

# Quickscribe Reporter

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## Vol: XXIV – Issue 10 – October 2025

### QS News

#### Fall Legislative Session to Wrap Up on December 4th

In October, fifteen new government bills were introduced in the legislature, as well as five members' bills. Four of the new bills, as well as four that were introduced in spring, received Royal Assent on October 30. The legislative debates will resume November 17 and are now expected to wrap up on December 4. Visit Quickscribe's [Bills](#) page to check the status of these or any bill.

### New Bills

The following bills were introduced in October:

#### Government Bills

- [Bill 17](#) – Intimate Images Protection Statutes Amendment Act, 2025
- [Bill 18](#) – Sexual Violence Policy Act
- [Bill 19](#) – School Amendment Act, 2025
- [Bill 20](#) – Construction Prompt Payment Act
- [Bill 21](#) – Attorney General Statutes Amendment Act (No. 2), 2025
- [Bill 22](#) – Statutes Act
- [Bill 23](#) – Regulations Act
- [Bill 24](#) – Vaping Product Damages and Health Care Costs Recovery Act
- [Bill 25](#) – Housing and Municipal Affairs Statutes Amendment Act, 2025
- [Bill 26](#) – Vancouver Charter Amendment Act, 2025
- [Bill 27](#) – Miscellaneous Statutes Amendment Act (No. 2), 2025
- [Bill 28](#) – Business Practices and Consumer Protection Amendment Act (No. 2), 2025
- [Bill 29](#) – Child, Family and Community Service Amendment Act, 2025
- [Bill 30](#) – Employment Standards (Serious Illness or Injury Leave) Amendment Act, 2025
- [Bill 31](#) – Energy Statutes Amendment Act, 2025

#### Members' Bills

- [Bill M216](#) – Professional Reliance Act
- [Bill M217](#) – Dashboard Cameras in Commercial Vehicles Act
- [Bill M218](#) – Residential Tenancy Amendment Act, 2025
- [Bill M219](#) – Health Authorities Amendment Act, 2025
- [Bill M220](#) – Municipal Affairs Statutes Amendment Act, 2025

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

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## Looking for Previous Reporters?

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

## Reporter Categories

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## COMPANY & FINANCE

### Company and Finance News:

#### Business Practices and Consumer Protection Act Amendments Introduced

[Bill 28](#), *Business Practices and Consumer Protection Amendment Act (No.2)*, 2025, was introduced on October 9. It proposes changes to the [Business Practices and Consumer Protection Act](#), the [Personal Information Protection Act](#), and the [Motor Dealer Act](#) to help protect against credit fraud and other misleading business practices. This is the second phase of amendments intended to modernize consumer protection laws, after [Bill 4](#) was introduced as phase 1 in March. Changes proposed by the Bill include:

- requiring credit reporting agencies to provide credit reports and scores, security alerts, and credit freezes free of charge,
- requiring more transparency from credit-monitoring and credit-repair services,
- requiring lenders to verify a consumer's identity when they receive security alert information, and
- adding new enforcement tools.

At the time of this publication, the Bill has received second Reading. Some sections of the Bill will come into force on Royal Assent, while other sections are expected to come into law by regulation at a future date.

#### Expect Strict Compliance with Your Advance Notice Bylaw, But No More

Companies use advance notice bylaws to ensure orderly, transparent and informed shareholder meetings. They help to avoid tactical ambushes by dissident groups and ensure that there is a thorough disclosure and vetting of board nominees. But a British Columbia court recently ruled that such bylaws were not to be stretched beyond their clear terms. This is a good case-study for reviewing the language in your advance notice bylaw or articles, because while courts will give effect to the words chosen, they are unlikely to give companies anything more than that. The Court's ruling also provides useful takeaways for developing best practices in how board Chairs should be communicating with dissidents.

#### The Fight over Skychain's Board

In *1154557 B.C. Limited v. Skychain Technologies Inc.*, [2025 BCSC 1924](#), the numbered company petitioner was a shareholder in Skychain Technologies Inc., a TSX-Venture listed company that transitioned from cryptocurrency mining to non-fungible tokens and decentralized finance. The Petitioner held about four percent of Skychain's shares and was aligned with other dissident shareholders seeking to replace the incumbent board.

Read the [full article](#) by Derek Bell, with DLA Piper.

#### Beyond Tax: How Grenon Harms Canadian Capital Markets and Impacts Our Understanding of Securities Laws

A recent decision of the Canadian Federal Court of Appeal (FCA), which had its roots in a relatively straightforward tax dispute, may have highly problematic implications and far-reaching unintended consequences for the regulation of capital markets (and exempt distributions in particular) in Canada. In *The RRSP of James T. Grenon (552-53721) by its Trustee CIBC Trust Corporation v Canada*, [2025 FCA 129](#) (the FCA Decision), the FCA provided a novel interpretation of several securities law concepts to determine, among other things, whether certain investments were qualified under the [Income Tax Act](#), R.S.C. 1985, c. 1 (5<sup>th</sup> Supp.) (ITA) and the [Income Tax Regulations](#), C.R.C., c. 945 (ITR). While the FCA Decision arose in a tax context, its scope, and in particular the extent to which it provided original interpretations of a number of important securities laws concepts, raises significant concerns around the broader and unintended implications for Canadian securities laws and capital markets, which could have lasting negative

consequences for how market participants structure exempt offerings, issuers access private capital, and provincial securities regulators supervise capital markets and coordinate oversight across Canada. Read the [full article](#) by Jarrod Isfeld, Gavyn Backus, Christopher Pejovic, and Michael Styczen with DLA Piper LLP.

### **The Risks of Informal Governance in Private Companies: Lessons From a British Columbia Court Battle**

The Supreme Court of British Columbia's September 2025 judgment in *Yen v Ghahramani*, [2025 BCSC 1778](#), illustrates the risks of relying on private, informal agreements in the governance of privately held companies. In the *Yen* case, the Court refused to give effect to a disappointed co-founder's expectations about how the company would be governed (and about his role in its governance) going forward. The disappointed co-founder's expectations had been grounded in alleged understandings between himself and another co-founder. The other co-founder disputed these alleged understandings at trial. The disappointed co-founder relied on a series of written agreements between the two co-founders concerning the organization and governance of the company. But these agreements had been kept secret from the co-founders' fellow shareholders, and they only reflected the disappointed co-founder's expectations by implication. The result: one co-founder was permitted to obtain voting control of the company and removed the other co-founder from the board of directors and eliminated his employment and salary with the company. Read the [full article](#) by Logan Dillon, Heidi Gordon and Adam Goldenberg with McCarthy Tétrault.

### **Canadian Securities Regulators Propose Semi-annual Financial Reporting Pilot**

The Canadian Securities Administrators (CSA) today [Oct 23] [announced](#) a proposed multi-year pilot to allow eligible venture issuers to voluntarily adopt semi-annual financial reporting (the SAR Pilot). The SAR Pilot would provide an exemption for certain venture issuers listed on the TSX Venture Exchange Inc. (TSXV) or the CNSX Markets Inc. (CSE) from the requirement to file first and third quarter financial reports under [National Instrument 51-102 Continuous Disclosure Obligations](#). "The semi-annual financial reporting pilot is the result of work and consultations by the CSA that go back several years, as well as our ongoing efforts to support the competitiveness of Canadian capital markets by making financial reporting more efficient and cost-effective for eligible issuers," said Stan Magidson, CSA Chair and Chair and CEO of the Alberta Securities Commission. "We are committed to a Canadian regulatory environment that is right-sized for our market and responsive to the changing needs of market participants." Read the BC Securities Commission [news release](#).

### **BC Supreme Court Absolves NDAX of Liability in Crypto Scam Suit**

The British Columbia Supreme Court has refused to hold NDAX Canada liable for the losses of a plaintiff who fell victim to a cryptocurrency scam after believing in an investment proposal that sounded too good to be true. "This BC case clarifies that crypto platforms are not de facto guardians of investor decisions," comments Daniel Walker, managing partner of Bobila Walker Law in Toronto. "The Court recognized that NDAX provided multiple, escalating fraud warnings, including direct verbal cautions, and that once a user insists on proceeding, the responsibility for loss shifts squarely to the individual." In *Xu v NDAX Canada*, [2025 BCSC 2048](#), the defendant NDAX was a crypto assets trading platform, registered as a money service business with the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC). Read the [full article](#) by Bernise Carolino with *Canadian Lawyer*.

