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Vol: XXIV – Issue 6 – June 2025

New Annotations

New Annotations have been added to Quickscribe:

- [Deborah M. Cumberford](#) – [Business Corporations Act](#)

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COMPANY & FINANCE

Company and Finance News:

Public Disclosure of Company Ownership Information – Upcoming Changes to the BC Business Corporations Act

Later this year the long-anticipated amendments to the British Columbia [Business Corporations Act](#) (the "BCBCA") will be brought into force, ushering in a publicly searchable transparency register for private British Columbia companies. Once the amendments are in force – anticipated timing is late summer or early fall 2025 – private British Columbia companies will be required to record additional information about significant individuals and file their transparency register information online.

Refresher: The Current Requirements

Since October 1, 2020, private British Columbia companies have been required to maintain an internal transparency register that contains information about "significant individuals" – individuals who, alone or jointly with others, (i) directly or indirectly own or control at least 25% of the company's shares or voting rights, or (ii) can directly, indirectly or with the exercise of "direct and significant influence", appoint or remove a majority of the directors of the company.

Read the [full article](#) by Jagdeep S. Shergill and Inderdeep Dhaliwal with Lawson Lundell.

BC's New Commercial Liens Act Comes into Force June 30, 2025

On June 30, 2025, the [Commercial Liens Act](#) (the "CLA") and [Commercial Liens Regulation](#) will come into force. The CLA represents

a positive development for service providers (such as repairers and warehousemen) that rely on liens to secure the work that they perform in respect of commercial goods.

Background

In 2003, the British Columbia Law Institute published the [Report on the Uniform Liens Act](#) (the "BCLI Report"), which includes a discussion of the economic inefficiencies that arise under the existing commercial lien statutes in B.C. The BCLI Report highlights how the current regime requires certain service providers to maintain possession of goods to preserve their lien rights (increasing storage costs) and mandates inflexible, archaic sales processes, such as newspaper advertisement and public auctions (increasing transactional costs). The *CLA* addresses the concerns raised in the BCLI Report and ensures the fair and consistent treatment of service providers.

Read the [full article](#) by Edward Wilson and Joel Schachter with Lawson Lundell.

Privilege Protocols as a Legal Imperative: Implications of *Lamarche v. British Columbia (Securities Commission)* for Regulators

The British Columbia Court of Appeal's decision in [Lamarche v. British Columbia \(Securities Commission\)](#) highlights the critical importance of regulators protecting privileged documents during an investigation. The judgment reads as a cautionary tale: regulators that pursue records without adequate privilege-protection protocols in place may face civil liability.

Background

As part of an investigation into alleged unregistered trading and advising, the British Columbia Securities Commission (the Commission) obtained more than three years of email records belonging to Jean Andrew Lamarche. The Commission requested and obtained these records from Shaw Communications Inc., exercising its broad powers under the [Securities Act](#) to compel document production.

Read the [full article](#) by Teresa Tomchak and Katie Ussher with Osler.

Input Tax Credit Documentation

What the CRA Wants

The Canada Revenue Agency (CRA) has developed an ever evolving strategy for challenging ITC claims. At its most basic, the CRA demands highly detailed transaction data with supporting information documented in a specific form that is issued or signed by the supplier. More recently, we have seen CRA auditors adding a due diligence requirement that effectively requires ITC claimants to verify the *bona fides* of their suppliers; for example, confirming the supplier's tax remittances before the claimant is entitled to claim its ITCs.

Read the [full article](#) by Randy Schwartz, Simon Douville, and Hubert Cadotte with McCarthy Tétrault LLP. The lawyers recently spoke at the Tax Executive Institute 2025 Annual Meeting in Ottawa on the challenges faced by businesses claiming input tax credits (ITC), and best practices to proactively protect ITC claims and defend ITC claims when under audit.

Post 2025-Election – Tax Policies Expected under the New Canadian Government

Canadians elected a new federal government on April 28, 2025. The election platform of the new Liberal government contained several proposed tax initiatives intended to foster economic growth and jurisdictional competitiveness within the innovation sectors and emerging markets. The key tax-related proposals include the following (details on how these tax proposals will be implemented have not been released yet):

Scientific Research and Experimental Development (SR&ED)

Canada's current SR&ED regime provides corporations a 15 percent non-refundable tax credit on qualified SR&ED expenditures. Corporations that are Canadian-controlled private corporations ("CCPCs") benefit from an enhanced refundable tax credit at a rate of 35 percent on up to \$3 million of qualified SR&ED expenditures ("Expenditure Limit"). In the 2024 Fall Economic Statement, the previous Liberal government announced plans to improve CCPC access to SR&ED tax credits by increasing the Expenditure Limit from \$3 million to \$4.5 million. The new proposed measures would aim to further increase the Expenditure Limit to \$6 million, allowing CCPCs to claim up to \$2.1 million in fully refundable tax credits.

Read the [full article](#) by [Jenny Du](#) and [Prince Arora](#) with DLA Piper LLP.

Canada Expands Private Litigation Regime Under Competition Act: Expanded Scope and New Monetary Compensation

The [Competition Act](#)'s (Act) expanded private litigation regime takes effect on June 20, 2025, (i) widening the range of conduct susceptible to private applications to the Competition Tribunal (Tribunal), (ii) lowering the threshold for obtaining leave to bring those applications, and (iii) allowing private applicants, for the first time, to obtain monetary compensation for civil conduct that contravenes the Act. Increased private litigation involving competition law claims is anticipated to be the result.

Background

The Act has long permitted private parties to seek damages in provincial superior courts and the Federal Court resulting from alleged criminal offences under the Act, such as price-fixing or bid-rigging, brought most often as class actions and to a lesser extent by competitors alleging criminal misleading advertising. These actions have not been affected by these recent amendments to the Act.

Read the [full bulletin](#) published by Blakes.

MEGlobal Canada ULC v. The King: When Split Jurisdiction Leaves a Gap in Relief

On March 26, 2025, the Tax Court of Canada (the "Tax Court") held that it lacked jurisdiction to hear an appeal from MEGlobal

Canada ULC (the "Taxpayer").[1] The Taxpayer sought to challenge the Minister of National Revenue's (the "Minister") refusal to grant a downward pricing adjustment under subsection 247(10) of the [Income Tax Act](#) (the "Act"). This decision reinforces the split jurisdiction between the Tax Court (where taxpayers can challenge an assessment) and Federal Court (where taxpayers can review discretionary decisions by the Minister). The decision also reveals a potentially unfair outcome under the Act: even if a taxpayer is successful in its review of the Minister's discretionary decision to decline a downward adjustment, the Minister may then be statute-barred from issuing the reassessment that would provide the taxpayer with the appropriate relief. Read the [full article](#) by Al-Nawaz Nanji, Erich Schultze and Sarosh Noor with McCarthy Tétrault.

New BC Law to Combat Money Laundering Still Not in Force Two Years after Being Introduced

More than two years after the BC government announced new oversight of businesses that deal in foreign exchanges, wire transfers and money orders because they can be conduits of money laundering, the laws are still not in force. In 2023, Premier David Eby's government introduced new legislation to monitor and regulate so-called money services businesses through the BC Financial Services Authority. Money services businesses include currency exchanges and businesses that send money outside of Canada. There are more than 700 in B.C., most of them in Metro Vancouver. While a new [Money Services Business Act](#) was introduced on March 29, 2023 and later passed, it remains a legislative shell. There are no powers because regulations that set out the rules and penalties have not been created. The details of those regulations are still to be worked out, and no deadline has been set. Read the *Vancouver Sun* [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Commercial Liens Act	NEW June 30/25	c. 9, SBC 2022, Bill 11 , whole Act in force by Reg 63/2025
Commercial Liens Regulation (63/2025)	NEW June 30/25	by Reg 63/2025
Debt Collection and Repayment Regulation (295/2004)	June 30/25	by Reg 64/2025
Mountain Caribou Partnership General Remission Regulation (No. 3) (72/2025)	NEW June 2/25	see Reg 72/2025
Small Business Venture Capital Regulation (390/98)	June 23/25	by Reg 89/2025
Training Tax Credits Regulation (243/2007)	RETRO to Apr. 1/25	by Reg 81/2025



ENERGY & MINES

Energy and Mines News:

Accelerating Renewable Energy Projects in BC: An Overview of Bill 14

As part of the Government of British Columbia's efforts to streamline its permitting processes, [Bill 14: Renewable Energy Projects \(Streamlined Permitting\) Act](#) ("Bill 14") and [Bill 15: Infrastructure Projects Act](#) ("Bill 15") received royal assent on May 29, 2025. Bill 14 provides the legislative foundation for the province's [Clean Power Action Plan](#) ("Action Plan"), which was released on May 5, 2025. The Action Plan sets out five initiatives to help meet the province's growing demand for energy and to drive investment in major infrastructure projects while reducing emissions. These initiatives include a second call for power, developing capacity projects, advancing energy efficiency technologies, supporting clean technology investments through the BC Innovative Clean Energy Fund, and streamlining access to electricity for new homes and businesses. We discuss Bill 15, and general trends around permit streamlining efforts [here](#). This blog post provides an overview of Bill 14, which provides a means to accelerate permitting of renewable energy projects and transmission infrastructure. Read the [full article](#) by Selina Lee-Andersen, Rachael Carlson, Elena Drouin with McCarthy Tétrault.

