the general minimum hourly wage that came into effect June 1, 2025.

After legislative changes were made to the [Employment Standards Act](#) in spring 2025, increases to the general minimum wage for piece rates will come into effect each year on Dec. 31, based on the previous year's average inflation rate. Read the government [news release](#) for additional details.

Why Remote Workers Keep Winning in Employment Law Disputes

Employers hoped remote work would vanish with the pandemic. Employees quietly built their lives around it. Courts, meanwhile, have started defining its legal boundaries – often in ways employers never anticipated.

Across Canada, companies pushing sudden return-to-office mandates are colliding with employees who now view remote work as a contractual right – and in most cases it is.

Surveillance software has become the new battleground. Documentation – or the lack of it – is deciding dismissals. And judges are increasingly skeptical of employers who change major work terms without explanation.

This three-part package explains:

- Why remote workers keep winning in court
- How employers can stop losing these cases
- How employees can protect themselves and assert their rights

Read the [article](#) by Howard Levitt in the *Financial Post*.

While Pre-Planning Was Limited, Ombudsperson Investigation Finds Speed of Provincial Government Delivery of Social Assistance Cheques During 2024 Postal Strike Was Reasonable

The BC Ombudsperson released a report today outlining the results of his office's investigation into the Ministry of Social Development and Poverty Reduction's distribution of income and disability assistance cheques during the 2024 Canada Post strike.

The report, [Stamp of Approval: Delivering income and assistance cheques during a postal strike](#), finds that while imperfect, the ministry's response to the strike was satisfactory and assistance payments were delivered in a timely manner. Read the [report](#) from the Office of the Ombudsperson.

B.C. Maintains Status Quo on Public Sector Workers Going Back to Office Full-Time

Monday [Jan. 5] was the first day in Ontario that public sector workers must return to the office five days a week, prompting questions in B.C. about remote work options for civil servants.

"We're seeing a revitalization of rural communities where people can live and work for lower cost of living," Paul Finch, president of the BCGEU, told Global News.

The BC NDP government has not announced any plans to mandate civil servants back to work five days a week, but the Opposition says it's time. Read the *Global News* [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Employment and Assistance Regulation (263/2002)	Dec. 1/25	by Reg 197/2025
Employment and Assistance for Persons with Disabilities Regulation (265/2002)	Dec. 1/25	by Reg 194/2025 and Reg 197/2025
Public Service Labour Relations Act	Dec. 3/25	by 2025 Bill 22, c. 32, section 27 only (in force by Royal



LOCAL GOVERNMENT

Local Government News:

No Repeals Planned for Housing-Related Legislation

A group of metro Vancouver mayors have asked the province to repeal various housing-related legislation, including:

- The province's ability to set housing targets for municipalities, as set out in the [Housing Supply Act](#)
- The requirement to permit certain housing developments near transit hubs, as set out in [2023 Bill 47](#), the *Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023*
- The requirement to permit small-scale multi-unit housing as set out in [2023 Bill 44](#), the *Housing Statutes (Residential Development) Amendment Act, 2023*

The Housing Minister and Premier have said that the provincial government will not repeal the legislation. For more information, see the [article](#) in BIV.

Update on Bill M216 – PIBC Submission

The Planning Institute of British Columbia (PIBC) has submitted [formal input](#) on [Bill M216 – Professional Reliance Act](#) to the Select Standing Committee on Private Bills and Private Members' Bill. PIBC principally recommends:

THAT THE SELECT STANDING COMMITTEE ON PRIVATE BILLS AND PRIVATE MEMBERS' BILLS MOVE TO NOT PROCEED WITH BILL M216.

Separately, PIBC recommends that the Province, through the Ministry of Housing & Municipal Affairs collaborate with communities and key stakeholders, including PIBC, to accelerate implementation of integrated and effective development approvals process improvements for housing and to share best practices through expanded peer learning. In reviewing Bill M216, PIBC found five fundamental deficiencies: Read the PIBC [news release](#).

Professional Reliance Act Proposal Ruffles Feathers

[Bill M216](#), the *Professional Reliance Act*, has generated greater interest than many members' bills, with its proposal on streamlining development approval procedures eliciting strong comments for and against. What some of those comments represent is a more fundamental disagreement about the status of technical professionals and the meaning of their work. For contractors, developers and registered technical professionals, just as much as for local government councils and planning departments, a members' bill recently introduced into the BC Legislative Assembly is provoking not a little controversy and interest. Read the [full article](#) published by Civic Legal LLP.

Proposed Water-infrastructure Fee Would Add to Already High Building Costs: VIU Prof

The development cost charge is meant to pay for about 35 percent of nearly \$2 billion in infrastructure spending to address the effects of climate change and population growth on the water supply.