### **C\$176.9 Million Fine against Cryptocurrency Exchange from FINTRAC Demonstrates Costs of Non-Compliance**

The C\$176.9 million administrative monetary penalty imposed against the Vancouver-based, overseas-operated, cryptocurrency exchange Xeltox Enterprises Ltd., operating under the name Cryptomus, by the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC) on [October 22, 2025](#), highlights the regulatory perils that face cryptocurrency exchanges that operate in Canada outside the law. In what was the largest administrative penalty ever issued by FINTRAC, Cryptomus was found to have committed 2,593 violations, including failing to file 1,068 suspicious transaction reports. The violations related to transactions involving darknet markets and proceeds linked to child trafficking, fraud, ransomware payments and sanctions evasion, as well as failure to comply with a Ministerial Directive concerning financial transactions associated with the Islamic Republic of Iran. FINTRAC also noted a failure to report 1,518 transactions involving the receipt of C\$10,000 or more in virtual currency from clients, among other violations. Read the [full article](#) by Simon Grant, Jessica Horwitz, Andrew Bozzato and Nicole Liu with Bennett Jones LLP.

### **BC Securities – Policies & Instruments**

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

- [BC Notice 2025/04](#) – BC Policy 15-601 Hearings – The BC Securities Commission has revised procedures for hearings under the *Securities Act* to clarify expectations of hearing participants.
- [51-932](#) – Temporary Exemption from Requirements in National Instrument 51-102 Continuous Disclosure Obligations and National Instrument 54-101 Communication with Beneficial Owners of Securities of a Reporting Issuer to Send Certain Proxy-Related Materials During a Postal Suspension
- [BC Notice 2025/05](#) – British Columbia Securities Commission Notice and Request for Comment – Proposed Amendments to BC Instrument 22-502 Registration by the Investment Industry Regulatory Organization of Canada
- [51-933](#) – Proposed Coordinated Blanket Order 51-933 Exemptions to Permit Semi-Annual Reporting for Certain Venture Issuers

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

| Act or Regulation Affected                         | Effective Date         | Amendment Information           |
|----------------------------------------------------|------------------------|---------------------------------|
| Credit Union Deposit Guarantee Regulation (317/90) | REPEALED<br>Oct. 27/25 | by <a href="#">Reg 172/2025</a> |

|                                                                |            |                                 |
|----------------------------------------------------------------|------------|---------------------------------|
| Designated Accommodation Area Tax Regulation (93/2013)         | Nov. 1/25  | by <a href="#">Reg 123/2025</a> |
| Financial Institutions Fees Regulation (312/90)                | Oct. 27/25 | by <a href="#">Reg 173/2025</a> |
| Provincial Sales Tax Exemption and Refund Regulation (97/2013) | Oct. 27/25 | by <a href="#">Reg 189/2025</a> |
| Provincial Sales Tax Regulation (96/2013)                      | Oct. 27/25 | by <a href="#">Reg 189/2025</a> |



## ENERGY & MINES

### Energy and Mines News:

#### Bill 31 – New Energy Rules

[Bill 31](#), the *Energy Statutes Amendment Act, 2025* was tabled on October 20. It proposes amendments to the [Hydro and Power Authority Act](#) and the [Utilities Commission Act](#), which will accelerate the construction of the North Coast Transmission Line and allow BC Hydro to enter into ownership arrangements with First Nations. The amendments will expand access to the energy grid in the Northwest, addressing growing demand for electricity.

The Bill will also add the authority to make regulations respecting access to a set amount of power for companies specializing in artificial intelligence, data centres and hydrogen-for-export projects. The new policy, to be launched in January 2026, will prioritize natural resource and manufacturing projects, and will limit available power to 300 megawatts for AI companies and 100 megawatts for data centres every two years. The policy will keep the current ban on cryptocurrency connections.

The Bill is currently at second reading, and if passed, will come into force by Royal Assent.

#### Feds Pitch \$2B Fund for Critical Minerals Investments, Including Equity Stakes

The federal budget says Canada will take out equity stakes in critical mineral projects to open up mining and position Canada as a major global supplier. The federal budget, released Tuesday [November 4] in Ottawa, outlines a plan for a \$2 billion "critical minerals sovereign fund" over five years for equity investments, loan guarantees and offtake agreements. Ottawa is also planning to add a dozen more critical minerals to its exploration tax credit list. Many of the minerals and metals on the list play roles in Canada's EV and battery supply chains. Many of the newly added minerals, such as tin, tungsten and chromium, have defence applications. They're also used in the energy sector and to build semiconductors and clean technology. Read the [full article](#) by Nick Murray with the *Canadian Press*.

#### Federal Agency Orders Further Review of B.C. Coal Mine Expansion

A proposed expansion of a B.C. coal mine will require further assessment after a federal agency found the project could damage wildlife, water quality, and the health and rights of Indigenous peoples.

Located 29 kilometres northeast of Elkford, B.C., the Fording River operation is one of four steel-making coal mines owned by the multinational Glencore plc through its Vancouver-based subsidiary EVR Operations Ltd.

The company purchased Teck Resources Ltd.'s coal division in 2023, and is looking to extend the life of the mine into the 2060s. EVR is planning to make use of existing infrastructure – including a processing plant, access roads, power lines, gas lines and rail line – at the current site. Read the [BIV article](#).

#### Trans Mountain Faces \$292k Environmental Fines After 2024 B.C. Rainstorm: Regulator

Trans Mountain is facing \$292,000 in regulatory fines for alleged environmental issues in January 2024 along a stretch of its British Columbia pipeline expansion route hit by a major rainstorm.

The Canada Energy Regulator posted four penalties dated Oct. 3 to their website and referred The Canadian Press to an inspection order and compliance report when asked for details.

The inspection order details alleged issues with watercourse crossings, questionable response times, broken wildlife fencing and a small landslide along the pipeline expansion route in the B.C. Fraser Valley after heavy rainfall in January 2024. Read the [article](#) published by *The Canadian Press*.

#### Big Risks and Costly Fixes: What Went Wrong with Site C Detailed in New B.C. Hydro Report

B.C. Hydro completed 40 years worth of state-of-the-art studies into the geotechnical risks at Site C before the start of construction in 2015.

But the government-owned utility discounted the findings as "low risk" albeit with "high consequences" if they materialized.

Nor did Hydro make provisions in the budget to cover the cost of those "high consequences" if the risk estimation was proven wrong.

Alas for Hydro ratepayers, the risks did materialize in the form of tension cracks on the north bank of the Peace River in 2017 and

growing displacements in 2018 under the right bank foundations for the dam, spillways and generating station. Read the *Vancouver Sun* [article](#).

### BC Energy Regulator Announcements

The following BC Energy Regulator announcements were posted recently:

- [TU 2025-15](#) – Updates to the *Wildlife Act* application type in AMS for Renewable Energy and Prescribed Transmission Line Proponents
- [TU 2025-16](#) – Changes to Orphan Site Restoration Levy

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

| Act or Regulation Affected                    | Effective Date | Amendment Information           |
|-----------------------------------------------|----------------|---------------------------------|
| Administrative Penalties Regulation (35/2011) | Oct. 2/25      | by <a href="#">Reg 156/2025</a> |
| Cryptocurrency Power Regulation (163/2024)    | Oct. 20/25     | by <a href="#">Reg 164/2025</a> |
| Fee, Levy and Security Regulation (8/2014)    | Oct 24/25      | by <a href="#">Reg 165/2025</a> |
| Investigations Regulation (134/2019)          | Oct. 2/25      | by <a href="#">Reg 156/2025</a> |



## FAMILY & CHILDREN

### Family and Children News:

#### Public Guardian and Trustee Act Amendments

The *Attorney General Statutes Amendment Act (No. 2), 2025*, [Bill 21](#), was introduced on October 7, and proposes amendments to the [Insurance \(Vehicle\) Act](#) and the [Public Guardian and Trustee Act](#). The Public Guardian and Trustee Act amendments will provide greater guidance for when the Public Guardian and Trustee may act as property guardian and strengthen the protection of the legal and financial interests of children who fall under the guardianship. The amendments will also help ensure that public property guardianship services are available to all children in receipt of child and family services within the province. The Bill has passed second reading. Parts of it, if passed, will come into force at Royal Assent, and the rest by regulation.