Expenses to Determine Economic Viability of a Mine Meet the Purpose Test and Are Eligible for the BC METC

In *Seabridge Gold Inc. v British Columbia*, [2025 BCSC 558](#), a recent case argued by Thorsteinssons LLP, the British Columbia Supreme Court held that expenses incurred to assess the economic viability of a mineral resource are eligible for the British Columbia mining exploration tax credit ("BC METC") under the [Income Tax Act](#) (British Columbia). In that case, the taxpayer had incurred expenses during the prefeasibility stage to gather information that would allow it to determine the economic viability of mining gold and other metals on its property in British Columbia. The taxpayer claimed those expenses as qualified mining exploration expense ("QMEEs") eligible for the BC METC. For the expenses to be considered QMEEs, they were required to satisfy the so-called "purpose test" – i.e., they must have been incurred "for the purpose of determining the existence, location, extent, or

quality" of a mineral resource in British Columbia. Read the [full article](#) by Brittany Rossler with Thorsteinssons LLP.

CSA Proposes Amendments to Modernize and Streamline Canada's Mining Disclosure Standards

On June 12, 2025, the Canadian Securities Administrators (CSA) announced extensive [proposed amendments](#) (Proposed Amendments) aimed at modernizing and streamlining Canada's mining disclosure regime. The Proposed Amendments would repeal and replace [National Instrument 43-101 Standards of Disclosure for Mineral Projects](#) (NI 43-101), Form 43-101F1 [Technical Report](#) (43-101F1), and the current [Companion Policy 43-101CP](#) to NI 43-101 (Companion Policy), and include consequential amendments to certain other existing instruments and forms. The Proposed Amendments would mark the first significant update to Canada's mining disclosure regime in 14 years and are intended to update and enhance the disclosure requirements for mineral projects without introducing unnecessary regulatory burden. Read the [full article](#) by John Wilkin, Kathleen Keilty, Trisha Robertson and Darren Whitehouse with Blakes.

Flat Growth in BC Mining Sector Tied to Coal, Says PwC Report

Plunging metallurgical coal prices have left B.C. mining revenue to flatline last year, according to a PricewaterhouseCoopers LLP report. Revenue reached \$14.5 billion in 2024 – the exact same as the year prior, according to numbers provided by survey respondents in the business services firm's June report on B.C.'s mining sector. Coal prices sat at US\$240 per tonne last year and are forecasted to drop to US\$198 per tonne this year, which could have further ramifications in the sector, said the report. Read the [BIV article](#).

BC Hydro Launches New Actions to Power BC's Clean-energy Future

BC Hydro has launched two requests for expressions of interest (RFEOI) to explore the next era of the province's power potential, expand clean-energy resources and advance energy efficiency. These actions are critical to ensuring a stable, reliable electricity system that supports new housing, businesses and industries while keeping energy costs affordable for people. Read the government [news release](#).

Act or Regulation Affected	Effective Date	Amendment Information
Energy Resource Activities Act	July 1/25	by 2025 Bill 14, c. 12, sections 25 and 26 only (in force by Reg 92/2025), Renewable Energy Projects (Streamlined Permitting) Act
Energy Resource Activities General Regulation (274/2010)	July 1/25	by Reg 92/2025
Renewable Energy Projects (Streamlined Permitting) Act	NEW July 1/25	c. 12, SBC 2025, Bill 14 , whole Act in force by Reg 92/2025
Renewable Energy Projects (Streamlined Permitting) Regulation (93/2025)	NEW July 1/25	see Reg 93/2025



FAMILY & CHILDREN

Family and Children News:

Supreme Court Clarifies Rules for Habitual Residence in Family Law

The Supreme Court of Canada has clarified that a contextual approach must be taken when determining where a child resides in international family law cases. That comes in its [written decisions](#) for a December 9th ruling from the bench, where the majority dismissed the appeal, sided with the mother and affirmed that Ontario was the jurisdiction to hear the case. The final disposition was 8-1 in favour of dismissing the case. The mother, Raha Mehralian, is an Iranian citizen and permanent resident of Canada. She married Canadian citizen Michael Dunmore in Japan in 2015. They lived in the United Arab Emirates in 2016, followed by Oman, before returning to Ontario with Dunmore's parents in 2020. The COVID-19 pandemic curtailed their plans to return to Oman. Read the [full article](#) by Dale Smith with CBA National.

More than Just Roommates: What the [Thauberger Estate Decision](#) Teaches Us about Marriage-like Relationships in BC

Did you know that in British Columbia, you don't have to be legally married to be considered a spouse under the law? In British Columbia, the common law (and legislation) recognizes that people can be considered spouses even if they are not formally married. These relationships are often referred to as "marriage-like relationships" or "common-law relationships." According to the 2021 census 69.8% of families included married couples, 15.3% involved common-law couples and 14.9% were one-parent families. If you're in a long-term relationship and not married, understanding how the law defines these relationships is crucial, especially when it comes to things like estate planning, inheritance, property division, and support obligations.

What Makes a Relationship "Marriage-like"?

There isn't one single factor that determines whether a relationship is considered marriage-like. Instead, courts will look at a variety of factors to assess the nature of the relationship.

Read the [full article](#) by Alexander J. Swabuk with Miller Thomson.

License Lost: Court Rejects Daycare Operator's Appeal

Adlani v. Medical Health Officer (Fraser Health Authority), [2025] B.C.J. No. 128, British Columbia Court of Appeal, January 24, 2025, H. Groberman, N. Iyer and W.P. Riley JJ.A.

Late delivery of notice of contraventions of legislative regime does not result in breach of procedural fairness, if no breaches of procedural fairness occasioned by late delivery of the decision. As a result of those contraventions, a licencing officer-imposed conditions on the appellant's licence to operate a daycare. These conditions included a prohibition on providing daycare for school-age children and a requirement to complete supplementary professional training. Under the [Community Care and Assisted Living Act](#), a licensee must be given 30 days' notice of conditions being imposed along with written reasons for the conditions. The appellant's position was the notice was not provided within the time required under the legislative regime, but approximately three weeks later. Read the [full article](#) by Joel A. Morris with Harper Grey.

The Supreme Court of Canada Considers a Novel Tort in Ahluwalia v. Ahluwalia

Family lawyers across Canada are eagerly awaiting the Supreme Court of Canada's ("SCC") reasons for judgment in *Kuldeep Kaur Ahluwalia v. Amrit Pal Singh Ahluwalia* [Ahluwalia]. For those who missed the hearing, here is what you need to know. On February 11, 2025, the SCC heard submissions from counsel for the parties. The following day, the court heard from 17 interveners, including the Attorney General of Canada, the Attorney General of British Columbia, and various legal aid clinics and community interest groups. The SCC's Justice Rowe noted at the outset that Ms. Ahluwalia brought the appeal not to challenge the damage award, but the appeal had become a matter of principle for the legal community. The two-day hearing highlighted the complexity of the issues, and the questions the bench would be grappling with. Would the creation of the Tort of Family Violence ("TFV") create better access to justice for victims, and even so, was it the role of the courts to fashion this avenue or was this something better left to the legislature? Read the [full article](#) by Katya Richardson with CBA BarTalk.

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There were no amendments this month.		