Greater Victoria's regional water commission is proposing that developers pay for nearly all of the cost of new water infrastructure for future growth in the region. But critics say a development cost charge for water infrastructure proposed by the Capital Regional District for new developments would add thousands of dollars in costs to every home built, further hampering construction during a slowdown in the building industry. Mark Holland, a planning professor at Vancouver Island University who is also a consultant for developers, said new projects are already being stalled by rising interest rates, high construction costs and charges levied by municipalities on new buildings, not to mention supply-chain issues. Read the *Times Colonist* [article](#) (paywall).

Independent Review Recommends

911 Legislative Reform

An independent review of 911 emergency communications service delivery in BC has concluded that the Province should "[implement] a structured oversight framework and [take] more responsibility across the sector." This comes approximately one year after Premier David Eby, in response to a UBCM resolution and local government concerns, announced an internal review of E-Comm and 911 service. The review (released at the same time as an independent review focused specifically on E-Comm's operations), examined BC's 911 emergency communications service delivery model and the role of the provincial government. It focused on three key components: governance, standards and funding. Several service delivery options were evaluated based on their ability to ensure system capacity, financial sustainability, consistency of service levels and access to services, and to meet future expectations and technological advancements. Read the UBCM [article](#).

Recurring Flood Risk Requires

Sustained Response

Storms in southwestern British Columbia are once again placing significant strain on communities and compounding the long-term impacts of past flood events. As local governments and other service providers respond to the impacts, UBCM continues to call for sustained provincial and federal funding and support to help local governments respond, recover and invest in long-term flood risk mitigation. Prolonged rainfall, saturated soils and high river levels are echoing the conditions experienced during the 2021 atmospheric river events. The weather has led to flooding and evacuations, agricultural losses, damage to infrastructure, and also heightened the risk of landslides. Read the UBCM [article](#).

Act or Regulation Affected	Date	Amendment Information
Development Charge (Instalments) Regulation (166/84)(formerly <i>Development Cost Charge and Amenity Cost Charge (Instalments) Regulation</i>)	Jan. 1/26	by Reg 99/2025 , Reg 161/2025 and Reg 239/2025
Development Cost Charge Regulation (114/2018)	Jan. 1/26	by Reg 190/2025 and Reg 248/2025
Electrical Power Corporations Valuation Regulation (217/86)	Dec. 17/25	by Reg 240/2025
Eligible Port Property Designation Regulation (309/2010)	Dec. 15/25	by Reg 236/2025
Interpretation Act	Dec. 3/25	by 2025 Bill 22, c. 32, sections 23 and 25 only (in force by Royal Assent), Statutes Act
Islands Trust Act	Jan. 1/26	by 2025 Bill 13, c. 7, section 12 only (in force by Royal Assent), Miscellaneous Statutes Amendment Act, 2025
Liquor Control and Licensing Regulation (241/2016)	Dec. 8/25	by Reg 226/2025
Local Elections Campaign Financing Act	Jan. 1/26	by 2025 Bill 13, c. 7, sections 13 to 19 only (in force by Royal Assent), Miscellaneous Statutes Amendment Act, 2025
Local Elections Campaign Financing Regulation (281/2021)	Jan. 1/26	by Reg 203/2025
Managed Forest Land and Cut Timber Values Regulation (90/2000)	Dec. 17/25	by Reg 241/2025
Port Land Valuation Regulation (304/2010)	Dec. 15/25	by Reg 231/2025
Railway and Pipeline Corporations Valuation Regulation (203/86)	Dec. 17/25	by Reg 242/2025
Railway, Pipeline, Electric Power and Telecommunications Corporation Rights of Way Valuation Regulation (218/86)	Dec. 17/25	by Reg 243/2025
Restricted-Use Property Valuation Regulation (236/2017)	Dec. 15/25	by Reg 232/2025
School Act	Jan. 1/26	by 2025 Bill 13, c. 7, section 72 only (in force by Royal Assent), Miscellaneous Statutes Amendment Act, 2025
School Tax Exemptions (Solar Power Projects) Regulation (225/2025)	NEW Dec. 31/25	see Reg 225/2025
Short-Term Rental Accommodations Act	Dec. 15/25	by 2025 Bill 25, c. 26, sections 35, 38, 39, 41, 42, 44, 46 and 50 only (in force by Reg 233/2025), Housing and Municipal Affairs Statutes Amendment Act, 2025
	Jan. 1/26	by 2025 Bill 25, c. 26, section 34 only (in force by Royal Assent), Housing and Municipal Affairs Statutes Amendment Act, 2025
Short-Term Rental Accommodations Regulation (268/2023)	Dec. 4/25	by Reg 224/2025
	Dec. 15/25	by Reg 233/2025
Telecommunications Corporations Valuation	Dec. 17/25	by Reg 244/2025