#### Bill 29 Updates Safety Planning for Children and Youth

[Bill 29](#), *Child, Family and Community Service Amendment Act, 2025*, introduced on October 9, will update safety planning for children and youth. Safety plan agreements are voluntary, short-term agreements developed with parents for the care of a child or youth who will remain safely with their parent, or with a trusted adult (as arranged by their parent), while awaiting the outcome of a child-protection assessment or investigation, or decision on a court order. The Bill will amend the [Child, Family and Community Service Act](#) to help clarify and support the practice of safety planning by:

- ensuring parents are informed of their ability to access legal advice;
- making it clear that parents can end the plan at any time;
- requiring safety plans to be documented and shared with all parties as soon as practicable; and
- limiting the term of safety plans to 45 days (successive safety plans can be entered in some situations).

The bill has reached second reading, and if passed, will come into force by Royal Assent.

#### Establishing a Children's Privacy Code

The CBA's Privacy and Access to Information Law and Child and Youth Law Sections jointly submit to the Office of the Privacy Commissioner of Canada (OPC) that its guidance for private-sector organizations under the [Personal Information Protection and Electronic Documents Act](#) (PIPEDA) is an important first step in supporting organizations' compliance efforts and enhancing the protection of personal information. However, the CBA Sections recommend that in developing its initial guidance, the OPC should go further in establishing a modern, enforceable legislative framework for children's privacy that is consistent across jurisdictions and sectors. Read the [full article](#) published by CBA National.

#### Family Law: Stay Jurisdiction; Travel

Case: *T.F.R. v. Y.T.*, [2025 BCCA 349](#)

#### Synopsis:

The parties are the separated parents of a 4-year-old child. On August 21, 2025, an order is made (per Silverman P.C.J.) permitting the respondent to travel to China with the child from September 22 to October 17. (See para. 1). The appellant appeals the order to the B.C.S.C.; LeBlanc J. dismisses the appeal with one minor variation to its terms. (See para. 2). As noted by the Court of Appeal, the respondent's plan is to "depart, with the child, in the early morning hours on September 30". (See para. 2). Read the [full article](#) published by *Supreme Advocacy*.

| Act or Regulation Affected               | Effective Date | Amendment Information           |
|------------------------------------------|----------------|---------------------------------|
| Provincial Court Family Rules (120/2020) | Nov. 1/25      | by <a href="#">Reg 138/2024</a> |



## FOREST & ENVIRONMENT

### Forest and Environment News:

#### Young Claimants Take CPP to Court Over Climate Risks

A first-of-its-kind lawsuit targeting Canada's largest pension fund manager could help set a precedent for how investment funds handle climate change, legal experts say.

Earlier this week, the four young people filed a lawsuit in Ontario Superior Court, alleging that the Canada Pension Plan Investment Board (CPP Investments) is breaching its legal duty by exposing CPP contributions to an undue risk of loss due to climate change.

"It is really about financial risks of climate change," says Karine Peloffy, a lawyer at Ecojustice, which is co-counsel on the case, along with Goldblatt Partners LLP. Read the [full article](#) by Moira Donovan in the *CBA National*.

#### B.C. Pulp Mill Penalized for Toxic Emissions, Monitoring Failures

A B.C. pulp and paper mill has been penalized more than \$21,000 for releasing potentially toxic emissions and failing to monitor what comes out of its smoke stacks.

The penalties to Mercer Celgar Pulp Ltd. come after the company was found to have breached the amount of odorous total reduced sulphur it can release into the air across multiple dates spanning 2023 to 2025.

In one case, levels climbed nearly six times above provincial limits, according to an Oct. 9 decision from director of the [Environmental Management Act](#) Stephanie Little.

The company, which owns B.C.'s oldest pulp and paper mill in Castlegar, B.C., was also found to have failed to monitor a number of air pollutants – including sulphur dioxide, nitrous oxide and chlorine dioxide – emanating from the facility on 71 different occasions. Read the [BIV article](#).

#### Feds Form Working Group with B.C. to Support Forestry Sector

Politicians from B.C. and Ottawa met in Vancouver Monday [November 3] for a forestry summit, where they agreed to create a working group on supporting the industry in the face of ever-increasing U.S. fees and tariffs.

In September, the Americans imposed anti-dumping and countervailing duties on Canadian companies ranging from 26 per cent to more than 47 per cent, and then added another 10 per cent last month, claiming Canada's industry is a U.S. national security threat.

The fees have been a significant blow for B.C.'s already struggling forestry sector, which employs tens of thousands of workers in the province. Read the [CBC article](#).

#### Putting Out Fires: Phase 1 of the Government of Canada's Risk Management Approach for PFAS

The federal government has initiated consultation on its proposed risk management approach for PFAS. This article outlines what you need to know about the plan, anticipated timelines and how to engage. This information will be of particular interest to those involved in the manufacture, import, sale or use of firefighting foams – a key focus of the proposed management plan.

If you have questions about how the regulation of PFAS, including the proposed regulatory developments, may impact you or your business, please reach out to any of the authors or key contacts listed below. Read the [full article](#) by Rick Williams, Gabrielle K. Kramer and Braeden Stang with Borden Ladner Gervais LLP.

#### Province, 'Naamgis First Nation Reach Milestone in Forest Stewardship Agreement

'Naamgis First Nation and the Province are one step closer to a joint decision-making agreement that will support predictable harvesting, job creation and sustainable forestry operations on the north Island.

'Naamgis First Nation and the Province have developed a first-of-its-kind draft Section 7 joint decision-making agreement for the forestry sector under the [Declaration on the Rights of Indigenous Peoples Act](#) (Declaration Act) and [Forest Range and Practices Act](#). The agreement will support the joint establishment of forest landscape plans (FLPs) and joint approval of associated forest operations plans (FOPs) within Tree Farm Licence (TFL) 37, currently held by Western Forest Products. The draft agreement will be shared with neighbouring First Nations, industry, local governments, stakeholders and the public to provide input from Friday, Oct. 3, 2025 until Sunday, Nov. 2, 2025. Read the full B.C. government [news release](#).

#### B.C. Charges Canada's Lowest Industrial Water Rates, Finds Report

B.C. charges the lowest rates for industrial water use in Canada at a time when government funding to protect watersheds has plummeted, according to a new report.

The B.C. government charges a maximum of \$2.25 per million litres of water for industrial users in the province – nearly 70 times

less than the \$155 charged per million litres in Quebec, according to a [report](#) from the B.C. Watershed Security Coalition.

