

# Quickscribe Reporter

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## Vol: XXV – Issue 2 – February 2026

### QS News

#### Daylight Saving Time Made Permanent in BC

On March 9, the [Interpretation Amendment Act, 2019](#) comes into force. The Act amends the [Interpretation Act](#) to make Daylight Saving Time permanent, and after March 8, clocks will no longer be changed twice yearly. A new time zone for BC will be established, called Pacific Time, and will be set seven hours behind Coordinated Universal Time. The new time zone will align BC with the Yukon year round, and with Alberta and other regions observing mountain time from March until November each year. In the summer, the time zone will align with California, Washington, Oregon and other Pacific daylight jurisdictions. According to the BC government's [news release](#), local governments will retain the power to determine which time zone they observe.

#### New Keyword Alert Title Feature

A client recently asked us to enhance our popular [Keyword Alert](#) tool, and we're pleased to introduce a new feature in response!

For those unfamiliar with the tool, Keyword Alerts allow you to track legislative activity and related news based on keywords or phrases that you choose.

For example, suppose you would like to receive a notification whenever a new regulation or order is issued under a specific Act, such as the *Environmental Management Act*. Since all orders reference the authoritative statute, you can simply enter "Environmental Management Act" as your keyword and select the option to track Orders/Regulations. When a new Order containing the phrase "Environmental Management Act" is posted, you will automatically receive an alert with a direct link to the Order.

You can create multiple alerts, each tracking a specific word or phrase.

#### What's New?

You can now assign a custom subject header to each Keyword Alert you create.

This enhancement makes it much easier to:

- Quickly identify what the alert relates to,
- Distinguish between multiple alerts, and
- Forward alerts efficiently when managing them for colleagues.

If you haven't yet set up a Keyword Alert, we encourage you to give it a try via the [My Alerts](#) page.

### New Bills

The following bills were recently introduced:

#### Government Bills

- [Bill 1](#) – An Act to Ensure the Supremacy of Parliament
- [i Bill 2](#) – Budget Measures Implementation Act, 2026
- [i Bill 3](#) – Budget Measures Implementation Act (No. 2), 2026
- [Bill 4](#) – Supply Act (No. 1), 2026
- [i Bill 5](#) – Trade Recognition Act
- [i Bill 6](#) – Motor Vehicle Amendment Act, 2026
- [i Bill 7](#) – Post-Secondary International Education (Designated Institutions) Act
- [i Bill 8](#) – Civil Forfeiture Amendment Act, 2026
- [i Bill 9](#) – Freedom of Information and Protection of Privacy Amendment Act, 2026

#### Members' Bills

- [Bill M231](#) – Veterans and First Responders Month Act
- [Bill M232](#) – Long Term Care Access and Transparency Act

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

## New Annotations

New Annotations have been added to Quickscribe:

- [Stanley Rule](#), Sabey Rule LLP – [Wills, Estates and Succession Act](#)

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

**Tip:** [Log in to Quickscribe Online](#) prior to clicking Reporter links.



View the [PDF version](#) of the Reporter.

## Quickscribe Alerts

Are you looking for a more custom notification that will advise you about important developments that impact your specific area of interest? Quickscribe offers numerous customizable alerts – visit the [My Alerts Page](#). Quickscribe alerts are included with your subscription, so feel free to select the alert that works best for you!

## Want to Track Federal Laws?



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

## Looking for Previous Reporters?

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

## Reporter Categories

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[MOTOR VEHICLE & TRAFFIC](#)

[OCCUPATIONAL HEALTH & SAFETY](#)  
[PROPERTY, REAL ESTATE & CONSTRUCTION](#)  
[WILLS & ESTATES](#)



## COMPANY & FINANCE

### Company and Finance News:

#### New Rules Protecting Consumers Coming this Summer

On August 1, 2026, the remaining sections of [Bill 4, c. 3, Business Practices and Consumer Protection Amendment Act, 2025](#), will come into force. The Bill amends the [Business Practices and Consumer Protection Act](#) and will include:

- requiring advance notification, approval from the consumer and the ability to cancel automatic renewal of subscription contracts;
- ensuring consistency in rules around business policies with respect to refunds, returns, exchanges and cancellation;
- providing consumers with protections against one-sided terms that allow businesses to unilaterally amend a contract;
- restricting direct sales contracts for a variety of home appliances and services, including furnaces, water heaters and air conditioners.

The amendments will also introduce requirements for contractual disclosure to prevent unfair practices, reduce consumer confusion and promote informed decision-making when entering contracts.

Changes will also be made to the [Business Practices and Consumer Protection Regulation](#), [Consumer Contracts Regulation](#), [Debt Collection and Repayment Regulation](#) and [Home Inspector Licensing Regulation](#).

View an [early consolidation](#) of these amendments, published by Quickscribe.

#### CRA Reverses Course: GST/HST to Apply to Mutual Fund Trailing Commissions Effective July 1

The Canada Revenue Agency (CRA) has announced a significant change to its longstanding position on the GST/HST treatment of

mutual fund trailing commissions. Beginning July 1, 2026, investment dealers and advisors must charge GST/HST on mutual fund trailing commissions received from fund managers. This development marks one of the most significant indirect tax changes affecting the Canadian investment fund industry in recent years and will impose new compliance, operational, and administrative obligations on fund managers, dealers, and advisors.