Regulation (226/86)		
Vancouver Charter	Jan. 1/26	by 2025 Bill 13, c. 7, sections 48 to 60 only (in force by Royal Assent), Miscellaneous Statutes Amendment Act, 2025



MISCELLANEOUS

Miscellaneous News:

UNDRIP Moves from Principle to Practice in BC Law: Key Takeaways from *Gitxaala*

On December 5, 2025, the British Columbia Court of Appeal released its decision in *Gitxaala v. British Columbia (Chief Gold Commissioner)*, 2025 BCCA 430. This decision further moves the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP) from principle to practice. It specifically confirms that UNDRIP, through BC's [Declaration on the Rights of Indigenous Peoples Act](#) (DRIPA), now actively shapes how all BC laws are to be read and applied, and that courts can declare provincial regimes inconsistent with UNDRIP.

Redefining UNDRIP's Role in BC Law

The dispute arose from an earlier version of BC's mineral tenure system, which at the time allowed automatic online registration of mineral claims without prior consultation. The BC Supreme Court found this breached the Crown's duty to consult under [section 35 of the Constitution Act, 1982](#), and suspended its declaration to give the province time to redesign the regime. The chambers judge treated UNDRIP as non-binding, stating DRIPA section 3 was not justiciable, and declining to adjudicate the question of inconsistency with UNDRIP.

Read the [full article](#) by Maya Stano, Paul Seaman and Alana Yamanouchi (Articling Student) with Gowling WLG.

Legal Experts Warn Proposed Immigration Bill

Marks Shift away from Rule of Law

As federal lawmakers prepare for a sweeping new immigration bill, the Canadian Immigration Lawyers Association is sounding the alarm over what it describes as a profound threat to parliamentary scrutiny, administrative law, and Canada's human-rights obligations. Pantea Jafari, founder and lead counsel at Jafari Law, and a member of CILA's [Bill C-12](#) committee, which is studying the legislation, says the bill represents an unprecedented consolidation of executive power – one that could reshape immigration decision-making for years to come. Read the [full article](#) by Zena Olijnyk with Canadian Lawyer.

B.C. Court of Appeal Confirms 30-Day Timeline for Appeals and Cross-Appeals of Arbitral Awards

In a recent decision, the British Columbia Court of Appeal provided important clarification regarding the deadlines for filing appeals of arbitral awards under the [Arbitration Act](#), SBC 2020, c 2. The Court determined that the timeline in the [Court of Appeal Rules](#), BC Reg 120/2022, which allows cross-appeals within 15 days of the filing of the initial appeal, does not apply to an appeal under the [Arbitration Act](#). Both appeals and cross-appeals of arbitral awards must be filed within 30 days of the issuance of an arbitral award.

Facts and Decision

[Sinclair v. T.D.M.C. Holdings Ltd.](#) (*Sinclair*) concerned an arbitral award delivered on May 28, 2025. The appellants filed a notice of appeal and application for leave to appeal the award just before the 30-day limit for doing so under section 60 of the [Arbitration Act](#) expired on June 27, 2025.

Read the [full article](#) by Laura Cundari, FCIArb, Lindsay Rowell, FCIArb, Stefani Connelly (née Wesley), Andrew Kavanagh and Nicholas Chase with Blakes.

Digital Dispute Resolution and Adjudication: What's Next?

Introduction:

Dispute resolution has undergone a transformation in the last decade, accelerated by the COVID-19 pandemic (COVID) and the adoption of digital technologies. The rise of Zoom and other virtual platforms has not only altered the technical requirements of mediation but has also reshaped its substance, accessibility, and human dynamics. Looking ahead, artificial intelligence (AI) is likely to further redefine how disputes are managed, resolved, and even predicted.

The Shift to Virtual Mediation

Before 2020, mediation was usually a face-to-face process, valued for its personal connection. The onset of COVID forced everyone to pivot almost overnight to virtual platforms such as Zoom and Microsoft Teams. What began as an emergency measure has since evolved into the norm of modern dispute resolution.

Read the [full article](#) by [Stephen McPhee, KC](#), published in *BarTalk*.

BC Court of Appeal Dismisses Proposed Privacy Class Action; Finds Use of Professionals' Names Was Not Commercial Exploitation

In *RateMDs Inc. v. Bleuler*, 2025 BCCA 329, the BC Court of Appeal overturned certification of a proposed privacy class action, finding that the plaintiff's novel claims that use of health professionals' names violated their privacy and amounted to commercial exploitation under provincial privacy statutes were bound to fail. This decision reaffirms the BC courts' commitment to screening out novel claims that are bound to fail at certification. There is no justification for engaging significant court and party resources to litigate claims that have no prospect of success simply because they are novel. The plaintiff in *RateMDs* alleged that the defendant's use of health professionals' names and contact information to create profiles about them on its website, under which patients could

post reviews, was a violation of the health professionals' privacy and an unauthorized use of their names for commercial purposes, giving rise to claims under ss. 1 and 3(2) of the BC [Privacy Act](#) and comparable privacy legislation in other provinces. Read the [full article](#) by Katherine Booth and Nina Butz with Bennett Jones LLP.