Coree Tull, chair of the group and co-author of the report, said a million litres of water is equivalent to someone leaving their kitchen tap running for six months straight. Read the *BIV* [article](#).

| Act or Regulation Affected                                                                      | Effective Date | Amendment Information                                            |
|-------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------|
| Administrative Orders and Remedies Regulation (101/2005)                                        | Oct. 27/25     | by <a href="#">Reg 175/2025</a>                                  |
| Administrative Penalties ( <i>Environmental Management Act</i> ) Regulation, B.C. Reg. 133/2014 | Oct. 27/25     | by <a href="#">Reg 171/2025</a>                                  |
| Advertising, Deposits, Disposition and Extension Regulation (55/2006)                           | Oct. 27/25     | by <a href="#">Reg 174/2025</a>                                  |
| BC Timber Sales Regulation (381/2008)                                                           | Oct. 27/25     | by <a href="#">Reg 174/2025</a>                                  |
| Code of Practice for Soil Amendments (210/2007)                                                 | Oct. 9/25      | by <a href="#">Reg 159/2025</a>                                  |
| Contaminated Sites Regulation (375/96)                                                          | Oct. 9/25      | by <a href="#">Reg 159/2025</a>                                  |
|                                                                                                 | Oct. 27/25     | by <a href="#">Reg 171/2025</a>                                  |
| Controlled Recreation Area (Resort Timber Administration Act) Regulation (166/2007)             | Oct. 27/25     | by <a href="#">Reg 185/2025</a>                                  |
| Forest Planning and Practices Regulation (14/2004)                                              | Oct. 27/25     | by <a href="#">Reg 175/2025</a>                                  |
| Forest Recreation Regulation (16/2004)                                                          | Oct. 27/25     | by <a href="#">Reg 175/2025</a>                                  |
| Hunting Regulation (190/84)                                                                     | Oct. 1/25      | by <a href="#">Reg 154/2025</a>                                  |
| Integrated Pest Management Regulation (604/2004)                                                | Oct. 9/25      | by <a href="#">Reg 158/2025</a> and <a href="#">Reg 160/2025</a> |
| Municipal Wastewater Regulation (87/2012)                                                       | Oct. 27/25     | by <a href="#">Reg 171/2025</a>                                  |
| Open Burning Smoke Control Regulation (152/2019)                                                | Oct. 27/25     | by <a href="#">Reg 171/2025</a>                                  |
| Ozone Depleting Substances and Other Halocarbons Regulation (387/99)                            | Oct. 27/25     | by <a href="#">Reg 171/2025</a>                                  |
| Provincial Forest Use Regulation (176/95)                                                       | Oct. 27/25     | by <a href="#">Reg 175/2025</a>                                  |
| Refusal of Cutting Permit or Road Permit Regulation (252/2018)                                  | Oct. 27/25     | by <a href="#">Reg 174/2025</a>                                  |
| Wildlife Act Commercial Activities Regulation (338/82)                                          | Oct. 1/25      | by <a href="#">Reg 154/2025</a>                                  |
| Woodlot Licence Planning and Practices Regulation (21/2004)                                     | Oct. 27/25     | by <a href="#">Reg 175/2025</a>                                  |



## HEALTH

### Health News:

#### Upcoming Changes to the *Mental Health Act*

On December 3, the [Mental Health Amendment Act, 2022](#) will come into force, bringing changes to the [Mental Health Act](#) that will ensure people involuntarily admitted under the Act understand their legal rights. Under the Act, involuntary patients must be informed of their rights when they are involuntarily admitted, transferred to another designated facility, or when their involuntary status is renewed. The changes will give involuntary patients the choice to meet with a free, independent rights advisor who will provide advice to patients about the circumstances of their detention and options if they disagree with detention decisions.

The legislation further outlines the duties of rights advisors and the responsibilities of directors of designated mental health facilities in facilitating access to the service.

According to the government, rights-advice services will be delivered by a team of independent rights advisors, primarily using video conferencing and phones.

#### **British Columbia Introduces Vaping Cost Recovery Legislation (Bill 24)**

British Columbia has introduced new cost recovery legislation: [Bill 24](#), the *Vaping Product Damages and Health Care Costs Recovery Act* (the "Vaping Cost Recovery Act"). This is British Columbia's first cost recovery legislation since British Columbia introduced but did not enact [Bill 12](#) (the *Public Health Accountability and Cost Recovery Act*) in early 2024.

The Vaping Cost Recovery Act is modeled on – and closer to – legislation targeting tobacco and opioid products than Bill 12, but still includes some of Bill 12's more expansive additions that benefit the government. Thus, the Vaping Cost Recovery Act is another expansion of cost recovery legislation in British Columbia. Further, in introducing the legislation, British Columbia's Attorney General has indicated that similar legislation could be forthcoming to target other products. Read the [full article](#) by Michael Feder, Deborah Templer and Patrick Williams with McCarthy Tétrault LLP.

#### **B.C. Set to Open Western Canada's First New Medical School in Decades**

Applications are being accepted for those wanting to become doctors through Simon Fraser University, in what the British Columbia government says is the first new medical school in Western Canada in decades.

Premier David Eby announced Tuesday [October 14] that the school will begin instruction at an interim location next summer, but a permanent site at Surrey's City Centre has also been secured.

The premier says the school is part of the province's efforts to improve health care by addressing B.C.'s need for more primary-care physicians.

The initial class of 48 students will start at Simon Fraser University's existing campus in Surrey, while construction of the permanent facility begins late next year and is expected to be ready for classes by the fall 2030. Read the [BIV article](#).

#### **Health Canada and the Public Health Agency of Canada Release Report on Cutting Red Tape**

In response to stakeholder concerns about outdated and overly prescriptive administrative processes, the Government of Canada launched a review of administrative burdens (referred to as "red tape") across all federal departments and agencies this summer. On September 8, 2025, Health Canada and the Public Health Agency of Canada (PHAC) jointly published a [Report on Red Tape Reduction](#) (Report), which summarizes the results of their review.

This Report presents the initiatives and actions that Health Canada and PHAC have identified to reduce regulatory red tape in the health products and consumer goods sectors, without undermining the core purpose of regulations to protect health and safety. Read the [full article](#) by Laura Weinrib, Lindsay Toth and Pei Li with Blakes.

| Act or Regulation Affected                                | Effective Date | Amendment Information           |
|-----------------------------------------------------------|----------------|---------------------------------|
| Drinking Water Protection Regulation (200/2003)           | Oct. 27/25     | by <a href="#">Reg 168/2025</a> |
| Food Premises Regulation (210/99)                         | Oct. 27/25     | by <a href="#">Reg 183/2025</a> |
| Game Farm Regulation (5/2015)                             | Oct. 27/25     | by <a href="#">Reg 166/2025</a> |
| Health Care Consent Regulation (20/2000)                  | Oct. 27/25     | by <a href="#">Reg 176/2025</a> |
| Hospital Insurance Act Regulations (25/61)                | Oct. 27/25     | by <a href="#">Reg 177/2025</a> |
| Information Regulation (208/2010)                         | Oct. 27/25     | by <a href="#">Reg 183/2025</a> |
| Mental Health Regulation (233/99)                         | Oct. 27/25     | by <a href="#">Reg 180/2025</a> |
| Pool Regulation (296/2010)                                | Oct. 27/25     | by <a href="#">Reg 183/2025</a> |
| Public Health Inspections and Orders Regulation (52/2009) | Oct. 27/25     | by <a href="#">Reg 183/2025</a> |



## LABOUR & EMPLOYMENT

### Labour and Employment News:

#### Prompt Payment Legislation Introduced

[Bill 20](#), the *Construction Prompt Payment Act* was introduced on October 7. The Act would establish a prompt payment system in the construction industry, aiming to reduce financial strain on contractors, subcontractors and workers. Based on models in Ontario and Alberta, the new legislation will ensure workers contributing services or materials on construction projects will be paid within defined timelines. An independent adjudication system will also be set up to resolve payment-related disputes quickly, bypassing lengthy court processes.

The prompt-payment system will apply to both private and public sector construction projects, as well as government contracts, unless exemptions are set out by regulation.

The new law has so far had a second reading, and if passed will come into force by regulation, following a transition period to allow for the establishment of an adjudication authority and to ensure all businesses understand their rights and responsibilities under the new system.

#### Bill 30: Serious Illness or Injury Leave: What BC Employers Need to Know

The BC government has introduced [Bill 30](#), which would create a new category of job-protected unpaid leave under the [Employment Standards Act](#) ("ESA"). If passed, this change will give employees the right to take up to 27 weeks of unpaid leave in a 52-week period due to serious illness or injury (the "Serious Illness or Injury Leave"). While there is no direct payroll cost to employers, the new leave will have meaningful impacts on workforce planning, scheduling, and disability management.

The new Serious Illness or Injury Leave is similar to an employer's existing accommodation obligations under the BC the [Human Rights Code](#), but provides additional protections. Read the [full article](#) by Andrea Raso and Ty Bradford with Clark Wilson LLP.