Previously, mutual fund trailing commissions were considered part of a single exempt supply of arranging for the initial sale of mutual fund units, except in "exceptional circumstances" where:

- The dealer receiving the trailing commission did not facilitate the initial sale of the fund units.
- The dealer facilitated the initial sale, but the dealer's entitlement to trailing commission was not created at the same time or under the same agreement.

Read the [full article](#) from Norton Rose Fulbright Canada LLP.

### **Revived Corporation, Revived Liability? Not So Fast, Says the Tax Court**

Directors of CBCA governed corporations often take comfort in the two-year limitation period on personal liability under subsection 323(5) of the [Excise Tax Act](#) ("ETA"). After resignation and the passage of time, the risk of a personal assessment is generally expected to expire. But what if the corporation is dissolved for failure to file and later revived at the Minister's request? Does that revival also resurrect the director's exposure to personal liability?

In *Maragos v. The King* [[2026 TCC 4](#)], the Tax Court of Canada (the "Court") addressed this question and clarified when a former director of a dissolved and later revived CBCA-corporation ceases to be a director for purposes of the two-year limitation period. The decision is an important development at the intersection of the CBCA and the ETA's director's liability regime, and offers meaningful guidance for former directors who have stepped away from the corporation. Read the [full article](#) by Alisha Butani with Miller Thomson.

### **US Supreme Court Rejects IEEPA Tariffs: Key Takeaways for Canadian Businesses**

On February 20, 2026, the US Supreme Court issued its long-awaited ruling in *Learning Resources, Inc. v. Trump*, invalidating the President's use of the *International Emergency Economic Powers Act* ("IEEPA") to impose broad tariffs, including those imposed on Canada beginning in March 2025 and the so-called Liberation Day tariffs imposed on other countries in April 2025.

The decision is significant in that it eliminates the President's ability to use the IEEPA as a major tool of his trade and foreign policy. While significant, the practical impacts may take many months to be felt as the issue of refunds is likely to be litigated in lower courts, and President Trump has already turned to other statutory mechanisms to impose replacement tariffs. Read the [full article](#) by Christopher Little and Clifford Sosnow with Fasken.

### **Canadian Securities Regulators Announce Amendments to Strengthen Assurance Report Requirements for Designated Benchmarks**

The securities regulatory authorities of British Columbia, Alberta, Saskatchewan, Ontario, Québec, New Brunswick, Nova Scotia, Yukon and Northwest Territories today announced the adoption of [final amendments](#) to [Multilateral Instrument 25-102 Designated Benchmarks and Benchmark Administrators](#) and related final changes to its companion policy.

The amendments will clarify the scope and timing of the assurance report requirements by specifying the level of assurance, the type of report an independent public accountant must provide, and when it must be submitted. This will provide greater certainty to the parties preparing these reports, along with a higher level of assurance over the governance and controls required for a designated benchmark. Read the [full article](#) from the BC Securities Commission.

### **Injunction Restrains MNR From Deregistering Vancouver Charity Pending Constitutional Challenge**

*Coram Deo Foundation v Canada (Minister of National Revenue)*, [2026 BCSC 123](#), concerned a registered charity that had received a notice of deregistration from the Minister of National Revenue. With deregistration imminent, the charity applied to the BC Supreme Court for "an interim injunction enjoining the Minister from publishing the Notice, pending the outcome of an application by the Charity challenging the constitutionality of the decision of the Minister to revoke the charitable status of the Charity".

The application led the court to grapple with the following two issues: (1) whether it had jurisdiction to grant the injunction; and (if it had such jurisdiction) (2) whether the applicant met the three-stage test for a pre-trial injunction set out in *RJR-MacDonald Inc. v Canada* (Attorney General), 1994 CanLII 117, [1994] 1 SCR 311(SCC). Read the [full article](#) by Kevin Zakreski with the British Columbia Law Institute.

### **CSA Finalize Amendments to Modernize Investment Fund Continuous Disclosure**

The Canadian Securities Administrators ("CSA") have published [final amendments and changes](#) to modernize the continuous disclosure regime for investment funds (collectively, the "Final Amendments"). The Final Amendments provide exemptions from certain conflict of interest reporting requirements where other similar requirements are satisfied, eliminate certain required class- or series-level disclosure from investment fund financial statements and incorporate revisions to [Form 81-101F1 Contents of Simplified Prospectus](#) ("Form 81-101F1"). Subject to ministerial approval, the Final Amendments come into force on April 22, 2026, with a transition period until January 1, 2027, for certain amendments. Read the [full article](#) from Stikeman Elliott LLP.

### **Trade Recognition Act Introduced**

On February 18, 2026, [Bill 5](#), the *Trade Recognition Act*, was introduced, proposing to eliminate interprovincial trade barriers by recognizing other provinces' regulatory measures for the sale and use of goods and services, unless a specific rule exists. The legislation will bring British Columbia's commitments under the [Canadian Mutual Recognition Agreement](#) (CMRA) into force under BC law, while offering broader coverage than the CMRA. It will ensure that products and services that may be lawfully sold in one

province or territory may be sold across Canada without having to meet further requirements. Businesses would no longer need to redo testing, approvals or certification for goods and services that may be sold, used or provided in another province. This will lower compliance costs for businesses, improve time to market, lower prices and increase choice.