What Tribunal Adjudicators Wish You Knew

During law school and throughout my career as a lawyer, I have focused my practice on administrative law. While completing my degree, I interned with WorkSafeBC's Review Division, which is the first level of appeal for workers and employers dissatisfied with compensation claim decisions. There, I adjudicated appeals of decisions involving claims acceptance and benefit duration. That experience turned out to be invaluable later, when I began representing unionized workers in their WorkSafeBC claim appeals before the Review Division and WCAT. I already knew what kinds of submissions helped an adjudicator—and which ones didn't. It saved me time, and it made my advocacy more effective. For the past eleven years, I've practiced labour law, both in private practice and with two of the largest public-sector unions in BC. I now also serve as a part-time member of the Employment Standards Tribunal ("EST"), which hears appeals of determinations made under the [Employment Standards Act](#). The EST allows appeals based on errors of law, procedural fairness, and new evidence. Read the [full article](#) by Diane Irvine, published on *BarTalk*.

Interpreting Legislation vs Making Legislation

Regulators cannot enact legislation through policy. However, regulators frequently publish policies interpreting or applying their legislation. The line between those two activities is sometimes fine. A recent BC decision offers some reassurance to regulators: *LGM Financial Services Inc. v British Columbia Financial Services Authority*, [2025 BCSC 2423](#). LGM sold "appearance protection service contracts" to automobile purchasers for many years without objection. Following an investigation into a related matter, the regulator issued a Statement indicating that automobile insurance covers a loss "if the glass, paint, or other part of a motor vehicle is otherwise damaged due to a fortuitous event." LGM argued that the Statement materially altered the definition of automobile insurance in the legislation and that the Statement indicated that compliance was mandatory. Read the [full article](#) by Bernie LeBlanc with Steinecke Maciura LeBlanc.

Bill C-3 Restores Canadian Citizenship to Lost Canadians

On December 15, 2025, [Bill C-3, An Act to amend the Citizenship Act \(2025\)](#), came into force. Bill C-3 amended the Canadian [Citizenship Act](#) to no longer limit citizenship by descent to the first generation born abroad. It also restored Canadian citizenship to former citizens who failed to retain their Canadian citizenship under Section 8 of the previous legislation and the descendants of persons who acquired Canadian citizenship under prior amendments that came into force in 2009 and 2015.

Overview of prior citizenship legislation

The term "lost Canadians" refers to individuals who lost or never obtained citizenship because of earlier citizenship laws. Amendments to the *Citizenship Act*, which came into effect in 2009 and 2015, restored or gave citizenship to many of these lost Canadians. However, some individuals continued to be excluded.

Read the [full article](#) by Henry Chang with Dentons.

SCC: Accused Can Challenge Warrantless Arrest If It Does Not Comply with Criminal Code Limits

An accused person can challenge the lawfulness of a warrantless arrest, the Supreme Court of Canada ruled Friday [Dec 12], if the arrest does not comply with the limits set out in the [Criminal Code](#). Writing for a unanimous court in the case of *R v. Carignan*, Justice Suzanne Côté found that the text, context and purpose of [s. 495\(2\) of the Criminal Code](#) show that the limits imposed on the power of arrest without warrant are mandatory in nature. Canada's highest court, therefore, dismissed the prosecution's appeal and upheld a Quebec Court of Appeal order for a new trial. Read the [full article](#) by Zena Olijnyk with *Canadian Lawyer*.

Act or Regulation Affected	Effective Date	Amendment Information
Evidence Act	Dec. 3/25	by 2025 Bill 22, c. 32, section 21 only (in force by Royal Assent), Statutes Act
King's Printer Act (formerly Queen's Printer Act)	Dec. 3/25	by 2025 Bill 22, c. 32, sections 28 to 30 only (in force by Royal Assent), Statutes Act



MOTOR VEHICLE & TRAFFIC

Motor Vehicle and Traffic News:

Public Notice – 60-Day Consultation for New Editions of CSA B620, CSA B621 and CSA B622

The Canadian Standards Association (CSA) has released the drafts of the update to safety standards CSA B620, CSA B621 and CSA B622 for a 60-day consultation period. The consultation is open from November 28, 2025, to January 27, 2026. Once the safety standards have been finalized and published, a notice will be issued specifying the coming into force date of the updated standards.