FOREST & ENVIRONMENT

Forest and Environment News:

Help or Hinder? Aligning Forestry Practices with Wildfire Risk Reduction

The Forest Practices Board conducted a special investigation into how forestry activities affect wildfire risk reduction (WRR) in BC's wildland-urban interface (the interface). The investigation focused on forestry activities between 2019 and 2022 in the Sea to Sky, Cariboo-Chilcotin, and Peace natural resource districts, specifically in interface areas classified as high or extreme wildfire threats. The Board evaluated how activities subject to the [Forest and Range Practices Act](#) and the [Wildfire Act](#) help or hinder WRR efforts within the interface. Read the [full article](#) published by the Forest Practices Board.

Federal Court Strikes Down Amended Recovery Strategy for Endangered Birds

The Federal Court has abolished the Canadian government's adjusted approach to safeguarding critical habitat for the piping plover, an endangered bird, in what Ecojustice dubbed a precedent-setting victory that promotes compliance with the [Species at Risk Act, 2002](#) (SARA). Ecojustice applied for judicial review on behalf of East Coast Environmental Law, the Federation of Nova Scotia Naturalists, and Nature Nova Scotia, according to the environmental law charity's press release. Before the court, Ecojustice alleged that the federal government's new method was unreasonable and unlawful under the SARA. Read the [full article](#) by Bernise Carolino in the *Canadian Lawyer*.

Final Guidelines from the Competition Bureau on Environmental Claims in Canada

On June 5, 2025, the Competition Bureau (the Bureau) published its [final Guidelines for environmental claims](#) under the [Competition Act](#) (the Act). The Guidelines were created to help businesses and the public understand the Bureau's approach to deceptive marketing provisions under the Act as they relate to environmental claims, including with respect to the new environment-specific provisions that were enacted in 2024. While not binding on the Commissioner of Competition nor the Competition Tribunal, the Guidelines provide visibility into the Bureau's interpretation and approach to environmental claims. The finalization of the Guidelines coincides with the June 20, 2025 coming into force of a private right of action allowing individuals and organizations to bring cases, with leave, for deceptive advertising practices directly before the Competition Tribunal. Previously, only the Commissioner of Competition could initiate such proceedings. The Competition Tribunal has the authority to impose significant penalties for violations, as well as to order parties to stop engaging in specific conduct and/or to publish notices correcting information. As such, businesses may face a material risk of enforcement in relation to environmental claims that are found to be misleading or deceptive. Read the [full article](#) by Sarah Gibert, Gatlin Smeijers, Julia Schatz, Adam Kalbfleisch, Emrys Davis and Rhiannon Szweczyk with Bennett Jones LLP.

BC Logging Deal Sparks Clash over Indigenous Rights and Endangered Owl

An insolvent BC forestry company's attempt to sell off a forest licence to pay back creditors has triggered a dispute with several First Nations, who allege the company is attempting an "end run" around their rights. This spring, three Indigenous groups – the Katzie and Peters First Nations, and the Nlaka'pamux Nation Tribal Council – challenged the Teal-Jones Group before a BC Supreme Court judge for attempting to complete an interim transfer of forest licence A19201 to Western Canadian Timber Products Ltd. (WCTP). The move came before the BC Minister of Forests could consult with 39 First Nations who have territory in the area. In a ruling released last month, Justice Shelley Fitzpatrick said the First Nations had argued Teal Cedar Products Ltd., a subsidiary of the Teal-Jones Group, was attempting to "blatantly circumvent" protections afforded to the three interested nations. Read the [BIV article](#).

Wildlife Habitat Areas

– from [British Columbia Gazette Part I, Volume CLXV, No. 24](#)

Energy Resource Activities Act:

Notice is hereby given that Wildlife Habitat Areas (WHAs) 1-574, 1-734, 1-740, 1-750, 1-752, 1-754, 1-768, 1-769, 1-770 were established for Northern Goshawk (*Accipiter gentilis laingi*) on May 26, 2025, by order made under the authority of Section 30 of the [Environmental Protection and Management Regulation](#) (B.C. Reg. 200/2010). Details of the Order may be obtained from the Ecosystems Section, West Coast Region, Ministry of Water, Land and Resource Stewardship, 2080 Labieux Road, Nanaimo, BC V9T 6J9. [je12]

General Wildlife Measures:

Notice is hereby given that the areas and General Wildlife Measures (GWMs) associated with Wildlife Habitat Areas (WHAs) 1-574, 1-740, 1-768, 1-769, 1-770 in the South Island Natural Resource District, and 1-734, 1-750, 1-752, 1-754 in the Campbell River Natural Resource District were established for Northern Goshawks (*Accipiter gentilis laingi*) on May 26 2025, by order made under the authority of sections 9 (2) and 10 (1) of the [Government Actions Regulation](#) (B.C. Reg. 582/2004). Details of the GAR Order may be obtained from the Ecosystems Section, West Coast Region, Ministry of Water, Land and Resource Stewardship, 2080 Labieux Road, Nanaimo, BC V9T 6J9, or from the following website: [http://www.env.gov.bc.ca/cgi-bin/apps/faw/wharesult.cgi?search=show_approved.\[je12\]](http://www.env.gov.bc.ca/cgi-bin/apps/faw/wharesult.cgi?search=show_approved.[je12])

Act or Regulation Affected	Effective Date	Amendment Information
Agricultural Land Commission Act	July 1/25	by 2025 Bill 14, c. 12, section 24 only (in force by Reg 92/2025), Renewable Energy Projects (Streamlined Permitting) Act
Controlled Alien Species Regulation (94/2009)	June 20/25	by Reg 85/2025
Livestock Lien Act	REPEALED June 30/25	by 2022 Bill 11, c. 9, section 69 only (in force by Reg 63/2025), Commercial Liens Act
Carbon Tax Regulation (125/2008)	RETRO to Apr. 1/25	by Reg 87/2025
	June 23/25	
Greenhouse Gas Emission Reporting Regulation (249/2015)	June 30/25	by Reg 96/2025
Protected Areas of British Columbia Act	June 30/25	by 2005 Bill 16, c. 35, section 32 (part) only (in force by Reg 98/2025), Miscellaneous Statutes Amendment Act (No. 2) , 2005
Required Consent (Teġtan Area Mining Projects) Regulation (82/2025)	NEW June 18/25	see Reg 82/2025
Tugboat Worker Lien Act	REPEALED June 30/25	by 2022 Bill 11, c. 9, section 69 only (in force by Reg 63/2025), Commercial Liens Act
Wildlife Act	June 20/25	by 2025 Bill 13, c. 7, sections 78 to 85 only (in force by Reg 83/2025), Miscellaneous Statutes Amendment Act , 2025
Woodworker Lien Act	REPEALED June 30/25	by 2022 Bill 11, c. 9, section 69 only (in force by Reg 63/2025), Commercial Liens Act



HEALTH

Health News:

BC Court of Appeal Finds Patient Did Not Plead Failure to Warn about Possible Amputation

The British Columbia Court of Appeal has found it evident that a medical negligence claim failed to allege that a vascular surgeon breached his duty to warn or advise the patient about the possibility of an amputation of his foot. In *Woldemariam v. Reid*, [2025 BCCA 172](#), the patient visited an infectious disease physician on Apr. 12, 2018, due to swelling, pain, and ulcers on his right foot. His symptoms worsened despite receiving treatment, resulting in admission to Mount St. Joseph's Hospital on Apr. 17, 2018. Read the [full article](#) by Bernise Carolino with *Canadian Lawyer*.

What Is a Natural Health Product? Federal Court of Appeal Resolves a Scientific Debate

The natural health product (NHP) industry in Canada is considerable with over CDN\$5 billion of annual revenue. Over 70% of Canadians report having used an NHP. Despite the ubiquity of NHPs, it is not always clear what separates them from related products, like pharmaceuticals, food, and cosmetics. However, the legal lines separating NHPs from related products can be critical to manufacturers, as falling on one side of a line or the other determines the regulatory burden they face in making and marketing their products. The legal lines between NHPs and related products have been illuminated by judicial decisions in litigation between manufacturers and the regulator, Health Canada. In the most recent decision in this jurisprudence, the Federal Court of Appeal (FCA) upheld Health Canada's finding that RESOLVE – a proposed smoking cessation aid – is not an NHP based on the available scientific evidence. Read the [full article](#) by Paul Jorgensen, Randy Sutton and Kristin Wall with Norton Rose Fulbright Canada LLP.