Exceptions to the legislation would include BC's ability to protect environmental, consumer, health, safety and other standards. Certified occupations under the [Labour Mobility Act](#), which already establishes mutual recognition, would also not be included under the new Act. Additionally, measures relating to Indigenous people, monopolies, taxation and incorporation requirements would be subject to general exceptions.

If passed, Bill 5 will make permanent Part 1 of the [Economic Stabilization \(Tariff Response\) Act](#), which was set to expire on May 28, 2026.

### Updates to BC Sales Taxes

The following updates to sales taxes were recently posted:

#### Provincial sales tax (includes municipal and regional district tax)

- **February 5, 2026**

Effective November 1, 2025, the District of Sooke began collecting the Municipal and Regional District Tax (MRDT) at the rate of 3%. Effective March 1, 2026, the District of Summerland will be collecting the MRDT at the rate of 3%. The [MRDT location map](#) has been updated. For more information about MRDT, see our [Accommodation](#) page.

- **February 17, 2026**

The provincial government announced its 2026 Budget on February 17, 2026. Programs administered by the Consumer Taxation Programs Branch are amended as a result. Learn more at [B.C. Provincial budget tax changes](#).

- **February 25, 2026**

[Bulletin CTB 005, Penalties and Interest \(PDF, 210KB\)](#), has been updated to:

- Add information to explain how the additional penalties for carbon tax, motor fuel tax and PST (including the municipal and regional district tax) that came into effect on July 1, 2024, may be applied
- Include additional information about what may be required when you make a voluntary disclosure for PST or tobacco tax

#### Motor fuel tax and carbon tax

- **February 25, 2026**

[Bulletin CTB 005, Penalties and Interest \(PDF, 210KB\)](#), has been updated to:

- Add information to explain how the additional penalties for carbon tax, motor fuel tax and PST (including the municipal and regional district tax) that came into effect on July 1, 2024, may be applied
- Include additional information about what may be required when you make a voluntary disclosure for PST or tobacco tax

- **February 26, 2026**

[Bulletin MFT-CT 002](#), Sales to First Nations and the Fuel Tax Exemption Program, is now web content. You can find the new page at [Motor fuel tax exemption on sales to First Nations](#). Please update your bookmarks to the new location on our website. This page has also been revised to:

- Update terminology relating to Indigenous Peoples
- Incorporate information on the reinstatement or continuation of the treaty tax exemption for eligible treaty beneficiaries
- Clarify documentation requirements for tax-exempt sales to First Nations individuals and bands, including that:
  - Sellers may accept an expired status card or expired Temporary Confirmation of Registration Document (TCRD), if the individual provides an additional piece of government-issued photo identification
  - If an individual presents a valid status card or TCRD when purchasing an ongoing service (e.g. scheduled fuel deliveries), sellers are not required to ask for an updated status card or TCRD after it expires
  - **NEW:** Sellers are no longer required to obtain customer signatures for the following:
    - For tax-exempt fuel deliveries to First Nations individuals or bands on First Nations land
    - When verifying total tax-exempt cardlock sales with the access cardholder after month end
- Reflect the elimination of carbon tax effective April 1, 2025

The [FIN 412/2, Schedule of Sales of Tax-Exempt Fuels to First Nations \(PDF, 290KB\)](#) and [FIN 412/2, Instructions for Completing the Schedule of Sales of Tax-Exempt Fuels to First Nations \(PDF, 250KB\)](#) have been revised to remove references to carbon tax and:

- Clarify documentation requirements for tax-exempt sales to First Nations individuals and bands, including that:
  - Sellers may accept an expired status card or an expired or valid TCRD, if the individual provides an additional piece of government-issued photo identification
  - **NEW:** Sellers are no longer required to obtain customer signatures for the following:
    - For tax-exempt fuel deliveries to First Nations individuals or bands on First Nations land
    - When verifying total tax-exempt cardlock sales with the access cardholder after month end

#### Tobacco tax

- **February 25, 2026**

[Bulletin CTB 005, Penalties and Interest \(PDF, 210KB\)](#), has been updated to:

- Add information to explain how the additional penalties for carbon tax, motor fuel tax and PST (including the municipal

and regional district tax) that came into effect on July 1, 2024, may be applied

- Include additional information about what may be required when you make a voluntary disclosure for PST or tobacco tax

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

### BC Securities – Policies & Instruments

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

- [BC Notice 2026/01](#) – Solicitation of Members for Corporate Finance Advisory Forum
- [25-102](#) – Designated Benchmarks and Benchmark Administrators [CSA Advance Notice]
- [BC Notice 2026/02](#) – Fintech Advisory Forum 2026-2029

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

Act or Regulation Affected	Effective Date	Amendment Information
Designated Accommodation Area Tax Regulation (93/2013)	Mar. 1/26	by <a href="#">Reg 205/2025</a>



## ENERGY & MINES

### Energy and Mines News:

#### B.C. Launches Program to Test New Mining Technologies

B.C. is launching a new program aimed at accelerating the testing and deployment of technologies in the mining and critical minerals sector.

The initiative, part of the province's Integrated Marketplace program, is designed to help B.C. companies test, deploy and scale technologies in real-world environments while supporting commercialisation by linking technology providers with potential industrial buyers, according to the province. Read the [BIV article](#).