Scope of the consultation

Safety standard CSA B620 sets out the requirements for the design, manufacture, assembly, modification, inspection, testing and repair of highway and TC portable tanks. The standard also prescribes registration requirements by Transport Canada (TC) of facilities, training organizations, design engineers and design review agencies for conducting the activities within the scope of the standard. Safety standard CSA B621 sets out the selection and use requirements for highway and

TC portable tanks transporting dangerous goods of Class 3, 4, 5, 6.1, 8, and 9. Safety standard CSA B622 sets out the selection and use requirements for highway and TC portable tanks transporting dangerous goods of Class 2.

Read the [full notice](#) published by Transport Canada.

BC Transit Files \$5 Million Lawsuit Claiming

It Received 206 Leaky Buses

Claim filed in B.C. Supreme Court alleges Vicinity Motor (Bus) Corp., now bankrupt, delivered defective buses and failed to repair them or compensate the bus company

BC Transit has filed a lawsuit against a bus manufacturer, saying it faces a \$5.2 million repair bill to fix 206 leaky buses. The publicly owned transit company that runs buses across much of BC alleges the Vicinity Motor (Bus) Corp. breached its contract to properly design or manufacture the low-floor buses to withstand B.C.'s rainy season, according to the lawsuit filed in B.C. Supreme Court on Dec. 23. A water test was to be applied to each bus to simulate western BC rain conditions and the daily vehicle wash cycle, according to the claim. Read the [full article](#) published by the *Vancouver Sun*.

Preparing for Winter Roadside Emergencies

For workers who drive on the job, getting stuck, stranded, or delayed can be challenging at the best of times. But in winter, these roadside emergencies can be life-threatening, especially for workers who drive alone or in remote areas. The causes can range from poor road conditions and crashes to mechanical failures and avalanche clearing. Whatever the cause, these emergencies can expose workers to passing vehicles, extreme cold, carbon monoxide, wildlife, and other hazards. "Roadside emergencies definitely happen," says Trace Acres, program director for Road Safety at Work. "And a lot of highway maintenance contractors will tell you they see people stranded who are simply not prepared for the conditions." Read the [full article](#) by Michael Laycock, published in *WorkSafe Magazine* – Winter 2025.

CVSE Bulletins & Notices

The following documents were posted recently by CVSE:

- [NSC Bulletin 02-2023](#) – Publication of Carriers Cancelled for Cause
- [NSC Bulletin 01-2024](#) – Safety Rating Certificate and Status for B.C. Carriers

For more information on these and other items, visit the [CVSE website](#).

Passenger Transportation Board Bulletins

The following updates were recently published by the BC Passenger Transportation Board:

News and Updates

- **Frequently Asked Questions – Taxi Rates Structure (November 2025)**

Frequently asked questions and answers on the implementation of Rate Bands. Read the [full update](#).

- **New taxi rates structure**

Starting in 2026, the Passenger Transportation Board is implementing new rates structures for the B.C. taxi sector. Read the [full update](#).

Applications Received

- [22970-25](#) – Sham Lal Enterprises Ltd.
- [23679-25](#) – Yellow Top Taxi Ltd.
- [23722-25](#) – Hermes Limo BC Ltd.
- [23960-25](#) – Transfer from Russell William McLaughlin to Manjinder Singh Hayre
- [24169-25](#) – Plan A Tours
- [24055-25](#) – Cyberlift

Application Decisions

- [22986-25](#) – Penticton Eco Taxi Ltd. [Approved]
- [24586-25 PS TOP](#) – Vanride Shuttle Services Ltd. [Approved]
- [24591-25 FS TOP](#) – Kami Cabs Ltd. [Approved]
- [24531-25 TOP](#) – Luxury Transport Inc. [Approved]
- [24713-25 PS TOP](#) – River City Limo [Approved]
- [24689-25 TOP](#) – Dara's Dolphins Transportation Services Ltd. [Approved]

Visit the Passenger Transportation Board [website](#) for more information.

Act or Regulation Affected	Effective Date	Amendment Information
Motor Vehicle Act Regulations (26/58)	Dec. 15/25	by Reg 235/2025



OCCUPATIONAL HEALTH & SAFETY

Occupational Health and Safety News:

WorkSafeBC Board of Directors Approves Amendments to the Occupational Health and Safety Regulation and the Prevention Manual

– from [WorkSafeBC](#)

At its November 2025 meeting, WorkSafeBC's Board of Directors approved amendments to the [Occupational Health and Safety Regulation](#) and the Prevention Manual. The amendments relate to [Combustible Dusts](#) and [Standards Updates](#). Strikethrough versions of the amendments with explanatory notes can be accessed below. Deletions in the regulatory amendments are identified with a ~~strike-through~~ and additions are in **bold text and highlighted in yellow**.

- Part 6, Substance Specific Requirements, Combustible Dusts;
[Approved amendments with explanatory notes](#)

These amendments will come into effect on January 4, 2027.