#### B.C. Supreme Court Decision Highlights 'Messy' Just Cause Dismissal Case

A recent Supreme Court of British Columbia decision [[2025 BCSC 1842](#)] has brought renewed attention to the legal risks surrounding just cause, working notice, and the timing of employment litigation.

The case saw a long-serving employee of a small agricultural trading company landing in legal limbo after launching a wrongful dismissal lawsuit while still on working notice.

The employer, having downsized to just two staff, had offered her 13 months' notice of termination and even floated the idea of selling her the business for a nominal fee. Instead, the employee's legal counsel sent demand letters and, before her employment ended, filed a claim for damages. Read the [full article](#) by Stacy Thomas in the *Canadian HRReporter*.

#### B.C. Companies Dominate Canadian Migrant Worker Violations

B.C. companies have racked up over a third of all federal penalties for breaching migrant worker protection laws in the last decade, far surpassing every other Canadian jurisdiction, a *BIV* analysis has found.

Since 2016, B.C. companies have been fined over \$6.1 million – more than a third of the nearly \$18 million in nationwide penalties issued for non-compliance under the federal Temporary Foreign Worker and International Mobility programs. Read the *BIV* [article](#).

#### Recent Court Decisions Mean Employers Can Breathe a Little Easier – If They Draft Their Contracts Properly

Each month, I review every new employment law decision across Canada (except Quebec) for my Dismissal and Employment Law Digest. It's a fascinating exercise and generally reveals subtle but significant shifts in how courts are treating workplace relationships.

September's cases brought a few encouraging rulings for employers – and reminders that careful drafting of contracts and diligent follow-through will still carry the day.

#### Cashing a severance cheque doesn't mean "case closed"

Many employers try to short-circuit future litigation by sending a severance cheque marked "full and final settlement." It sounds clever, but as the British Columbia Supreme Court case [Thompson v. Revolution Resource Recovery Inc.](#) shows, it simply does not work.

A 50-year-old salesperson with just over three years' service received such a severance cheque, but she explicitly stated she did not accept it as full settlement. She demanded more, cashed the cheque despite the accompanying language and sued.

The court ruled that an employee must clearly indicate acceptance of the amount as a full release. Simply cashing the cheque or remaining silent is insufficient.

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

| Act or Regulation Affected | Effective Date | Amendment Information |
|----------------------------|----------------|-----------------------|
|----------------------------|----------------|-----------------------|



## LOCAL GOVERNMENT

### Local Government News:

#### Small-Scale Multi-Unit Housing Amendments Further Strain Local Capacity

On October 9, the Province introduced the *Housing and Municipal Affairs Statutes Amendment Act, 2025* ([Bill 25](#)) that includes legislative amendments addressing both small-scale multi-unit housing (SSMUH) and short-term rentals. While the changes to the [Short-Term Rental Accommodations Act](#) are largely administrative in nature, the changes relating to SSMUH are more substantial.

The SSMUH related changes include amendments to both the [Local Government Act](#) and the [Community Charter](#) to:

1. Expand the definition of "restricted zones" (those zones currently restricted to single-family or duplexes) to capture additional zones within which the province would require small-scale multi-unit housing.
2. Expand regulation making power to include:
  - the amount of buildable area and number of buildings on a lot,
  - housing forms – to allow triplexes, row homes and townhouses, and
  - parking requirements – to ensure that parking requirements that mandate several parking spaces per unit are not limiting housing development.

Read the full UBCM [article](#).

#### Stairway to Litigation?

Court of Appeal's decision in *Armstrong v. North Saanich (District)*, [2025 BCCA 277](#), provides useful commentary on local governments' authority to issue permits under Part 14 of the [Local Government Act](#) (the "LGA"). In a previous issue of the YA Newsletter, in discussing the BC Supreme Court's decision in *Armstrong v. District of North Saanich*, [2024 BCSC 1844](#), we asked the important question – "whose stairs are they, anyway?". A related and equally important question arising from that decision, which has now been affirmed on appeal, is "whose development permit is it, anyway"? The Armstrong's neighbours built the controversial stairs on the Armstrong's property, in an area over which the neighbours held an easement (a private law instrument authorizing what would otherwise be a trespass). The stairs were also in a development permit area (a public law designation). [Section 489](#) of the LGA prohibits construction in a development permit area "unless ... the owner first obtains a development permit". [Section 460](#) says a local government must, by bylaw, define procedures under which "an owner of land" may apply for a development permit. The District accepted a DP application for the stairs from the Armstrong's neighbours, despite the Armstrongs objecting to the stairs, and the application. Read the [full article](#) by Guy Patterson and Serge Grochenkov, published in the *Young Anderson Newsletter* Volume 36, Number 3 – UBCM Conference Issue.

#### Bill 27: Proposed Community Charter Amendments on Closed Meetings Concerning First Nations and Local Governments [Now in Force]

On October 9, 2025, Bill 27, the *Miscellaneous Statutes Amendment Act (No. 2), 2025*, was tabled in the British Columbia Legislature. For local governments, the most notable feature of [Bill 27](#) is its proposal to amend the [Community Charter](#) to expand the rules governing closed meetings. Specifically, Bill 27 would create new discretionary and mandatory exceptions that allow councils to meet in private when discussing confidential or culturally sensitive First Nations matters, and broaden the scope of mandatory closed meetings when engaging in intergovernmental negotiations. These changes respond to long-standing requests from local governments, the Union of British Columbia Municipalities, and First Nations for clearer authority to hold respectful, confidential discussions. If passed, the amendments will provide local government councils with greater flexibility to protect sensitive information, while maintaining the requirement that bylaws must continue to be adopted in open meetings. [Note: this Bill came into force by Royal Assent on October 30th.] Read the [full article](#) by Kyle Falk-Varcoe with SMS Law.

#### Update on B.C.'s Infrastructure Projects Act: From Public Engagement to Regulation Drafting

Recall from our previous article entitled "[B.C.'s Infrastructure Projects Act: Impact on Local Government Approvals](#)" that the [Infrastructure Projects Act](#) (the "Act") was introduced to expedite the approval processes necessary for delivering infrastructure projects in British Columbia. The legislation aims to streamline regulatory and approval requirements to accelerate the development of critical infrastructure projects across the province. At the time of our last update, the Act had not yet come into force, as it still required a regulation by the Lieutenant Governor in Council. While this remains the case, the Ministry of Infrastructure (the "Ministry") has since launched a comprehensive, three-phased public engagement process. This consultation process is designed to solicit feedback from First Nations, the public, and different stakeholders including local governments, business organizations, environmental groups, and members of the construction industry, to support the development of the Act's regulations and its role in shaping the application of the Act. Read the [full article](#) by Kyle Laplante with Civic Legal LLP.

#### Legislation Dissolving Vancouver Park Board Put on Hold

On October 27, the Minister of Housing and Municipal Affairs announced that [Bill 26](#), *Vancouver Charter Amendment Act, 2025*, will not progress to second reading this fall, adding "the City has more work to do clarifying their intended direction, including working with the Musqueam, Squamish and Tsleil-Waututh Nations." The Bill, introduced on October 9, proposes changes to the [Vancouver Charter](#), granting authority to Vancouver city council to dissolve the Vancouver Board of Parks and Recreation by bylaw if approved by local voters in a referendum. The Vancouver city council would decide when and if a referendum will be held and, if the vote is

successful, jurisdiction over all areas designated as parks in the city of Vancouver would be transferred to Vancouver city council. The legislation also requires a unanimous vote of Vancouver council, along with an assent vote, for removing a permanent park designation. Permanent parkland transferred to First Nations would be exempt from the assent vote. For more information, read the [Vancouver Sun article](#).

### Alternative Bylaw Approval Process Upheld for Kamloops Infrastructure Borrowing

In *Wunderlich v. Kamloops (City)*, [2025 BCSC 555](#) ("Wunderlich"), the Honourable Justice Groves dismissed a petition challenging two significant loan authorization bylaws adopted by the City of Kamloops. The case centered on the City's use of the alternative approval process ("AAP") under [section 86 of the Community Charter](#), SBC 2003, c. 26 ("CC"), as a substitute for a referendum to authorize borrowing for major city projects. The petitioner, Ms. Wunderlich, argued that the City failed to meet the statutory notice requirements after transitioning from newspaper publication to digital notice via its website – a change prompted by the closure of the local newspaper Kamloops This Week. The Court ultimately upheld the City's actions, finding them both procedurally compliant and substantively reasonable under the deferential standard articulated in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, [2019 SCC 65](#) ("Vavilov"). Read the [full article](#) published by SMS LAW.