#### From Critical Minerals to EVs: Canada-Korea MOU Aims to Attract Investment and Build Supply Chain Resilience

As outlined in our [2025 Osler Legal Outlook article](#), the EV ecosystem in Canada has undergone a recalibration. While Canada's ambition of becoming a powerhouse in the global electric vehicle (EV) market and supply chain ecosystem has tempered, it remains intact. This point has been reinforced through the recently announced memorandum of understanding (MOU) between Canada and the Republic of Korea (South Korea) to strengthen bilateral cooperation in "future mobility."

The MOU establishes the Canada-Korea Industrial Cooperation Committee and focuses on growth in two closely related sectors. First, building up Canada's domestic EV manufacturing capabilities through collaboration with South Korean automotive companies. Second, reinforcing Canada's battery supply chain by attracting new investments in the areas of battery production and critical minerals processing. Through the collaboration anticipated to result from the MOU, Canada plans to grow its \$16.8 billion automotive manufacturing sector and facilitate supply chain resilience for both Canada and South Korea. Read the [full article](#) by Michael Fekete, Hugo-Pierre Gagnon, Jesse Goldman and Kevin Li (Articling Student) with Osler.

#### B.C. to Speed Up Three Critical Mineral Projects

B.C. is adding three critical mineral projects to the Critical Minerals Office to help speed up assessment and permitting.

The projects are Northisle Copper and Gold Inc.'s North Island Project, Surge Copper Corp.'s Berg Project and Defense Metals Corp.'s Wicheeda Project, announced Jagrup Brar, B.C. minister of mining and critical minerals Friday, Feb. 20 in Port Hardy where the Northisle project is.

"These are promising projects that are in early development. Each one represents a huge potential investment in B.C., bringing hundreds of jobs and economic growth," Brar said.

The Northisle project is expected to create 498 full-time permanent jobs during the mine operation, while the other two mines are estimated to create about 200 full-time jobs during operation and 400 during the mine's life cycle, according to Brar. Read the [BIV article](#).

#### Province Approves Copper Mountain Mine Expansion

Government has issued [Mines Act](#) and [Environmental Management Act](#) permits for the New Ingerbelle expansion at the Copper Mountain mine, an operating open-pit copper-gold mine located near Princeton.

The permits allow the mine to continue operations beyond 2040, supporting jobs and economic stability in the region. Read the BC government [news release](#).

#### BC Energy Regulator Announcements

The following BC Energy Regulator announcement was posted recently:

- [TU 2026-04](#) – Changes to Streamline Water Licence Withdrawal Volume Submissions
- [TU 2026-05](#) – Water Diversions for Ice Road Construction Related to Restoration Activities Now Exempt from *Water Sustainability Act* Authorization Requirements

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

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



## FAMILY & CHILDREN

### Family and Children News:

#### Are Crowdfunding Donations Considered "Income" in Child Support Cases?

Child support disputes often arise at the intersection of changing financial circumstances, evolving parenting arrangements, and the ongoing needs of children. While the [Federal Child Support Guidelines](#) provide a structured framework for determining support, courts retain discretion to ensure outcomes are fair, child-focused, and responsive to real-world complexity.

Alina Petraru of Meridian Law Group successfully represented a claimant in a recent child support-related decision of the Supreme Court of British Columbia, [A.C.S. v. C.J.S.](#) This case is instructive for parents navigating post-separation support obligations in B.C., as well as for those involved in self-employment, corporate income structures, or fluctuating earnings. Read the [article](#) from the Meridian Law Group.

#### When Youth Sports Cross the Legal Line: Human Rights and Liability Risks for Amateur Sports Organizations in BC

Amateur sports organizations play a vital role in youth development, teamwork, and community engagement. But when discriminatory or harassing conduct arises, particularly between young athletes, the legal consequences can extend far beyond the field or rink.

In British Columbia, organizations that provide sports programs to youth are subject to human rights and negligence principles that impose stringent obligations to prevent, address, and respond to harmful conduct. In this blog, we outline the key legal considerations facing amateur sports organizations in BC, with a focus on organizational responsibility, youth-on-youth conduct, and the risks that arise when concerns are minimized or left unaddressed. Read the [full article](#) by Paul Harden with the Meridian Law Group.

#### B.C. Revamps Funding for Children with Autism and Other Support Needs

British Columbia has unveiled a revamped funding system for children and youth with disabilities, including those with autism, with the province saying the goal is to make services "fairer, easier to access and better co-ordinated."

Jodie Wickens, minister for children and family development, said the province was allocating \$475 million in new funding over three years, while her ministry said \$298 million in existing autism funding was being redirected.

The changes will deliver direct financial support and community-based services to "thousands more children" in B.C., Wickens told a news conference Tuesday [Feb. 10]. Read the [Canadian Press article](#).

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



## FOREST & ENVIRONMENT

### Forest and Environment News:

#### Wuikinuxv Nation Sues B.C. Over Timber Licence Extension Amid Final Treaty Talks

A B.C. First Nation in the final stages of treaty negotiation is suing the province for allegedly breaching the "honour of the Crown" after an official extended an expiring timber licence in its traditional territory.

Filed in a B.C. Supreme Court last week, the application for judicial review from Wuikinuxv Nation seeks to overturn an August 2025 decision from an official with the Ministry of Forests that gave Interfor Corp. (TSX:IFP) a three-year extension to log an estimated 50,000 cubic metres of timber.

After more than 30 years of treaty negotiations, the court application argues that allowing a third party to continue harvesting on the nation's lands – without their consent and against their environmental concerns – is a step backward that the law no longer allows. Read the [BIV article](#).