- Parts 8 and 31, Standards Updates;
[Approved amendments with explanatory notes](#)

These amendments will come into effect on April 1, 2026.

Drones, Done Safely: Practical Ways RPAS

Reduce Risk in BC Forestry

Forestry is full of places where people would rather not traverse: steep, broken slopes; active cable corridors; fire-damaged blocks where snags and ash pits wait underfoot. Small uncrewed aircraft, also known as drones or RPAS, are already shifting who needs to be there and for how long. When they're integrated with solid procedures and flown in compliance with Transport Canada's aviation rules, drones are proving to be a simple, practical way to cut exposure and improve decision-making on forestry blocks. The clearest safety win is during line work and layout on steep ground. Instead of sending a crew across gullies and bluffs to pull light messenger line, a drone can lift and place a quarter-inch rope along a planned corridor in minutes. That reduces the time people spend traversing hazardous terrain and keeps them out of the fall line. The drone doesn't replace a qualified crew though; it minimizes where the riskiest minutes happen. Operators stage from stable ground with clear egress, while the aircraft effortlessly does the scrambling. Read the [full article](#) by Taylor Alexander, published in the December issue of *Forest Safety Newsletter*.

WorkSafeBC BOD Decision: Duration of Benefits (Retirement Age)

– from [WorkSafeBC](#)

On November 14, 2025, WorkSafeBC's Board of Directors revised policies in the Rehabilitation Services & Claims Manual, Volume II concerning retirement date determinations under [section 201 of the Workers Compensation Act](#). The policy revisions add a reference to the general evidence policies and reword the guidance for workers who are 63 years of age and older on the date of injury to more closely match the policy for workers under 63. The revised policies apply to all decisions, including appellate decisions, made on or after February 1, 2026.

WorkSafeBC BOD Decision: Commutations

– from [WorkSafeBC](#)

On November 14, 2025, the Board of Directors revised policy on commutations in the Rehabilitation Services & Claims Manual, Volume II. The primary change is to increase the monetary threshold for when periodic payments for permanent disability benefits can be automatically commuted to a lump sum payment from \$200 to \$350. The revised policy applies to all decisions made on or after February 1, 2026.

Supporting Workers for Successful Returns

Returning to work after a workplace injury is a collaborative process that supports worker recovery while maintaining productivity and morale. A successful return involves early communication, empathy, planning, and cooperation among employers and workers. When a worker is injured, the focus naturally shifts to recovery. But for many employers, what happens next can feel uncertain and a little daunting. The good news is that the return-to-work experience can be a positive one for workers and employers. With the right approach, it becomes a practical, supportive, and repeatable process that helps injured workers recover and stay connected, while also maintaining productivity and morale. Read the [full article](#) by Marnie Douglas, published in *WorkSafe Magazine* – Winter 2025.

Extreme Cold Events and Planning for Worker Safety

Winter officially begins December 21st, and with it brings plunging temperatures, snow, ice and frosty winds that can increase risks for workers. In addition to extremely cold temperatures, wet, cool conditions also pose a significant risk of cold stress and hypothermia. Between 2013 and 2023, there were 167 accepted claims for short-term or long-term disability benefits for injuries related to cold stress in BC, including frostbite, hypothermia and abrasions. More work-related motor vehicle crashes occur in November, December and January than in any other three-month period. Read the [full article](#) published in the December issue of *Forest Safety Newsletter*.

WorkSafeBC BOD Decision: Mental Disorders

– from [WorkSafeBC](#)

On November 14, 2025, WorkSafeBC's Board of Directors revised policies in the Rehabilitation Services & Claims Manual, Volume II concerning mental disorder claims under [section 135 of the Workers Compensation Act](#). The policy revisions change the definition of significant work-related stressor and provide guidance on the limits of the labour relations exclusion. The revised policies apply to all decisions, including appellate decisions, made on or after March 2, 2026.

OHS Policies/Guidelines – Updates

Guidelines – Occupational Health and Safety Regulation

December 4, 2025

Editorial revisions were made to the following guideline on December 4, 2025:

- Part 20 – Excavations
- [G20.79 Underground utilities](#)

Guidelines – *Workers Compensation Act*

January 1, 2026

Editorial revisions were made to the following guideline to reflect CPI adjustments:

- [G-P2-94-1 OHS Citations](#)

Policies – *Workers Compensation Act*

January 1, 2026

The following policies were updated to reflect CPI adjustments, effective January 1, 2026:

- [P2-94-1 – OHS Citations](#)
- [P2-95-4 – Non-Exclusive Ways to Impose Financial Penalties](#)
- [P2-95-5 – OHS Penalty Amounts](#)
- [P5-251-1 – Claims Costs Levies](#)

Visit the [WorkSafeBC website](#) to explore this and previous updates.