UFCW Canada Takes Health Canada to Court over Pesticide Safety Enforcement

A Canadian union is taking legal action against Health Canada, alleging the federal agency has failed to enforce vital pesticide safety protections, thereby exposing thousands of agricultural workers to serious health risks. United Food and Commercial Workers Canada (UFCW Canada) announced it has filed a legal case, with support from environmental law charity Ecojustice, accusing Health Canada of failing to uphold its obligations under the [Pest Control Products Act](#) (PCPA). Read the [full article](#) by Jim Wilson with *Canadian HRReporter*.

Canada Reconsiders Comparative Clinical Trials Requirements for Biosimilars

On June 10, 2025, Health Canada initiated a public consultation on proposed revisions to its [Guidance Document: Information and Submission Requirements for Biosimilar Biologic Drugs](#). A notable update is the proposal to remove the requirement for comparative clinical efficacy and safety trials for biosimilars in Canada.

Background: Regulatory Context in Canada

In Canada, biosimilar biologic drugs ("biosimilars") are biologic drugs demonstrated to be highly similar to an already authorized biologic product termed the Canadian Reference Biologic Drug ("CRBD"). The Biologic and Radiopharmaceutical Drugs D ("BRDD") within the Health Products and Food Branch of Health Canada is the regulator of biologic drugs for human use and provides regulatory oversight for biologics with its comprehensive reviews of biologic drug submissions covering quality, safety and efficacy.

Read the [full article](#) by Sara Zborovski, Ian Trimble and Sandra Elashmouny with Stikeman Elliott LLP.

Health Authority Review Expands to Ensure Support for Front-line Services

Government is expanding its health authority review to include regional health authorities as it focuses on minimizing unnecessary administrative spending and ensuring resources support front-line patient care. "I would like to thank the thousands of front-line workers who have already brought forward valuable feedback and ideas as we work through the health authority review," said Josie Osborne, Minister of Health. "Next we are expanding more broadly to engage a wider range of stakeholders, partners and people working at regional health authorities to ensure we are focusing resources on patient care as much as possible." The regional health authority review will be led by Cynthia Johansen, deputy minister of health, and follows the March 31 launch of the Provincial Health Services Authority (PHSA) review led by Dr. Penny Ballem, interim president and CEO, PHSA. Read the government [news release](#).

BC Launches Digital Ads Campaign to Recruit U.S. Healthcare Workers

British Columbia is intensifying efforts to recruit healthcare workers from the United States. The provincial government has launched a targeted advertising campaign aimed at encouraging doctors, nurses, and allied health professionals in the U.S. to relocate to BC. "Our message to U.S. doctors, nurses and allied health workers is strong and clear – there has never been a better time to come to British Columbia, and for Canadian health professionals currently living and working in the U.S., now is the time to come home," says Josie Osborne, Minister of Health. "With the chaos and uncertainty happening in the U.S., we are seizing the opportunity to attract the talent we need to join and strengthen our public, universal health-care system in British Columbia." Read the [full article](#) by Jim Wilson with *Canadian HRReporter*.

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There were no amendments this month.		



LABOUR & EMPLOYMENT

Labour and Employment News:

BC Supreme Court Decision Offers Cautions about After-acquired Cause and Termination Clauses for Commission-compensated Employees

The BC Supreme Court recently decided a wrongful dismissal case in *Hoem v Macquarie Energy Canada Ltd.*, [2025 BCSC 446](#), where it awarded damages in lieu of common law reasonable notice and aggravated damages to the successful plaintiff after his former employer alleged after-acquired cause. Bradley Hoem was employed by Macquarie Energy Canada Ltd. ("Macquarie") for over 17 years as a salesperson in its equipment finance business. Mr. Hoem was a successful salesperson, earning a base salary of \$100,000 and several hundred thousand dollars in commissions annually. Read the [full article](#) by Lauren Soubolsky with McCarthy Tétrault.

Striking a New Balance: What Employers Need to Know about Bill C-58

[Bill C-58](#), *An Act to amend the Canada Labour Code and the Industrial Relations Board Regulations* (the "Act") came into force on June 20, 2025. The Act prohibits federally regulated employers from using replacement workers to perform the duties of unionized employees during a legal strike or lockout, amongst other things. Employers who illegally use replacement workers may face fines of up to \$100,000 per day.

Legislative Intent

From the Federal Government's perspective, the Act aims to balance what it views as an uneven playing field at the bargaining table. Bill C-58 was sponsored by former Liberal Member of Parliament (MP), Seamus O'Regan, who stated in debate before the House of Commons that:

"People in the labour movement have been telling us that replacement workers distract from the bargaining table and prolong disputes and that the use of replacement workers can poison the relationship between an employer and workers for generations after."

Read the [full article](#) by Lara Jung with Miller Thomson.

Can a Negative Reference from a Former Employer be Considered Defamation?

In *Lawetz v. Wigboldus*, [2024 BCSC 1867](#), the British Columbia Supreme Court (the "Court") reaffirmed that, in the context of an employment reference check, an individual who provides a negative reference about a former employee to another prospective employer is generally protected from legal action, subject to certain exceptions.

Background

In this case, the plaintiff sued the defendant, his former supervisor, claiming that the defendant made defamatory statements about him to another individual with whom he was interviewing for a job. The defendant was the other individual's previous supervisor and mentor from a different workplace. The defendant was also not aware that the plaintiff was interviewing for positions until he was contacted by the other individual.

Read the [full article](#) by Tiffany Lee with Pushor Mitchell LLP.

Howard Levitt: When Employers Play Games with Severance Packages, They Often Lose

Oh the games people play. Those of you old enough to recall those song lyrics, "Oh the games people play... Never meaning what they say, never saying what they mean," might appreciate our suspicion that the composer, Joe South, was an employment lawyer bemoaning the positions of some employers. In our practice, we consistently run across employers who simply are not getting the message. When you terminate an employee, you have to pay them reasonable notice. We have written about this frequently, and yet, in the last two months alone, we have settled many cases where the employer simply terminated an employee with completely inadequate notice and severance. Read the [full article](#) by Howard Levitt and Peter Carey with the *Financial Post*.

Have Your Say on the Labour Relations Code Recommendations

The report and recommendations of the 2024 Labour Relations Code Review Panel are now posted publicly for review and feedback. The review panel's report has been posted on the govTogetherBC website where people can share their views on how BC's labour relations laws should be updated to meet the needs of today's workplaces. The Ministry of Labour will consider this feedback to determine next steps on the panel's recommendations. The code governs the relationships between provincially regulated employers, their workers and trade unions. It covers issues related to collective bargaining, notably how workers join unions, how employers and unions interact, and how disputes are resolved. The independent Labour Relations Code Review Panel was appointed on Feb. 1, 2024, and includes Michael Fleming, Sandra Banister and Lindsie Thomson as its three members. On Aug. 31, 2024, the panel submitted its report to the former minister of labour with recommendations. Read the full government [news release](#).

New Policy Allows Interim Work Authorization while Work Permit Is Processing

On May 29, 2025, Immigration, Refugees and Citizenship Canada (IRCC) announced a new public policy that permits certain foreign nationals in Canada to commence employment with a new employer or in a new occupation while their work permit application is pending. This initiative aims to reduce employment gaps and enhance labour market flexibility. Read the [full article](#) by Krista

Schofer and Jessie Zheng with Gowling.

Act or Regulation Affected	Effective Date	Amendment Information
Employment and Assistance Regulation (263/2002)	June 20/25	by Reg 86/2025
	July 1/25	
Employment and Assistance for Persons With Disabilities Regulation (265/2002)	June 20/25	by Reg 86/2025
	July 1/25	
International Credentials Recognition Regulation (129/2024)	July 1/25	by Reg 129/2024, section 9



LOCAL GOVERNMENT

Local Government News:

Vancouver Charter Amendments Now in Force

On June 9, changes were made to the [Vancouver Charter](#) by [2024 Bill 18, c. 12](#), parts of which were brought into force by [B.C. Reg. 78/2025](#). Bill 18 was intended to streamline housing approvals and align the *Vancouver Charter* with rules and authorities provided to all other local governments under the *Local Government Act*. The changes that came into force on the 9th amend the requirements for adopting an official development plan, similar to an official community plan.