### **Government of Canada Updates Prohibition of Certain Toxic Substances Regulations**

The Government of Canada has introduced new regulations aimed at further reducing the presence of certain toxic substances in the environment, reflecting the federal government's ongoing shift towards a more stringent, risk-based regulatory approach. The [Prohibition of Certain Toxic Substances Regulations, 2025](#) (2025 Regulation), which will come into force on June 30, 2026, replaces the [Prohibition of Certain Toxic Substances, 2012](#) (2012 Regulation), both made under the authority of the [Canadian Environmental Protection Act, 1999](#) (CEPA). The 2025 Regulation narrows several existing exemptions and introduces new restrictions on a range of substances.

Under the 2012 Regulations (and prior versions), the federal government prohibits the manufacture, use, sale and import of certain toxic substances, as well as products containing them, subject to limited exemptions. The substances captured under the 2012 Regulations have been declared toxic to the environment under CEPA. Read the [full article](#) by Humna Wasim, Lana Finney and Ryan McNamara with Blakes.

### **An Introduction to Cost Recovery Claims in British Columbia**

If you own, develop, or work on land in British Columbia, it's important to understand who is legally responsible for cleanup of contamination under the [Environmental Management Act](#), S.B.C. 2003, c. 53 (EMA) and the [Contaminated Sites Regulation](#) B.C. Reg. 375/96 (CSR). These rules define who must pay to investigate and remediate contamination, how responsibility is allocated, and what exceptions might apply.

#### **1. The Core Principle: Polluter Pays**

At the heart of BC's contaminated sites regime is the "polluter-pays" principle. This means that, as a general rule, those who caused contamination should shoulder the cost of the remediation. If contamination is found on a property, the legislation looks to identify a "responsible person", which in simple terms means someone with a legal duty to pay for the remediation. Such "responsible persons" (if there are more than one) are absolutely, retroactively, jointly and separately liable for all reasonably incurred remediation costs.

Read the [full article](#) by Caryna Miller with Harper Grey LLP.

### **Improving B.C.'s Permitting Processes Through Regulatory Changes**

Four regulatory amendments will make it easier and more efficient for people and businesses to get the natural-resource permits needed to rebuild homes from wildfire, begin new home construction and restore ecosystems.

[Changes](#) to the [Water Sustainability Regulation](#) and the [Riparian Areas Protection Regulation](#) focus on improving clarity and supporting people and businesses to reduce project timelines. Read the government [news release](#).

### **Making Freshwater Fishing Licences Available Online in New System**

For the first time, freshwater fishing licences and hunting licences are available through the same online system, fulfilling requests of the angling community for a streamlined system.

Recreational fishing licence pre-sales are available in the Wildlife Information and Licensing Data system (WILD) for the 2026–27 season, which starts April 1, 2026. WILD is government's online service that provides a secure way to buy freshwater fishing and hunting licences. Read the government [news release](#).

### **Environmental Appeal Board Decisions**

The following Environmental Appeal Board decisions were made recently:

#### [Environmental Management Act](#)

- [Ktunaxa Nation Council Society v. Director, Environmental Management Act](#) [Dismissal Order – Appeal Dismissed]
- [Deep Water Recovery Ltd. v. Director, Environmental Management Act](#) [Summary Dismissal Decision – Appeal Dismissed]
- [Canadian Natural Resources Limited v. Director, Environmental Management Act](#) [Consent Order – Stay Extended]

#### [Water Sustainability Act](#)

- [Stanley Walt and Sandra Walt v. Water Manager](#) [Dismissal Order – Appeal Dismissed]
- [Southtrac Holdings Ltd. v. Assistant Water Manager](#) [Dismissal Order – Appeal Dismissed]

#### [Wildlife Act](#)

- [Nicholas Weigelt v. Regional Manager, Wildlife Branch](#) Dismissal Order – Appeal Dismissed

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

### **Forest Appeals Commission Decisions**

The following Forest Appeals Commission decision was made recently:

#### [Forest and Range Practices Act](#)

- [Cassiar Forest Corp. v. Government of British Columbia](#) [Settlement Order – Administrative Penalty Varied]

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

Act or Regulation Affected	Effective Date	Amendment Information
There were not amendments this month.		



## HEALTH

### Health News:

#### Federal Government Introduces *Connected Care for Canadians Act* to Boost Healthcare System

The federal government has introduced [Bill S-5](#), the *Connected Care for Canadians Act*, to boost the healthcare system by facilitating digital interconnectedness among health care providers.

The new legislation requires information technology companies offering digital health services in Canada to follow common standards for the protected and secure exchange of information across systems. The federal government confirmed that it was working with provinces and territories to develop regulations that facilitate this exchange while complying with privacy legislation. Read the [full article](#) by Jacqueline So in the *Canadian Lawyer*.

#### What Health Organizations Need to Know About the New AI Scribe Guidelines in Ontario, British Columbia, and Alberta

Artificial intelligence-powered medical scribe tools (AI scribes) are increasingly used by Canadian health organizations to reduce documentation workload. In response, privacy regulators in Ontario, [British Columbia](#), and Alberta have issued guidance on their lawful use under provincial health-privacy laws.

The scope of the new guidance varies by province. In Ontario and Alberta, it applies broadly to health information custodians as defined under PHIPA and the HIA, including hospitals, clinics, and physicians. In British Columbia, it applies only to private-sector healthcare providers regulated by [PIPA](#), such as independent practitioners and most primary care clinics, and does not apply to public bodies like hospitals or health authorities.