### Procedural Fairness and Municipal Codes of Conduct

Codes of conduct and, indeed, censure processes generally, received relatively little comment from BC Courts until *Barnett v. Cariboo Regional District*, [2009 BCSC 471](#) was released. In that case, the Court set aside a decision of the CRD to censure an area director for allegedly inappropriate conduct toward CRD staff. The Court found that Director Barnett had not been provided with adequate notice of the case against him, which rendered the process unfair. More than 15 years later, courts are animated by the same concerns expressed in Barnett regarding notice, an opportunity to be heard, and fairness. In *Herar v. Mission (City)*, [2025 BCSC 1533](#), the BC Supreme Court found that council for the City violated the petitioner's procedural fairness rights in its handling of a code of conduct complaint submitted against a City councillor. Read the [full article](#) by Nick Falzon and Nate Ruston, published in the *Young Anderson Newsletter* Volume 36, Number 3 – UBCM Conference Issue.

| Act or Regulation Affected                                                  | Effective Date | Amendment Information                                                                                                                        |
|-----------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Appeals Regulation (24/2008)                                                | Oct. 27/25     | by <a href="#">Reg 186/2025</a>                                                                                                              |
| Bylaw Notice Enforcement Regulation (175/2004)                              | Oct. 6/25      | by <a href="#">Reg 155/2025</a>                                                                                                              |
| Community Charter                                                           | Oct. 30/25     | by 2025 Bill 27, c. 19, section 4 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act (No. 2), 2025</a>        |
| Compensation and Disaster Financial Assistance Regulation (124/95)          | Oct. 27/25     | by <a href="#">Reg 169/2025</a>                                                                                                              |
| Conseil Scolaire Francophone de la Colombie-Britannique Regulation (213/99) | Oct. 27/25     | by <a href="#">Reg 186/2025</a>                                                                                                              |
| Francophone Education Authorities Regulation (212/99)                       | Oct. 27/25     | by <a href="#">Reg 186/2025</a>                                                                                                              |
| Independent School Regulation (262/89)                                      | Oct. 27/25     | by <a href="#">Reg 178/2025</a>                                                                                                              |
| Local Government Elections Regulation (380/93)                              | Oct. 27/25     | by <a href="#">Reg 179/2025</a>                                                                                                              |
| Prescribed Classes of Property Regulation (438/81)                          | Oct. 27/25     | by <a href="#">Reg 167/2025</a>                                                                                                              |
| Private Training Regulation (153/2016)                                      | Oct. 16/25     | by <a href="#">Reg 162/2025</a>                                                                                                              |
| School Act                                                                  | Oct. 30/25     | by 2025 Bill 19, c. 22, sections 1 and 2 only (in force by Royal Assent), <a href="#">School Amendment Act, 2025</a>                         |
|                                                                             |                | by 2025 Bill 27, c. 19, sections 1 and 2 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act (No. 2), 2025</a> |
| School Regulation (265/89)                                                  | Oct. 27/25     | by <a href="#">Reg 186/2025</a>                                                                                                              |
| Vancouver Charter                                                           | Oct. 30/25     | by 2025 Bill 27, c. 19, sections 5 and 6 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act (No. 2), 2025</a> |





## MISCELLANEOUS

## Miscellaneous News:

**Bill 17 Strengthens Intimate Images Legislation**

On October 6, the Attorney General, Niki Sharma, introduced [Bill 17](#), the *Intimate Images Protection Statutes Amendment Act, 2025*, which includes amendments to the [Civil Resolution Tribunal Act](#) and the [Intimate Images Protection Act](#) to strengthen protection for people whose intimate images have been shared without their consent. The amendments will allow the government to increase the amount of money victims can receive through a Civil Resolution Tribunal (CRT) order from the current \$5,000 maximum to a recommended \$75,000. The new maximum value will be set during the drafting process of supporting regulations. According to Sharma, the amendments will shift the blame for sexualized violence from victims to perpetrators, sending the message that there are consequences for sharing someone's images and those responsible will be punished. The legislation also aims to make CRT orders more precise, flexible and enforceable, better protecting the privacy of victims by removing the requirement that the CRT publish damage decisions online. Most of the changes to the *Intimate Images Protection Act* are now in force, with the remaining changes, as well as changes to the *Civil Resolution Tribunal Act*, coming into force by regulation in the future.

**Sexual Violence Policy Act Introduced**

[Bill 18](#), the *Sexual Violence Policy Act*, received Royal Assent on October 30 and will replace the [Sexual Violence and Misconduct Policy Act](#). The new Act will improve the prevention of sexual violence in post-secondary institutions and will align with and support the implementation of several actions outlined in the new Post-Secondary Sexual Violence Action Plan, which will be released in the near future. The Act proposes to better prevent and respond to sexual violence at post-secondary institutions by

- adding objectives that must be considered by a post-secondary institution when making its sexual violence policy, such as expanding the policy to include faculty, employees, contractors, volunteers and board members at institutions;
- requiring post-secondary institutions to establish an advisory committee in relation to their sexual violence policy;
- adding requirements for consultation before a sexual violence policy is established or reviewed;
- adding requirements in relation to annual reports to increase accountability and transparency;
- authorizing post-secondary institutions to provide information about the outcome of a formal allegation to the person who made the allegation; and
- requiring post-secondary institutions to make training in relation to sexual violence available to member of the institutional community.

The Act is set to come into force by regulation at a future date.

**School Act Amendments Increase Child Care at Schools**

The *School Amendment Act, 2025*, [Bill 19](#), came into force on October 30. The Bill amends the [School Act](#) to allow school districts to extend child care to children of all ages, including infants and toddlers, as well as provide care during non-school days, such as professional development days, and winter, spring and summer breaks. School districts will be able to add child care spaces on school grounds and opt into the Province's Child Care Fee Reduction Initiative program to receive funding to reduce monthly child care fees for families.

**Trial Lawyers' Org, LSBC Present Final Arguments against BC in Legal Professions Act Trial**

In separate submissions to a Vancouver court on Tuesday [Oct 28], lawyers for the Trial Lawyers Association of British Columbia and the Law Society of British Columbia accused the province of not adequately engaging with their arguments during a weeks-long trial that could overhaul how BC lawyers are regulated. Both organizations sued the province last year to challenge Bill 21, or the [Legal Professions Act](#). This bill is slated to replace the LSBC with a single regulatory body for lawyers, notaries, and paralegals. The governing board of that regulatory body will give lawyer-elected lawyers less power than they currently hold at the LSBC. Read the [full article](#) by Jessica Mach with *Canadian Lawyer*.

**Proposed Bail Reforms Will Imprison Innocent People**

Legal observers say the federal government's proposed bail and sentencing reforms risk being self-defeating by diverting judicial attention and scarce resources away from serious matters. They're also going to imprison innocent people. Tabled today [October 23] by Justice Minister Sean Fraser, [Bill C-14](#) expands the use of reverse onus provisions with bail applications for violent and organized crime-related offences. That includes violent auto-theft, break and enter, human trafficking and smuggling, assault and sexual assault, and extortion involving violence. It provides directions on applying the principle of restraint in the law of bail, modifying the third ground for denying bail to require courts to consider the number or seriousness of any outstanding charges when determining whether releasing the accused would undermine confidence in the administration of justice. Read the [full article](#) by Dale Smith with CBA National.