PIBC Publishes Interim Inventory of

Local Gov't. Zoning Bylaws

PIBC recently published the [Interim Inventory of Local Government Zoning Bylaws](#) resource page. The page is provided for the convenience of planners and practitioners engaged in housing and related work. Please refer regularly to the websites of the respective local governments to obtain the most up-to-date information. Hyperlinks last checked on June 3, 2025. If you find any errors or omissions, please contact peerlearning@pibc.bc.ca.

Inclusionary Zoning and Density Bonusing Guidance – Updated June 5

On June 5, the [Inclusionary Zoning and Density Bonusing Comprehensive Guidance](#) was updated as a result of changes made to [section 297 of the Local Government Act](#) and [section 634 of the Vancouver Charter](#) by [Bill 13, Miscellaneous Statutes Amendment Act, 2025](#), which came into effect on May 29, 2025. The changes provide greater clarity to local governments and the development industry on how site-specific density benefits are applied, and ensure that local governments can continue to use their existing density benefits programs while updating and transitioning to the new system. Additionally, the guidance was updated to clarify that inclusionary zoning bylaws may be adopted either as standalone bylaws or integrated into broader zoning bylaw updates. Local governments must amend existing density bonus bylaws by June 30, 2026 to comply with the legislation.

Alternative Approval in the Courts: Recent Guidance on Public Notice Requirements

Where specified by the applicable legislation, local governments must obtain approval of the electors before a municipal council or regional district board can proceed with a decision. If approval of the electors is required, it may be obtained by the local government in one of two ways. First, there is the option to select the assent voting process and seek approval by referendum. Second, the local government may conduct an alternative approval process (AAP). In an AAP, approval is deemed to have been granted if the local government issues proper notice, provides electors with an opportunity to object, and receives elector objection responses from fewer than 10% of eligible electors in the affected area. Because AAPs are often used for decisions of heightened public importance, they have been recently subject to some consideration by the court system. Two recent British Columbia Supreme Court decisions offer insight into how courts approach such challenges. Both cases involved the use of AAPs for loan authorization bylaws.

(1) *Bartlett v. Capital Regional District*, [2024 BCSC 2564](#) ("Bartlett")

In *Bartlett*, the Capital Regional District (the "CRD") sought to increase its borrowing authority through a loan authorization bylaw and chose to proceed by means of an AAP. The petitioners challenged the bylaw, arguing that the CRD failed to comply with the notice requirements under the [Community Charter](#).

Read the [full article](#) by Jack Wells in the June 2025 issue of the Young Anderson Newsletter, Volume 36, Number 2 – LGMA Conference Issue.

Court of Appeal Clarifies Nuisance Law for Local Governments

In *Hill v Herd*, [2025 BCCA 173](#), the BC Court of Appeal provided important clarification on the legal test to apply when determining the appropriate remedy where a continuing nuisance is established. The decision has significant implications for private litigants and local governments alike, particularly where service delivery or lawful operations intersect with residential enjoyment.

Background and Facts

The issue arose as a result of a longstanding dispute between two neighbours: the Hills, who owned a residential property abutting a commercial area, and the Herds, who operated a gas station directly across the back lane.

Read the [full article](#) by Avery Letkemann with SMS Law.

BC's Infrastructure Projects Act: Impact on Local Government Approvals

[Bill 15](#), otherwise known as the *Infrastructure Projects Act* (the "Act"), received royal assent on May 29, 2025. The British Columbia provincial government (the "Province") has described this legislation as helping deliver "... the critical infrastructure projects people need – faster". Although the Act has yet to come into force – it requires a regulation of the Lieutenant Governor in Council to do so – this article explores how the Act may impact local government land use regulation and development powers. Read the [full article](#) by Kyle Laplante with Civic Legal LLP.

Municipalities and Fairness for Latecomers: BC Court of Appeal Confirms Procedural Fairness Applies to Municipalities Making Decisions about Latecomer Charges

Under the British Columbia [Local Government Act](#), a municipality that imposes infrastructure building requirements on a developer may require another developer who benefits from the infrastructure (called the "latecomer") to pay a portion of the construction costs. This payment is known as a latecomer charge. Latecomers typically have virtually no input into the charges and little recourse for disputing the charges. Last week, the British Columbia Court of Appeal in [Ironclad Developments Inc. v. West Kelowna](#) released a decision clarifying when municipalities owe latecomers a duty to make fair decisions about latecomer fees, and what that duty requires. Read the [full article](#) by Kate Macdonald and Kelsey Wong with McCarthy Tétrault.

BC Farm Owner Ordered to Shut Down Businesses Not Related to Farming

The Vancouver Island owner of a small farm has been ordered by a B.C. Supreme Court judge to shut down non-farm businesses and evict tenants, even though she said they were both part of agri-businesses on the land. The District of Saanich was granted the court order telling land owner Nancy Kinney to evict individuals living in RVs and other vehicles in a covered horse-riding ring and to close a metal shop called Metal Magnate Art Ltd. that operated on her seven hectare parcel. The property on Old East Road is zoned A-1 Rural. The land had 11 structures, including a house, the ring, a washhouse with toilet, shower, washer and dryer, storage buildings, the metal shop and a woodworking shop, both unlicensed and unpermitted, and two garages, according to the judgment by Justice Kevin Loo. Read the [Vancouver Sun article](#).

Province Seeks Feedback on Liquor to Go Policy

The Province is seeking stakeholder feedback regarding its 'Liquor to Go' policy, which allows certain businesses to sell liquor for off-site consumption with the purchase of a meal for takeout or delivery. Local governments are invited to provide their input on this policy by responding to a provincial [engagement paper](#) by August 7, 2025. Provincial regulations were temporarily amended in 2020, authorizing Food Primary (e.g., restaurants) and Liquor Primary (e.g., bars, pubs, nightclubs) licensees to sell 'Liquor to Go' with the purchase of a meal. These changes were made to support the hospitality industry at a time when COVID-19 restrictions were in place for in-house dining. This policy was made permanent in 2021. Read the full UBCM [article](#).

Film Studio Wins Lawsuit with Langley Township over Millions in Fees

A judge has ruled that Langley Township doesn't have the authority to collect millions in Community Amenity Contributions (CACs) from a local film studio, but the mayor said he isn't concerned, thanks to new provincial legislation. The [case](#) pitted Lorval Developments and Martini Film Studios, who were planning to build a major sound stage facility, against the Township of Langley, in a case launched last year. Lorval balked at paying the Township's proposed CACs, saying it would have cost them between \$32 and \$39 million. They took the Township to court. Read the [full article](#) by *Langley Advance Times*. [Credit to PIBC for bringing awareness to this case.]

Expanded Borrowing Powers Will Help Municipalities Deliver Infrastructure Quicker

Municipalities throughout BC will now have quicker access to financing to deliver capital projects, such as infrastructure or amenities, thanks to changes in provincial borrowing regulations. The updated regulations respond to concerns raised by municipalities about the cost, complexity and risk of delays associated with implementing capital projects. The Province has [amended](#) the [municipal liabilities regulation](#) and the [short-term capital borrowing regulation](#) to give municipalities more flexibility to plan and finance infrastructure projects that support population growth and housing development. Municipalities can now borrow up to 10% of their annual revenue, without having to hold a public vote, saving time and costs. These changes will help municipalities deliver a wider range of essential infrastructure more efficiently. Read the full government [news release](#).

Act or Regulation Affected	Effective Date	Amendment Information
Agricultural Land Commission Act	July 1/25	by 2025 Bill 14, c. 12, section 24 only (in force by Reg 92/2025), Renewable Energy Projects (Streamlined Permitting) Act
Assessment Authority Act	June 1/25	by 2025 Bill 5, c. 10, section 2 only, (in force by Royal Assent), Budget Measures Implementation Act, 2025
Independent School Regulation (262/89)	July 1/25	by Reg 97/2025

Interim Official Development Plans Regulation (78/2025)	NEW June 9/25	see Reg 78/2025
Municipal Liabilities Regulation (254/2004)	June 9/25	by Reg 76/2025
Safe Access to Schools Regulation (255/2024)	June 30/25	by c. 18, SBC 2024, section 8
School Calendar Regulation (314/2012)	July 1/25	by Reg 91/2025
Short Term Borrowing Limit Regulation (368/2003)	June 9/25	by Reg 76/2025
Vancouver Charter	June 9/25	by 2024 Bill 18, c. 12, sections 1, 3, 7 to 9, 11, 12, 13 (part), 14, 15, 17, 23 and 24 only (in force by Reg 78/2025), Vancouver Charter Amendment Act (No. 2), 2024



MISCELLANEOUS

Miscellaneous News:

No Harm? Still a Foul: BC Court of Appeal Ups Privacy Stakes

In *Insurance Corporation of British Columbia v. Ari*, [2025 BCCA 131](#), the British Columbia Court of Appeal set an important precedent regarding damages for privacy breaches under the [Privacy Act](#). The Court confirmed that when someone's privacy is seriously and deliberately violated, they can receive more than nominal damages or "non-compensatory damages". The Court held that this was to be the case even in situations where a claimant cannot prove individual harm beyond the breach itself. The Court's decision makes it clear that privacy breaches inherently cause real harm and warrant meaningful compensation.