This article summarizes the core compliance requirements in each province and highlights practical steps organizations should take before implementing AI scribe solutions. Read the [full article](#) by Patrick Laverty-Lavoie, Daniel J. Michaluk, Shane Morganstein and Cassandre Legault with Borden Ladner Gervais LLP.

#### Pharmacare Expands in B.C.: Here's What Is Covered Now

B.C. signed an agreement with the federal government a year ago to join the national pharmacare program, providing coverage for most prescription drugs. On March 1, the program was expanded to include most diabetes drugs and treatments, and coverage for menopausal therapies.

Under the federal-provincial agreement signed on March 6, 2025, pharmacare covers most prescription drugs, with the amount depending on how much you make. B.C. has also provided many contraceptives for free since 2023.

Starting on March 1 of this year, the plan is adding diabetes and menopausal medications, and these expensive therapies are covered in full, regardless of income levels. Eligible medications for diabetes, including Type 1 and Type 2 diabetes, are 100 per cent covered, as are contraceptives and hormonal therapies for menopause. Read the *Vancouver Sun* [article](#). [See also: [B.C. Reg. 6/2026](#) changes to the [Drug Plans Regulation](#), [Drug Price Regulation](#) and [Provider Regulation](#).]

#### Healthcare Supply Chains: Managing Modern Slavery Risks in Hospital Procurement

Healthcare organizations should be aware of growing scrutiny over supply chain practices, including with respect to risks of forced and child labour and modern slavery. With Canada beginning to seize goods at the border and entering the third reporting cycle under the [Fighting Against Forced Labour and Child Labour in Supply Chains Act](#) (Supply Chains Act), and a majority of public hospitals across Canada approaching their March 31 year-end, there are immediate measures hospitals, purchasing groups, and other healthcare organizations can implement to strengthen compliance and mitigate mounting risks. Read the [full article](#) by Benedict S. Wray and Benjamin Fuhrmann with Borden Ladner Gervais LLP.

Act or Regulation Affected	Effective Date	Amendment Information
Drug Plans Regulation (73/2015)	Mar. 1/26	by <a href="#">Reg 6/2026</a>
Drug Price Regulation (344/2012)	Mar. 1/26	by <a href="#">Reg 6/2026</a>
Provider Regulation (222/2014)	Mar. 1/26	by <a href="#">Reg 6/2026</a>



**LABOUR & EMPLOYMENT**

**Labour and Employment News:**

**Leaving Pension Benefits Out of Severance Packages Is a Costly Miscalculation**

Getting fired is not just about losing a paycheque. It is about losing an entire compensation ecosystem that many employees – and, conveniently, more than a few employers – forget exists.

When an employee is terminated without cause, the law does not simply award weeks of salary and send everyone on their way. The purpose of notice or severance is to place the employee in the identical financial position they would have occupied had they continued working through a reasonable notice period. That principle is simple. Its implications are not.

Reasonable notice is not a blunt instrument measured only in weeks of base pay. It encompasses everything the employee would have earned or enjoyed: health and dental benefits, bonuses, commissions, stock plans, car allowances, pension accrual – the works. If the notice period is 12 months, the entitlement is not 12 months of salary. It is 12 months of employment, monetized. Read the *Financial Post* [article](#).

**BC Court of Appeal Tosses Out Appeals by Former Union Member Who Sued BC Labour Board Adjudicator**

The British Columbia Court of Appeal has dismissed two appeals [2026 BCCA 65] by a former Hospital Employees' Union member who sued a BC labour board adjudicator after receiving an unfavourable ruling in a dispute with his union.

The adjudicator, Andres Barker, dismissed Jessie Bains' complaints against HEU in April 2025. The following month, Bains sued Barker, alleging misfeasance in public office, negligence, and abuse of process. He also sought an order that would void Barker's labour board decisions.

Barker's response to the claim was filed on behalf of himself and the BC Labour Relations Board. Jennifer O'Rourke, who was listed as counsel for both Barker and the board, signed the response, as well as another notice Barker and the board filed in the litigation. Read the [full article](#) by Jessica Mach in the *Canadian Lawyer*.

**Changed Substratum Doctrine Revisited: B.C. Supreme Court Upholds Termination Terms of Nine-Year Employment Contract**

In *LaPlume v. AAA Internet Publishing Inc.*, the Supreme Court of British Columbia revisited the "changed substratum" doctrine and upheld termination provisions of a nine-year-old employment contract. The Court rejected the employee's argument that his role had changed so significantly that the original employment contract was no longer enforceable.

The "changed substratum" doctrine recognizes that enforcing contractual terms agreed to at the beginning of an employment relationship may be unfair if the employment relationship has fundamentally changed over time. In such circumstances, the court may hold that the "substratum" of an employment contract has disappeared or eroded and that its terms are no longer enforceable. Read the [full article](#) by Michael Howcroft and William Wijaya with Blakes.

**B.C. Farm Hit with Record \$435K Penalty for Foreign Worker Violations**

A Surrey farm has been ordered to pay \$435,000 for breaching migrant worker laws in the largest penalty of its kind ever issued in the province.

The sanction to Kanwar Walia Farms was handed down Feb. 13 and recently released in a federal database.

It notes the employer failed to show up for a meeting with an inspector and did not answer questions or provide documents that had been requested.