**Supreme Court of Canada Clarifies Good Samaritan Law**

While the [Good Samaritan Drug Overdose Act](#) (GSDOA) ensures immunity from charges for simple drug possession during an overdose, the Supreme Court of Canada says that protection must also extend to arrests. That's the finding of a [6-3 decision](#), which also determined that the search conducted after the arrest in the case before the court was unlawful. The issue at the heart of *R. v. Wilson* was how to interpret the act, which was passed in 2017 to provide some legal protection for individuals who seek emergency help during an overdose, whether they witness or experience it. The goal was to reduce the fear of police being called to an overdose and encourage people to call 911 to help save a life. While the legislation protected a person from charges of possession of a controlled substance during an overdose, and for breaching conditions regarding simple drug possession, it made no mention of arrests. Read the [full article](#) by Dale Smith with CBA National.

**The Longest Trial, a Big Impact:**

### Cowichan's Aboriginal Title Victory

Following one of the longest trials in Canadian history, the Supreme Court of British Columbia (the Court) released its landmark decision in *Cowichan Tribes v. Canada (Attorney General)*, [2025 BCSC 1490](#), holding that the historical descendants of the Cowichan people (the Plaintiffs or Cowichan) have Aboriginal title over a portion of the total claim area sought at the south shore of Lulu Island, in Richmond, British Columbia (the Cowichan Title Lands). This is the first time in Canadian history Aboriginal title has been established over lands that include fee simple/private ownership, resulting in significant uncertainty for governments, fee simple landowners and Indigenous communities with overlapping title claims. While the focus of this blog will center on the Court's decision pertaining to the finding of Aboriginal title, the 863-page decision also established the Plaintiffs' Aboriginal right to fish the South Arm of the Fraser River for food, which is not limited to any species or season. Read the [full article](#) by Richard J. King, Sander Duncanson, Sean Sutherland, Lindsay Burgess, Shelby Empey, Catalina Garzon and Danielle Kubiseski with Osler.

### Systemic Delays at the BC Human Rights Tribunal

The BC Human Rights Tribunal plays a vital role in addressing and advancing social justice. It was created by the BC [Human Rights Code](#), which aims to identify and eliminate persistent patterns of inequality and foster an inclusive and equitable society. Many of the cases that come before the Tribunal raise important systemic issues impacting marginalized people and communities. The Tribunal hears complaints alleging discrimination by landlords, employers, and powerful institutions like police, jails, and government ministries, often brought forward by impoverished and marginalized individuals. Given its critical mandate, the Tribunal should be sufficiently funded and resourced to process complaints efficiently and deliver timely outcomes. However, for the past several years, the Tribunal has been unable to meet these objectives. Even a relatively straightforward matter may now take up to five years, and sometimes longer, to reach a hearing and final decision. Read the [full article](#) by Laura Track with *BarTalk*.

| Act or Regulation Affected     | Effective Date                | Amendment Information                                                                                                                              |
|--------------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Intimate Images Protection Act | Oct. 30/25                    | by 2025 Bill 17, c. 21, sections 10 to 12 only (in force by Royal Assent), <a href="#">Intimate Images Protection Statutes Amendment Act, 2025</a> |
| Judicial Compensation Act      | <b>RETRO</b> to Various Dates | by 2025 Bill 10, c. 16, sections 1 to 4 only (in force by Royal Assent), <a href="#">Attorney General Statutes Amendment Act, 2025</a>             |
| Korean Heritage Month          | <b>NEW</b> Oct. 30/25         | c. 17, SBC 2025, <a href="#">Bill M210</a> , whole Act in force by Royal Assent                                                                    |
| Libel and Slander Act          | Oct. 30/25                    | by 2025 Bill 10, c. 16, sections 9 and 10 only (in force by Royal Assent), <a href="#">Attorney General Statutes Amendment Act, 2025</a>           |



## MOTOR VEHICLE & TRAFFIC

### Motor Vehicle and Traffic News:

#### Insurance (Vehicle) Act Amendments

The *Attorney General Statutes Amendment Act (No. 2), 2025*, [Bill 21](#), was introduced on October 7, and proposes amendments to the [Insurance \(Vehicle\) Act](#) and the [Public Guardian and Trustee Act](#).

Amendments to the *Insurance (Vehicle) Act* will ensure the province retains reimbursements made by ICBC since the early 1970s for health-related services arising out of vehicle accidents, while halting any future reimbursements from ICBC. The amendments will also establish a valid retroactive tax to ensure no funds would need to be paid as a result of litigation challenges to the reimbursement practice. The Bill has passed second reading. Parts of it, if passed, will come into force at Royal Assent, and the rest by regulation.

#### When Seeking Damages for Injuries Caused by a Defendant's Negligence, What Is Required?

*Nguyen v Zeng*, [2025 BCSC 1903](#), a recent trial decision in which I was defence counsel along with Kayla Wrolson, demonstrates the importance of the evidence required to be adduced to support claims for past and future income earning capacity and for cost of future care. This was a personal injury case related to injuries that the 33-year-old plaintiff suffered in two motor vehicle accidents in 2015 and 2017. The plaintiff sought approximately \$3.4 million in damages. Her award was nearly \$84,000.

In dismissing the past and future income earning capacity claims, the trial judge held that the plaintiff failed to meet the "real and substantial possibility" threshold required to prove such claims. While the plaintiff worked as a program manager in the hospital system and led some evidence that some peers had advanced more quickly in their careers than she did, the trial judge held that this evidence was subjective and anecdotal. The Court did not have a complete, representative, or reliable evidentiary basis upon which to objectively assess the plaintiff's claims. The claims were found to be speculative. Read the [full article](#) by Jimmy Peterson with Harper Grey LLP.

#### B.C. Insurer Exemption Regulation: Amendment Clarifies the

### Scope of an Exemption for Manufacturers and Retailers

The British Columbia Financial Services Authority (BCFSA) recently published an [advisory](#) announcing an [amendment](#) to the [Insurer Exemption Regulation](#) (IER), which came into force on July 14, 2025.

The amendment clarifies the scope of an exemption for the incidental sale of vehicle and product warranty insurance, specifically addressing how the exemption applies to affiliates and subsidiaries of manufacturers and retailers. Read the [full article](#) by Rick Da Costa, Erin VanderVeer and Abby Shine with Borden Ladner Gervais LLP.

### Not Yet Cleared for Take-Off: Proposed Changes to the Air Passenger Protection Regulations

Despite widespread speculation that new rules would be implemented in 2025, the wait continues for final amendments to Canada's [Air Passenger Protection Regulations](#) (APPR). Although consultations on the proposed changes concluded more than a year ago, the Canadian Transportation Agency (CTA) has not indicated when finalized regulations may be released. Once the final regulations eventually land, the amendments are expected to have a significant impact on the Canadian air travel industry and substantially reshape the obligations of Canadian air carriers.

Canada's APPR first came into force in December 2019 to establish a framework for passenger rights relating to flight cancellations, delays, compensation, and other standards or communications between airlines and passengers. Changes to the refund requirements in the regulations were enacted on September 8, 2022. Read the [full article](#) by Diana Klassen with Alexander Holburn Beaudin + Lang LLP.

### CVSE Bulletins & Notices

The following documents were posted recently by CVSE:

- [NSC Bulletin 01-2024](#) – Safety Rating Certificate and Status for B.C. Carriers
- [NSC Bulletin 02-2023](#) – Publication of Carriers Cancelled for Cause
- [Bulletin 01-2025](#) – Record Check Review Resources and Application Improvements

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:

#### Applications Received

- [23774-25](#) – Arshdeep Singh Syan (Canada Cabs)
- [23289-25](#) – Naturally Pacific Resort Ltd.

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

| Act or Regulation Affected                                                    | Effective Date | Amendment Information           |
|-------------------------------------------------------------------------------|----------------|---------------------------------|
| Special Direction IC2 to the British Columbia Utilities Commission (307/2004) | Oct. 27/25     | by <a href="#">Reg 191/2025</a> |
| Violation Ticket Administration and Fines Regulation (89/97)                  | Oct. 27/25     | by <a href="#">Reg 181/2025</a> |



## OCCUPATIONAL HEALTH & SAFETY

### Occupational Health and Safety News:

#### BOD Decision: Societies and Volunteer Firefighters

On July 11, 2025, WorkSafeBC's Board of Directors approved amendments to policies in the Assessment Manual to clarify how the employer of a volunteer firefighter who meets the definition of "worker" under the Workers Compensation Act is determined. The amendments also remove language that has become outdated as a result of the *Workers Compensation Amendment Act, 2019* ([Bill 18](#)). Read the WorkSafeBC [article](#).