Background

An employee at the Insurance Corporation of British Columbia ("ICBC") accessed the private information of 78 ICBC policy holders without authorization and sold the information of at least 45 policy holders to certain criminal enterprises. As a result, several ICBC policy holders became targets of violent crimes, including arson and shooting attacks.

Read the [full article](#) by Myles Brown and Nathan Jones with Miller Titerle + Company.

Fast-tracking National Interest Projects in Canada: Bill C-5 – An Act to Enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act

On June 6, 2025, the federal government tabled the much anticipated [Bill C-5 – An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act](#) ("Bill C-5"). Sponsored by the Honourable Dominic LeBlanc, the minister responsible for Canada-U.S. Trade, Intergovernmental Affairs and One Canadian Economy, Bill C-5 is divided into two parts:

- Part 1: the *Free Trade and Labour Mobility in Canada Act*; and
- Part 2: the *Building Canada Act* (the "Act").

The *Free Trade and Labour Mobility in Canada Act* sets out a framework that aims to promote free trade and labour mobility by removing federal barriers to interprovincial movement of goods and the provision of services and to increase labour mobility across provincial and territorial boundaries. The focus of this blog is on Part 2 – the *Building Canada Act*, which is intended to streamline the federal regulatory processes for major projects. Several provinces have also enacted legislation to streamline provincial regulatory processes for projects. For more information on this legislation in Ontario and British Columbia, see our previous blog posts [here](#) and [here](#). Read the [full article](#) by Dominique Amyot-Bilodeau, Kimberly J. Howard, Gordon M. Nettleton, Byron Shaw, Marina Sampson, Anca Neacsu, Kerry Kaukinen and Benjamin Rivard with McCarthy Tétrault.

Canada Proposes Bill Aiming to Extend Citizenship by Descent beyond First Generation

Lena Metlege Diab – Canada's minister of immigration, refugees, and citizenship – has announced newly introduced legislation that would extend citizenship by descent beyond the first generation in a manner seeking to be inclusive and protective of the value of Canadian citizenship. Under [bill C-3](#), Canadian citizenship would automatically vest in anyone who would be a citizen at present if not for the first-generation limit or outdated provisions of prior citizenship legislation, according to a news release from Immigration, Refugees, and Citizenship Canada (IRCC). Read the [full article](#) by Bernise Carolino with *Canadian Lawyer*.

BC's Legal Future: Attorney General Niki Sharma on Technology, Equity, and Reform

Transforming how justice is delivered – from courtroom operations to legal regulation – is central to Niki Sharma's agenda as British Columbia's attorney general and deputy premier. In a [recent episode of CL Talk](#), *Canadian Lawyer's* podcast, she outlined her priorities and the principles guiding her work. Below is a summary of the conversation:

Niki Sharma built her legal career by advocating for Indigenous communities – representing residential school survivors, fighting for land rights, and navigating governance negotiations on behalf of First Nations. "I worked at a firm that's essentially now First Peoples Law," she said. "Representing Indigenous people and rights and title issues, negotiations on projects, and representing residential school survivors." That work, rooted in justice rather than prestige, defined more than a decade of her practice.

Read the [full article](#) by [Tim Wilbur](#), published on *Canadian Lawyer*.

From Roadblocks to Roll Outs: Unpacking the Implications of BC's Infrastructure Project Approval Reform [Bill 15] BC's response to the need for expedited approvals

In an effort to overcome bureaucratic gridlock and multi-layered approval systems and accelerate the delivery of projects governments consider essential for geopolitical or economic reasons, a number of Canadian governments are introducing mechanisms to streamline approval processes. In the case of British Columbia, the "[Infrastructure Projects Act](#)" (the "Act") received royal assent on 29 May 2025 and became law in British Columbia. The Act vests significant potential authority in the Province's [Ministry of Infrastructure](#). The Act does not clearly delineate what projects it will apply to, nor how the extraordinary powers provided under the Act will be exercised in a manner consistent with existing provincial and local government regulatory approval processes and the duty of meaningful consultation with relevant Indigenous groups. The resolution of these matters will need to be addressed by regulation. Read the [full article](#) by [R. Max Collett](#), [Niles Bond](#) and [Kim Aminian](#) with DLA Piper LLP.

Beyond Borders: Government Grants Itself Powerful Access to Data, Reduced Oversight

Canada's proposed [Bill C-2](#) (or the *Strong Borders Act*) will overhaul key aspects of Canada's lawful access regime; namely, the circumstances in which law enforcement and governmental agencies can both compel the production of information and other data and impose related gag orders. These changes will have far-reaching implications for both businesses operating in Canada and civil liberties. The lawful access provisions within Bill C-2, introduced June 3, 2025, create "information demands" and orders that can be issued to any provider of services to the public (including telecommunication companies, banks, hotels, rental car companies, streaming services and other online platforms) and – despite the title of the Act – the exercise of these powers is not limited to matters of border security or illegal drugs. Read the [full article](#) by Michael Fekete, John Salloum, Christopher Naudie and Lipi Mishra with Osler, Hoskin & Harcourt LLP.

'An Anti-refugee Bill in All Respects'

The federal government's border security omnibus bill has been widely criticized, including by the Migrant Rights Network, which says it aims to create a mass deportation regime. "It is a cruel law designed to dilute refugee protections that have been enshrined in the [Charter](#)," says Aadil Mangalji, a partner and immigration lawyer at LM Law Group in Toronto. "It is unravelling the refugee system as we know it, and ensuring that people don't get a free and fair hearing." [Bill C-2](#), known as the Strong Borders Act, blocks anyone in Canada for more than a year from claiming refugee status, even if the situation in their home country changes and becomes dangerous after their arrival. The provision applies retroactively to June 2020. Read the [full article](#) by Holly Lake with CBA National.

Canadian Bar Association Welcomes Bill S-218's Protections Relating to Notwithstanding Clause

Lynne Vicars, president of the Canadian Bar Association (CBA), has welcomed the changes introduced by [Bill S-218](#), requiring more transparency and deliberation before invoking [s. 33 of the Canadian Charter of Rights and Freedoms](#), also known as the notwithstanding clause. In a statement on behalf of the CBA, Vicars expressed support in principle for the bill's intention to impose protections surrounding the federal government's future attempts to trigger the notwithstanding clause. Read the [full article](#) by Bernise Carolino with *Canadian Lawyer*.

Supreme Court Enters an Acquittal in Wrongful Conviction Case

In a unanimous decision, the Supreme Court of Canada has ruled that a woman convicted in the 2011 drowning death of a toddler must be acquitted. The Court clarified one of the routes of when an appeal court can enter such an acquittal and was split 5-4 in its reasons on whether the Court should engage in a framework discussion on a "discretionary acquittal." However, the fact that Tammy Bouvette has been at the centre of a miscarriage of justice was not in dispute. Read the [full article](#) by Dale Smith with CBA National.

Addressing Claims Where Aboriginal Rights and Title Overlap

On April 24, 2025, the Supreme Court of Canada (SCC) granted leave to hear two related cases that raise issues of how courts should address claims in which the Aboriginal rights and title of two or more Indigenous groups may overlap: *Nisga'a Nation v. Malii*, [2024 BCCA 313](#) (the Nisga'a Application) and *Malii v. British Columbia*, [2024 BCCA 406](#) (the TSKLH Application). Both cases were applications in the same underlying action (the Action) in which Gitanyow Nation seeks a declaration of Aboriginal rights and title to an approximately 6,200 square kilometre area located in northwestern British Columbia (the Claim Area). Read the [full article](#) by Sean Sutherland and Erin Bower with Osler.