Inspectors also found the company was not actively engaged in the business foreign nationals were hired to work in. Read the *BIV* [article](#).

**B.C. Announces Minimum Wage Increase**

Provincial minimum wages are on the move again in 2026, with fresh increases announced in British Columbia and Newfoundland and Labrador along with previously confirmed hikes taking effect in Quebec, New Brunswick and Nova Scotia.

In British Columbia, the provincial government has confirmed that the general minimum wage will rise from \$17.85 to \$18.25 per hour on June 1, 2026, an increase indexed to the province's 2025 inflation rate of just over 2.1 per cent.

The government says the annual adjustment is meant to ensure low-wage earners' pay "keeps pace with the cost of essentials" such as food and transportation, and continues its practice of linking minimum wage to the average rate of inflation in the previous year. Read the [article](#) by Matthew Sellers in the *Canadian HRReporter*.

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



## Local Government News:

**Business Licences and the Duty of Procedural Fairness**

In issuing (or not issuing) business licences, municipalities must follow the procedures prescribed by their bylaws, as well as the [Community Charter](#). Beyond that, though, a decision of council or a delegate to suspend or revoke a business licence must be made in a procedurally fair manner. The duty of procedural fairness is a judicial doctrine requiring decision-makers to give interested parties a fair opportunity to participate in the decision-making process before any action is taken that is detrimental to their rights or interests. It has no fixed content. Rather, what the duty of procedural fairness will require in each case is highly variable and context specific. The Supreme Court of British Columbia's most [recent decision](#) on municipal business licencing, contrasted with a [previous case](#) from the same municipality from 2021, illustrates how this duty of procedural fairness can impact a municipality's ability to grant, deny, renew, or revoke a business licence. Read the [full article](#) by Elizabeth Anderson and Piers Fibiger, published in the Young Anderson Newsletter Volume 37 Number 1.

**Extensive Investigations: Langford Proves and Restrains Unlawful Use of Land**

Last week the City of Langford's (the "City") multiyear bylaw investigation and enforcement against an unlawful curbside car sales operation at a residential property (the "Curbing Operation") culminated in an injunction order granted by the Honourable Justice LeBlanc of the BC Supreme Court. The decision is reported as *City of Langford v Fynn Joseph Montgomery Price Leppan, Jayddren Appleyard, Gary Isacson, and Darcy Jovic* ([2026 BCSC 213](#)).

**Background**

The Curbing Operation was conducted out of a residential property in the Florence Lake neighbourhood of Langford (the "Property"), owned by an individual (the "Owner") whose affairs are managed by the Public Guardian and Trustee (the "PGT"). The Owner's son, Darcy Jovic, was one of four individuals associated with the Curbing Operation (the "Respondents"). Although he lives abroad, Mr. Jovic returned to Canada to care for his parent, and has resided at the Property over the past two years while doing so.

Read the [full article](#) by Mel van Fram with SMS Law.

**Property Rights and Some Property Wrongs: Westcoast Association for Property Rights v. British Columbia, 2025 BCCA 467**

On December 30, 2025, the BC Court of Appeal released reasons in *Westcoast Association for Property Rights v. British Columbia, 2025 BCCA 467*, affirming the decision of the BC Supreme Court to dismiss a petition proceeding brought by the Westcoast Association of Property Rights (the "Association"). The Association had sought declaratory relief intended to minimize the impacts that the [Short-Term Rental Accommodations Act](#) (the "Act") on its members. Alternatively, the Association sought compensation from the Province, arguing that the Act amounted to a constructive taking which deprived the owner/operators of the reasonable use of their properties for short-term rental accommodations and amounted to a *de facto* expropriation. The decision of the BC Court of Appeal signals that pre-emptive challenges to the Act on the basis of anticipated financial loss or business impacts that may be experienced by owner/operators of properties used for short-term rental accommodations will not succeed in the absence of concrete evidence which demonstrates: (1) actual enforcement action taken by the Compliance and Enforcement Unit against an owner/operator pursuant to the statutory authority conferred to this enforcement agency under the Act; and (2) evidence of actual losses flowing from such decisions. Read the [full article](#) by David Giroday, published in the Young Anderson Newsletter Volume 37 Number 1.

**Municipal Decisions Are Not Moot where Ongoing Adversarial Context and Public Interest Engaged**

*Stanley Park Preservation Society v. Vancouver (City) Board of Parks and Recreation*, [\[2025\] B.C.J. No. 2506](#), British Columbia Supreme Court, December 17, 2025, J.S. Basran J.

The petitioners, the Stanley Park Preservation City and individuals, sought judicial review of decisions made by the City of Vancouver Board of Parks and Recreation (the "Park Board") in relation to tree removal in Stanley Park. The City is incorporated pursuant to the [Vancouver Charter](#), S.B.C. 1953, c. 55. Under the *Vancouver Charter*, the Park Board has exclusive jurisdiction over the custody, care, and management of Stanley Park. The Park Board Procurement Policy requires that the Park Board approve all contracts worth over \$750,000. Read the [full article](#) by Joel A. Morris with Harper Grey.