Act or Regulation Affected	Effective Date	Amendment Information
<i>There were no amendments this month.</i>		



PROPERTY, REAL ESTATE & CONSTRUCTION

Property, Real Estate & Construction News:

BC Supreme Court Restrains City of Kelowna from Terminating Lease in the Midst of Real-Estate-Development Dispute

350 Doyle Avenue Holdings Inc. v City of Kelowna, [2025 BCSC 2532](#), concerned an application "for an interlocutory or, alternatively, interim injunction preventing the defendant, the City of Kelowna . . . , from terminating a 99-year lease for property located in downtown Kelowna". The case involved three conjoined actions over a large-scale real-estate development and the decision to grant an injunction largely turned on the plaintiff's ability to demonstrate irreparable harm if its request for a pre-trial injunction were refused. The underlying action concerned a mixed-use tower, which the plaintiff proposed to build in downtown Kelowna. After granting the plaintiff a development permit, the City of Kelowna changed course and rescinded its permit. In short order, the "underlying action was commenced in February of 2024, and is grounded in breach of contract; that is, a breach of the 99-year lease, and misfeasance in public office". Read the [full article](#) by Kevin Zakreski with BCLI.

BC Appeal Court Dismisses Appeal by Short-term Rental Owners over Restrictions

Dozens of owners of short-term rentals in Victoria who lost a bid in B.C. Supreme Court to be exempted from or compensated for provincial restrictions on their businesses have also lost in a higher court. The B.C. Court of Appeal has dismissed an appeal by the Westcoast Association of Property Rights and individual owner Angela Mason, who were seeking relief from the [Short-Term Rental Accommodations Act](#), which came into effect on May 1, 2024. The law, designed to protect affordable long-term rental stock, generally prohibits short-term rentals outside of those within an owner's principal residence. Read the [full article](#) published by the *Vancouver Sun*.

BC Lowers Homeowner Grant Threshold to \$2.075 Million

The province has announced its threshold for 2026 provincial homeowner grants. In a news release on Friday [Jan 2], the province said basic grant amounts would remain unchanged, with the threshold for homeowner grants set at \$2.075 million, down from last year's threshold of \$2.175 million as most residential property values in B.C. are down slightly. Homeowners with properties assessed at \$2.075 million or less in the Capital Regional District, the Fraser Valley Regional District and in Metro Vancouver are eligible for grants of \$570, while homeowners outside of those areas are eligible for grants of \$770. Read the [full article](#) published by the *Vancouver Sun*.

The BC Flipping Tax: What Homeowners, Investors, and Builders Need to Know

Since January 1, 2025, British Columbia's Flipping Tax has applied to the disposition of taxable property, pursuant to the [Residential Property \(Short-Term Holding\) Profit Tax Act](#) (the "Act"). Intended to be an anti-speculation measure, the legislation is far broader than many homeowners, investors, and builders may expect. The tax may apply even when a sale has nothing to do with "flipping." If you plan to buy, sell, transfer, gift, or reorganize ownership of residential property in BC, the Flipping Tax should now be a part of your planning. Read the [full article](#) by St.John McCloskey and Lina Kim with Clark Wilson.

Condo Smarts: Deductible Settlement

Must Be Paid Back to Owners

Dear Tony: In your recent column you described where a strata council may have to levy for a deductible cost as a common expense while they are trying to recover the cost from the owner. Our Richmond strata corporation had a similar situation where we had to cover a \$250,000 deductible in November last year, resulting from an owner changing their own bathroom fixtures causing a major flood and damaging 9 units in the building. The owner did not purchase home owner insurance, and our strata council did not pursue a claim with the Tribunal or the courts to recover the amount. Their position was "that's the way it is and not everyone can afford insurance." They levied the owners for the \$250,000. Since then, the unit has sold and fortunately, the \$250,000 was collected on the sale. Should that amount be refunded back to the owners as it was only raised for the claim in the first place?

Read the *Times Colonist* [article](#) (paywall).

Opinion: BC's Long-awaited Prompt Payment

Reforms Land amid Industry Downturn

Construction contractors across Canada have perennially experienced payment delays on projects, unfairly impacting their cash flow. The reasons for the payment delays are many. However, in essence, if a payee can get away with keeping money in its own pocket for longer, it is not likely to forego that opportunity. For this reason, the industry has pushed for years for legislation that requires prompt payment on construction projects. Ontario, Alberta and Saskatchewan have all in recent years enacted prompt payment legislation, and now British Columbia has introduced [Bill 20](#), the *Construction Prompt Payment Act*. Read the [full article](#) by Norm Streu (with Harper Grey) & Chris Hirst (AHBL), published by *BIV*.