Requirements and Guidelines from Canadian Regulators, Public Bodies and Courts for the Use of Artificial Intelligence

Organizations are increasingly embedding artificial intelligence (AI) in operations in order to drive efficiency; however, the risks of hallucinated output are being progressively considered by regulators, government bodies, and courts in Canada. In order to protect their integrity and minimize the potential risk in relying on AI, organizations should ensure they are compliant with applicable regulatory guidance as it relate to the use of AI. This article canvasses three main topics:

1. Canadian Securities Administrators (CSA) requirements for the use of AI systems in capital markets;
2. Trademarks Opposition Board (TMOB) requirements for the use of AI in documents prepared for the purpose of proceedings

- before the TMOB; and
3. court guidance on the use of AI in court submissions.

Read the [full article](#) by Stephen Burns, Sebastien Gittens, Kees de Ridder, David Wainer and Michael King with Bennett Jones.

CPD-4 – Procedure for Detention Reviews under s. 525 of the Criminal Code

Associate Chief Justice Holmes has issued a revised version of [CPD-4](#). The main change is to extend the timeframe during which counsel may use the Adjournment Form to adjourn a scheduling hearing.

Act or Regulation Affected	Effective Date	Amendment Information
Designated Policing and Law Enforcement Units Complaints Regulation (230/2022)	June 1/25	by Reg 71/2025



MOTOR VEHICLE & TRAFFIC

Motor Vehicle and Traffic News:

DriveBC Enhances Accessibility, User Experience with New Platform

People driving throughout British Columbia this summer can get access to reliable road and weather conditions on provincial highways with a newly updated DriveBC platform. The new DriveBC platform features a simplified map and a cleaner, more intuitive design for desktop and mobile users. A new interactive map replaces the previous mobile text-based layout, offering a more visual, streamlined way to explore road conditions and updates. The platform integrates provincial and regional travel advisories and bulletins, offering clearer updates on challenging weather conditions, emergencies and other events happening on provincial highways. Read the government [news release](#).

Lithium Batteries Part 1: What You Didn't Know About Transporting Them Safely

– from [Transport Canada](#)

Lithium batteries power much of our daily lives, from smartphones and laptops to power tools and e-bikes. But while they are incredibly convenient, they're not without risks! Whether you're heading to the cottage, tackling renovations, or shipping devices across the country, it's important to understand how to handle and transport lithium batteries safely. That's where Transport Canada comes in, helping to ensure these batteries, which are considered dangerous goods, are moved safely across all modes of transportation. In this first part of our series, we'll uncover some lesser-known facts about lithium batteries, explain why not all batteries are created equal, and share practical tips to reduce the risk of fire, overheating, or explosion, at home and on the go.

When to Hold Fast to a Dispute Resolution Clause: Enforcement of Arbitration Agreements in Maritime Contracts

Since they are often international in nature and subject to a specialized area of law, it is not surprising that maritime-related agreements like standard form charterparties, shipbuilding contracts, and crewing contracts frequently contain mandatory arbitration clauses. Bespoke maritime contracts often contain dispute resolution clauses for the same reasons. Two Federal Court of Canada decisions rendered in the fall of 2024 underscore the importance of clear and consistent language in arbitration agreements in a maritime context, particularly when those contracts are intended to bind non-parties to the arbitral process. Read the [full article](#) by Ian Breneman with Alexander Holburn Beaudin + Lang LLP.

Act or Regulation Affected	Effective Date	Amendment Information
Basic Vehicle Damage Coverage Regulation (4/2021)	June 30/25	by Reg 64/2025
Insurance (Vehicle) Regulation (447/83)	June 30/25	by Reg 64/2025
Lien on Impounded Motor Vehicles Regulation (25/2015)	June 30/25	by Reg 65/2025
Motor Dealer Act Regulation (447/78)	June 30/25	by Reg 64/2025
Motor Fuel Tax Regulation (414/85)	RETRO to Apr. 1/25	by 87/2025

Motor Vehicle Act	June 30/25	by 2022 Bill 11, c. 9, sections 74 to 78 only (in force by Reg 63/2025), Commercial Liens Act
Repairers Lien Act	REPEALED June 30/25	by 2022 Bill 11, c. 9, section 69 only (in force by Reg 63/2025), Commercial Liens Act
Transport of Dangerous Goods Act	June 30/25	by 2022 Bill 11, c. 9, section 86 only (in force by Reg 63/2025), Commercial Liens Act
Violation Ticket Administration and Fines Regulation (89/97)	June 19/25	by Reg 84/2025
Warehouse Lien Act	REPEALED June 30/25	by 2022 Bill 11, c. 9, section 69 only (in force by Reg 63/2025), Commercial Liens Act



OCCUPATIONAL HEALTH & SAFETY

Occupational Health and Safety News:

Prevent Heat Stroke at Work

from [WorkSafeBC](#):

With summer in full swing, WorkSafeBC is reminding employers and workers of the serious risks of heat stress. This article details how workers can be exposed, the dangers associated with heat exhaustion, and provides a hierarchy of controls to minimize risk. Highlighting strategies like elimination/substitution, engineering controls, administrative controls, and the use of appropriate personal protective equipment, the article emphasizes proactive steps to prevent heat-related illnesses and ensure a safe working environment during hot weather.

BC Introduces New Standards for Overdose Prevention Services

The British Columbia government has introduced new minimum standards for overdose prevention services aimed at enhancing safety, improving service consistency, and increasing oversight for clients, staff, and the broader community. The new standards provide a provincewide framework for how overdose prevention services should be delivered. According to the BC Ministry of Health, the goal is to better integrate these services into the health-care system while ensuring quality, accessibility, and cultural safety. The standards are expected to support existing facilities – many of which already meet or exceed these requirements – and guide the development of new ones. Read the full *Canadian Occupational Safety Magazine* [article](#), by [Jim Wilson](#). [To read the overdose prevention services minimum service standards, visit: https://www2.gov.bc.ca/assets/gov/overdose-awareness/ops_mss_final.pdf]

Preventing Falls from Heights in Construction

Falls from heights (e.g., roofs, ladders, work platforms) continue to be a leading cause of workplace injuries and fatalities. As summer kicks in and outdoor construction peaks, WorkSafeBC is urging employers to prevent these devastating and life-altering incidents. From 2020 to 2024, there were more than 5,400 injury claims in the construction sector from falls from heights, including almost 1,900 serious injuries and 35 fatalities. More than 1,000 construction workers were injured due to falls from heights in 2024 alone. That's nearly three a day. To help reduce these risks, WorkSafeBC is continuing its proactive, unannounced inspections at construction worksites across the province. These inspections focus on ensuring fall protection measures are in place and that employers are effectively managing the most significant risks to workers. Read the [full article](#) by Michael Laycock published in WorkSafe Magazine – Summer 2025.

Decision on the New and Revised BC Exposure Limits Based on the 2021, 2022, 2023, and 2024 ACGIH TLVs for Selected Chemical Substances

At its April 2025 meeting, WorkSafeBC's [Board of Directors \(BOD\)](#) approved the adoption of the 2021, 2022, 2023, and 2024 new and revised American Conference of Governmental Industrial Hygienists Threshold Limit Values (ACGIH TLVs) for the following selected chemical substances:

- Antimony trioxide – Production
- Antimony trioxide
- Cumene
- Dipropylene glycol methyl ether (also known as "bis-(2-Methoxypropyl) ether (DPGME)")
- Dipropylene glycol methyl ether (DPGME)
- Hexane, all isomers, except n-Hexane
- Hexane (Commercial, >54% n-Hexane) and the branched hexane isomers
 - Hexane (Commercial, <54% n-Hexane)
 - Branched Hexane Isomers
- sec-Hexyl acetate

- Isopropylamine
- Isopropyl ether
- Methylcyclohexane
- Mica
- Trimethyl benzene (mixed isomers)
- Trimethyl benzene, isomers
- Xylene (o, m & p isomers)
- Xylene, all isomers

In addition, Epichlorohydrin's revised ACGIH TLV is already the same as the existing BC exposure limit. Read the full WorkSafeBC [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
There were no amendments this month.		