#### Serious Injury Risk 44% Higher than Average in BC Manufacturing

British Columbia's manufacturing sector has a serious injury rate 44 per cent higher than the provincial average, according to WorkSafeBC. As the province recognizes the contributions of manufacturing workers this October, the agency is urging employers to strengthen their workplace safety systems. Over the past five years, more than 26,000 manufacturing workers in B.C. have lost time due to injury – including over 4,300 serious cases. "Manufacturing is a broad and diverse industry," says Andrew Kidd, Director of Prevention Field Services at WorkSafeBC. "It includes everything from textiles and food production to plastics and even 3D printing." Read the [full article](#) by Shane Mercer with *Canadian Occupational Safety Magazine*.

#### OHS Policies/Guidelines – Updates

**Guidelines – Occupational Health and Safety Regulation**

October 20, 2025

Editorial revisions were made to the following guideline:

- Part 6 – Hazardous Drugs
  - [G6.50\(3\) Mixing, preparing, and priming of specific hazardous drugs](#)

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

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



## PROPERTY, REAL ESTATE & CONSTRUCTION

### Property, Real Estate & Construction News:

#### British Columbia Court of Appeal Upholds Additional Transfer Tax Assessment in Foreign Entity Trust Case

A recent British Columbia Court of Appeal case, *British Columbia v. 1084204 B.C. Ltd.*, [2025 BCCA 110](#), has reaffirmed the liability for additional transfer tax ("ATT") under the [Property Transfer Tax Act](#), RSBC 1996, c. 378 (the "PTT Act") in agency and trustee situations concerning property. Ultimately, the PTT Act requires that foreign entities (whether individuals or bodies corporate) acquiring legal title on behalf of Canadian principals must pay the ATT if it can be shown that said foreign entities were the "transferee" of a property transaction. Read the [full article](#) by Cameron Funnell and Richard Baker with Watson Goepel LLP.

#### BCLI Recommendation Implemented: Abolition of the Shimco Lien

Change rarely happens overnight, and sometimes law reform is no exception. Two decades after BCLI first recommended the abolition of the Shimco lien, [Bill 20](#), the *Construction Prompt Payment Act*, brings that recommendation closer to reality. The BCLI team is always pleased when our recommendations are implemented, and in the case of this change, it is so personally gratifying that one of our BCLI project committee members has penned a limerick to mark the occasion. In 2004, BCLI published a report examining the decision in *Shimco Metal Erectors Ltd. v Design Steel Constructors Ltd.* The BC Court of Appeal recognized the existence of a separate lien – subsequently known as the Shimco lien – against the holdbacks that owners and contractors must maintain under the Act. Our report identified a range of concerns with this dual lien theory and advocated for a legislative amendment to abolish the Shimco lien. Read the [full article](#) by Karen Campbell with BCLI.

#### Decades-Long Tenancy Blocks Eviction as Court Finds Ulterior Motives

*Fraser v. 1392383 B.C. Ltd.*, [\[2025\] B.C.J. No. 1651](#), British Columbia Supreme Court, August 28, 2025, S.M. Sukstorf J.

Janet Fraser, a 73-old tenant who had lived in the same apartment for over 20 years, paying \$780 per month, applied for judicial review of the Residential Tenancy Board (RTB) decisions that confirmed her eviction. The dispute began after the landlord, a numbered company, purchased the building in June 2023. In October 2023, the landlord issued a Four-Month Notice to End Tenancy for Demolition and Conversion of the Rental Unit (the "First Notice"). Ms. Fraser attempted to negotiate a rent increase, which the landlord refused. Ms. Fraser successfully disputed the First Notice, which was subsequently cancelled. Read the [full article](#) by Morgan Barber and Harper Grey.

#### Is the Wait Finally Over? Prompt Payment in Construction Coming to BC

Prompt payment in the construction industry has been a hot topic in Canada over the last several years. Legislation was first introduced in Ontario in 2019, with several provinces, plus the Federal government, having followed suit by introducing their own similar legislation. It has been rumoured for quite some time that the BC government would likewise proceed with its own version of prompt payment legislation but up until now that has not materialized. However, on October 7, the B.C. government issued a [press release](#) stating that it has introduced [Bill 20 Construction Prompt Payment Act](#). Thus far the government has not stated when the legislation will come into force, either in its current form or as may be amended, but it has stated that when it does so, it will be subject to a transition period. It will also only apply to construction contracts or subcontracts entered into after the legislation comes into force. Read the [full article](#) by Michael B. Morgan with Lawson Lundell LLP.

#### Resident Improvements

**Dear Tony:**

We found the best townhouse a few years ago. It was in a community next to the forest, end unit, large patio area and loads of privacy. The strata corporation has been well run and conflict free. Over the past 5 years we spent about \$200,000 on upgrades to finish our basement and upgrade the kitchen and bathrooms. We had a water line break in a neighbouring unit. The owner was away and the leak was discovered when the water started breaching our common wall. The basement had 3 feet of water as their floor drain was blocked. Our reno's on the lower level have been totally destroyed along with damage to the structure of our foundation. The strata insurer is advising the homeowner insurance covers the loss and our home owner insurer is referring this back to the strata insurance. As we see it there are 2 separate claims, one for our improvements and one for the damage to the insured structure of the building. The strata

council are trying to avoid a claim on the strata insurance and refusing to file a claim. How do we get this resolved? – Gilbert D.

**Dear Gilbert:**

You are correct, there are 2 separate claims. Water escape is a mandatory peril under the [Strata Property Act](#). An owner, tenant or occupant is deemed under the Act to be a named insured on the strata corporation policy, therefore as an owner you are entitled to contact the insurer directly and file a claim on the strata policy.

Read the [full Condo Smarts Q&A article](#) by Tony Gioventu.

**No Lien Claim for Anticipated Delay Claim Damages**

A July 2025 decision of the British Columbia Supreme Court provides an important reminder about what types of work are permitted to be included in a lien claim filed under the BC [Builders Lien Act](#), SBC 45 (the **Act**).

**Factual overview**

The dispute in *Mazzei Electric Ltd. v. Aragon*, [2025 BCSC 1435](#) arose from the redevelopment of a heritage hotel in Victoria, BC. The owner, Aragon (English Inn) Development Corp. (**Aragon**), retained Mazzei Electric Ltd. (**Mazzei**) to complete electrical work under a stipulated price contract valued at approximately CA\$3.5 million. A dispute arose and Mazzei filed a CA\$2.9 million lien claim, comprised of three components:

- Invoices for work performed;
- Holdback funds; and
- Delay claim damages.

Read the [full article](#) by Chelsea Wilson and Megan Buchanan with Dentons.

| Act or Regulation Affected           | Effective Date | Amendment Information                                                                                                                 |
|--------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Expropriation Act                    | Oct. 30/25     | by 2025 Bill 27, c. 19, section 3 only (in force by Royal Assent), <a href="#">Miscellaneous Statutes Amendment Act (No. 2), 2025</a> |
| Strata Property Regulation (43/2000) | Oct. 27/25     | by <a href="#">Reg 187/2025</a>                                                                                                       |



## WILLS & ESTATES

### Wills and Estates News:

**Make a Will Week: It's Time to Plan Ahead**

October 20-26 was Make a Will Week in British Columbia and served as a reminder for all of us to plan for the future by creating or revising our wills.

At Watson Goepel LLP, we see this as an opportunity to help individuals and families take an important step toward peace of mind. Whether you're starting from scratch or updating an existing will, there is no better time to get started than right now. Read the [full article](#) by Christopher Meyer and Lauren Liebowitz with Waton Goepel LLP.

| Act or Regulation Affected        | Effective Date | Amendment Information                                                                                                             |
|-----------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Wills, Estates and Succession Act | Oct. 30/25     | by 2025 Bill 10, c. 16, section 22 only (in force by Royal Assent), <a href="#">Attorney General Statutes Amendment Act, 2025</a> |

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