BC Court Finds Fraud in Complex Real Estate Investment Dispute

The estate of a deceased real estate investor succeeded in a recent [B.C. Supreme Court decision](#) that involved large sums of money, financial complexity and disputed oral agreements. Tong a.k.a. Tony Zhang was a Chinese real estate investor who moved to Vancouver in 2018. Starting in 2015, and before his death from leukemia in 2022, he invested millions of dollars in BC real estate through Hang Yin, whom he and his family knew from China, said a Dec. 17 judgment by Justice Gordon Funt. Zhang's estate claimed Yin invited him into real estate investment opportunities in Metro Vancouver, which Zhang agreed to fund in exchange for ownership interests, entrusting Yin with millions over the next few years. Read the [full article](#) published by *BIV*.

Act or Regulation Affected	Effective Date	Amendment Information
Short-Term Rental Accommodations Act	Jan. 1/26	by 2025 Bill 25, c. 26, section 34 only (in force by Royal Assent), Housing and Municipal Affairs Statutes Amendment Act, 2025
Short-Term Rental Accommodations Regulation (268/2023)	Dec. 4/25	by Reg 224/2025
Speculation and Vacancy Tax Act	Jan. 1/26	by 2025 Bill 5, c. 10, sections 36, 37 and 39 only (in force by Royal Assent), Budget Measures Implementation Act, 2025



WILLS & ESTATES

Wills and Estates News:

BC Supreme Court Denies Woman's Request for DNA Test against Her Sister

In an estate case where the deceased's daughter sought an order compelling her sister to undergo a DNA test, the British Columbia Supreme Court held that an unsubstantiated family rumour repeated by the applicant and/or her sons was not a sufficient basis for the order. In *Morberg Estate (Re)*, [2025 BCSC 2265](#), the parties were the applicant and her sister, Ms. Morberg. Their biological mother passed away on Nov. 16, 2009. Last May 21, their 86-year-old father (as identified in the parties' birth certificates) died without a will. Read the [full article](#) by Bernise Carolino with *Canadian Lawyer*.

Executor's Fees in British Columbia – Should You Charge Them?

Executors in BC are entitled to a maximum compensation of 5% of the gross aggregate value of the estate under the [Trustee Act](#), for their care, pains, trouble and time spent. Under a Will, there is typically a clause that deals specifically with the compensation of the Executors. Often, when the calculation of compensation is more complex, such as with corporate executors, the compensation of executors may be dealt with in a compensation agreement between the testator and the executor. For these separate agreements to be valid, thereby entitling the executor to the fee under the agreement rather than the *Trustee Act*, the agreement must be incorporated by reference into the Will. The agreement should not be generally referred to in the Will, and it may be appropriate to have the agreement attached to the Will in some cases. As a result, the agreement must be in existence at the time of the execution of a Will or codicil. Read the [full article](#) by Vanessa DeDominicis with Pushor Mitchell LLP.

The Power of Two: Dual Wills in BC

While a single will can be the most suitable estate planning tool for many will-makers, estate planning has evolved beyond the simple "one-will-per-person" paradigm. Dual wills (sometimes called multiple wills) can be a tool to reduce probate fees and preserve

confidentiality. A dual will arrangement involves a will-maker executing two separate wills, including:

- the general (or "probate") will, which governs assets that require a grant of probate before they can be administered (i.e., assets registered in the will-maker's name that third parties will not transfer without a grant of probate, such as real property); and
- the restricted (or "non-probate") will, which governs assets that do not require a grant of probate for their transfer (i.e., assets that third parties will transfer without a grant of probate, such as shares in a private company, unsecured debt, or certain personal belongings).

Read the [full article](#) by Maggie Lee and Jennifer Eshleman with Alexander Holburn Beaudin + Lang LLP.

Canadian Capital Gains Tax on Inherited Property Calculator

Canada does not have an "inheritance tax" or "death tax," but that does not mean an inheritance is free of tax consequences. Instead of taxing the inheritance itself, the Canada Revenue Agency (CRA) applies capital gains tax, the deemed disposition rule, and income tax. These regulations can make it challenging to understand the tax impact on inherited property and any possible exemptions, which is why tools like a Canadian capital gains tax on inherited property calculator are so valuable. Read the [full article](#) published by Onyx Law.

Dealing with a Sibling Stealing from Estate in 2026

The loss of a parent is emotionally exhausting, and managing their estate can add significant stress. Discovering a sibling stealing from estate assets can turn grief into shock, as the very family you trust may be misappropriating funds for personal gain. If you suspect sibling theft, it's crucial to act quickly by documenting the discrepancies, seeking legal advice, and exploring available legal remedies to protect your inheritance and hold the responsible party accountable. In this blog, we will explain how estate theft by a sibling happens, the warning signs to watch for, and the legal options available to protect your inheritance and hold them accountable. Read the [full article](#) published by Onyx Law.

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<i>There were no amendments this month.</i>		

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