PROPERTY, REAL ESTATE & CONSTRUCTION

Property, Real Estate & Construction News:

Even a Crossed-Out Property Disclosure Statement Can Constitute Misrepresentation

A recent British Columbia Court of Appeal decision sheds light on how a crossed-out Property Disclosure Statement ("PDS") may be interpreted in the context of a real estate transaction. Typically, a PDS supplements a Contract of Purchase and Sale by providing information of interest to the buyer that is not otherwise included in the contract. While crossing out the entire PDS is often used to indicate that the seller is making no representations about the property, the following Court of Appeal decision calls that assumption into question. In *Sewell v Abadian*, [2025 BCCA 158](#), the buyer entered into an agreement to purchase a home from the seller. As part of the agreement, the seller delivered a PDS with a line through all of the questions, including one regarding unpermitted additions. However, the seller was aware when he purchased the property that there was an addition. In particular, an outdoor porch enclosed as a family room, had been completed without permits. The seller had acknowledged, in a text message to the buyer's realtor, that the family room "is/was addition" and an "unauthorized accommodation", but the realtor failed to read that portion of that message. The seller also included a note in the PDS stating, "tenanted property, owner has never occupied". The buyer made a subject-free offer, which was accepted by the seller. Through her own efforts, the buyer discovered that there was an unpermitted addition to the home which had been completed without the required permits and attempted to repudiate the contract. Read the [full article](#) by April Wilkinson and Jasmine Kang with Harper Grey LLP.

BC Signals Fall Timeline for Long-awaited Prompt Payment Legislation

The provincial government is getting the ball rolling on prompt payment legislation, and proposed legislation could be introduced by the fall. The province said in a Tuesday [June 17] statement Attorney General Niki Sharma recently directed her ministry to prepare a proposal for further consideration by the BC NDP government. "The government wants to ensure that businesses are paid promptly for work performed on, or material provided to, construction projects," said the statement. Read the [BIV article](#).

Competing to Control the Sale of Co-Owned Properties

In the recent decision of *Athwal v. Athwal*, [2025 BCSC 685](#) [Athwal], the petitioners tried to force the sale of a jointly owned property based in Richmond, BC. The property itself was jointly owned by three family members. Initially, after two of the family members started legal proceedings to force the sale of the property, one of the family members resisted the sale. However, some time later, the resisting family member changed their minds and agreed to sell the property. Even though the family members all wanted to sell the property, they could not all agree on who should control the sale (also called "conduct of sale") of a co-owned property. Controlling conduct of sale means more than just deciding how to list the property. It allows the party with conduct to select the realtor, the listing price and, importantly, to decide which bid to accept. Read the [full article](#) by Kaan D. Alkin and Micah Goldberg with Watson Goepel LLP.

BC's New Commercial Liens Act [Now in Force]

On June 30, 2025, the [Commercial Liens Act](#) (the "CLA") and [Commercial Liens Regulation](#) will come into force. The CLA represents a positive development for service providers (such as repairers and warehousemen) that rely on liens to secure the work that they perform in respect of commercial goods.

Background

In 2003, the British Columbia Law Institute published the [Report on the Uniform Liens Act](#) (the "BCLI Report"), which includes a discussion of the economic inefficiencies that arise under the existing commercial lien statutes in B.C. The BCLI Report highlights how the current regime requires certain service providers to maintain possession of goods to preserve their lien rights (increasing storage costs) and mandates inflexible, archaic sales processes, such as newspaper advertisement and public auctions (increasing transactional costs). The CLA addresses the concerns raised in the BCLI Report and ensures the fair and consistent treatment of service providers.

Read the [full article](#) by Edward Wilson and Joel Schachter with Lawson Lundell.

Missed Deadlines, Lost Rights: Builders Lien Timelines Strictly Enforced for Certificates of Substantial Completion

A recent decision from the BC Supreme Court emphasizes the necessity for strict compliance with the statutory timelines set out in the *Builders Lien Act*, SBC 1997, c 45 (the "*Builders Lien Act*"), and is of particular importance to owners, general contractors, and persons who act as "payment certifiers" for construction projects. In *Clough Pacific Joint Venture and PPM Civil Contractors, ULC v AECOM Canada Limited*, [2025 BCSC 164](#), the BC Supreme Court dismissed an application to cancel builders liens for being filed beyond the 45-day deadline on the basis that a certificate of completion (the "Certificate of Completion") and the related notice (the "Notice") were not compliant with the required timelines under the *Builders Lien Act*. Read the [full article](#) by Dan W. Melnick and Satinder Sidhu with Clark Wilson LLP.

NextGen Home Ownership: Key Legal Considerations for Helping Your Child Buy Their First Home

In today's real estate market, many families are helping their children purchase a first home by providing financial contributions, co-ownership, or guidance on legal and tax matters. While the intention behind these efforts is to provide support, they may give rise to unintended consequences if not carefully considered. Certain government programs like the First Home Savings Account (FHSA) and the Home Buyers' Plan (HBP) through RRSPs that can be great tools, but they only go so far. For families providing significant contributions, careful legal and tax planning is essential. This post outlines some of the key legal and tax planning considerations to help families make informed decisions and preserve their wealth across generations.

Tax Implications

Real estate transactions in British Columbia can attract a variety of taxes at the federal, provincial, and municipal levels. Proper planning is essential to avoid unnecessary costs.

Read the [full article](#) by Tim Brown and Max Shilleto with Lawson Lundell LLP.

Act or Regulation Affected	Effective Date	Amendment Information
Commercial Liens Act	NEW June 30/25	c. 9, SBC 2022, Bill 11 , whole Act in force by Reg 63/2025
Commercial Liens Regulation (63/2025)	NEW June 30/25	by Reg 63/2025
Manufactured Home Regulation (441/2003)	June 30/25	by Reg 64/2025
Personal Property Security Regulation (227/2002)	June 30/25	by Reg 64/2025
Property Transfer Tax Regulation (74/88)	June 23/25	by Reg 88/2025
Residential Tenancy Regulation (477/2003)	June 18/25	by Reg 49/2025
Short-Term Rental Accommodations Regulation (268/2023)	June 9/25	by Reg 77/2025
Speculation and Vacancy Tax Regulation (275/2018)	RETRO to June 23/25	by Reg 90/2025



WILLS & ESTATES

Wills and Estates News:

McCrone v. Henry Estate: From Escort to Estate Beneficiary?

In *McCrone v. Henry Estate*, [2025 BCSC 1076](#), the Supreme Court of British Columbia recently considered whether a claim challenging a gift in a will to a male escort should be dismissed before trial. The case offers important insight not only for lawyers but also for anyone considering contesting a will or defending a bequest, as it demonstrates how British Columbia courts treat claims of undue influence and testamentary capacity.

Background: A Disputed Gift and an Unusual Relationship

The deceased passed away on November 16, 2021, leaving an estate valued at approximately \$1 million. Her husband had predeceased her by 17 years, and the couple had no children. Her last will and testament, dated August 16, 2021 (the "2021 Will"), left the bulk of her estate to a much younger man she had met online and hired as a male escort (the "Defendant").

Read the [full article](#) by Alexander Swabuk with Miller Thomson.

A Costly Gift: What the Damgaard Case Teaches Us about Estate Planning for a Loved One with a Disability

For families with a loved one receiving disability assistance, an inheritance can have unintended and damaging consequences. A well-intentioned gift can disrupt eligibility for essential government benefits, often outweighing any short-term financial gain. Just as important, the courts may be unwilling to correct these outcomes after the fact. The recent BC Supreme Court decision in *Damgaard v. Damgaard Estate*, [2025 BCSC 208](#), underscores the importance of careful, proactive estate planning where a beneficiary is receiving disability assistance as a Person with Disabilities (PWD). Read the [full article](#) by Max S.J. Shilleto and Tim H.R. Brown with Lawson Lundell.

Probate Fees

A potentially significant catalyst for proper estate planning is to assist in avoiding the payment of probate fees, when appropriate to do so. The British Columbia Ministry of Finance charges probate fees on the gross value of an estate at the time of death, when an application for a grant of probate, grant of administration or resealing is made to court in BC. The fee is calculated using a tiered system which is set out in the [Probate Fee Act](#). There is no fee charged for the amount of \$25,000 and below; between \$25,001 – \$50,000 a fee of \$6 per \$1,000 is charged; and over \$50,000 a fee of \$14 per \$1,000 is charged. Read the [full article](#) by April Wilkinson with Harper Grey LLP.

Act or Regulation Affected	Effective Date	Amendment Information
There were no amendments this month.		

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