**North Vancouver Man Launches Court Action to Park 35 ft. RV in Front Yard**

A North Vancouver man is asking the B.C. Supreme Court to order that a concrete block placed in front of his home by his district must be removed. It's the latest escalation in a years-long fight over the parking of a recreational vehicle. Sui Kwong Lai says in a court petition that in June of 2025, District of North Vancouver staff came onto his Delbrook neighbourhood property without consent and installed a large barrier, after being tipped off by someone that he had just driven away in his RV. The barrier was put at his property line on Shannon Crescent to prevent Lai from parking the 35-foot 2023 Newmar New Aire Class A Motorhome on a pad he specifically built for it, according to court documents. Lai, a retired engineer, says he had the pad built in early 2023 after seeking guidance from district staff, and after reading the zoning and street bylaws that were referred to him by staff. Lai says upon completion, a building inspector confirmed the pad complied with zoning bylaws, while at the same time expressing concern about the Turfstone Lai had placed on the district-owned "boulevard" to form a driveway to connect the street to his property. Read the [CBC article](#).

### Provincial Budget Pulls Back on Housing, Increases Deficit and Debt

Minister of Finance Brenda Bailey introduced a budget earlier today that increases government spending by \$3.9 billion and projects deficits of \$13.3 billion, \$12.2 billion, and \$11.4 billion over the next three fiscal years. The budget revealed the Province's plan to slow the delivery of its housing strategy; make modest new investments targeting street disorder; and a funding commitment to support the Premier's involuntary care announcement at the 2025 UBCM Convention. The FireSmart program received some additional funds to support the current application period. Overall local government transfers will be reduced by \$10 million. Read the UBCM [article](#).

### Bill 9 Streamlines Freedom of Information Process

[Bill 9](#), the *Freedom of Information and Privacy Amendment Act, 2026*, amends the [Freedom of Information and Protection of Privacy Act](#) and intends to streamline the process for Freedom of Information (FOI) requests as well as improve the delivery of Connected Service of BC digital services. The amendments aim to improve the FOI process for applicants by:

- enabling the release of information to individuals seeking their own personal information (representing 60% of FOI requests);
- enabling an applicant to consent to a public body to extend the timeline of an FOI request, without requiring further approval;
- expanding the process to allow public bodies to apply to the Office of the Information and Privacy Commissioner (OIPC) to disregard certain requests, including any associated with abusive or malicious behaviour; and
- reducing duplication and the processing of duplicate requests.

The legislation will also improve OIPC operations by enabling collaboration with other regulators in Canada, clarifying research review requirements and allowing for reasonable time extensions for completing reviews. Communications from the judiciary will also be protected to ensure judicial independence. The amendments will also improve the delivery of Connected Services BC by setting up a single government gateway for people to apply to and receive government services, as well as establish new collection, use and disclosure purposes under the Act.

Act or Regulation Affected	Effective Date	Amendment Information
Bylaw Notice Enforcement Regulation (175/2004)	Feb. 4/26	by <a href="#">Reg 5/2026</a>
Designation Regulation (109/2003)	Feb. 9/26	by <a href="#">Reg 11/2026</a>



## MISCELLANEOUS

### Miscellaneous News:

#### Bill 8 Introduced – Civil Forfeiture Amendment Act, 2026

[Bill 8](#), the *Civil Forfeiture Amendment Act, 2026*, which was introduced on February 23, 2026, makes amendments to the [Civil Forfeiture Act](#). The Bill intends to lower litigation costs, improve clarity, strengthen fairness safeguards and preserve the value of assets to be used toward crime prevention programs, services for victims and community safety initiatives. The legislation will improve timelines, dispute rules and safeguards for information sharing. If passed, the Bill will come into force by Royal Assent.

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#### Beyond BC: Court of Appeal Upholds Broad Reach of Provincial Privacy Laws

On Feb. 18, 2026, the Court of Appeal for British Columbia issued its decision, *Clearview AI Inc v British Columbia (Information and Privacy Commissioner)*, [2026 BCCA 67](#) (the BC Appeal Decision) in which it upheld the Office of the Information and Privacy Commissioner of British Columbia's (the Commissioner) decision ([Order P21-08](#)) (the OIPCBC Decision) that U.S.-based Clearview AI Inc. (Clearview) had contravened BC's [Personal Information Protection Act](#) (PIPA) through its facial recognition tool. This appeal follows the Supreme Court of British Columbia's highly-anticipated [December 2024](#) decision, which also upheld the Commissioner's decision on judicial review, and reaffirms the following key principles of Canadian privacy law. Read the [full article](#) by Claire Feltrin

and Danielle Windt with Borden Ladner Gervais LLP.

### **International Education Oversight to Be Strengthened**

[Bill Z](#), the *Post-Secondary International Education (Designated Institutions) Act*, proposes to set out a legal framework to regulate post-secondary institutions in their provision of programs of instruction to international students. The legislation will include requirements that institutions must meet to receive a designation certificate and maintain their designation to host international students. The government will be granted authority to inspect institutions and cancel a designation certificate if an institution fails to meet standards or comply with terms, conditions or orders. The Bill also sets out the process for a fair, formal and transparent appeal of a decision. The legislation will also prohibit non-designated institutions from recruiting, enrolling or delivering programs to international students who require a study permit. Currently, Education Quality Assurance standards and designation requirements are administered through policy only but, if passed, the Bill will move the policy into law to better protect international students.

### **Supreme Court Says Solicitor-Client Privilege Is Not Absolute**

The Supreme Court of Canada has found that while solicitor-client privilege is near-absolute, it is not absolute. In a [7-2 decision](#), the Court said lawyers facing charges can use the innocence at stake exception to access their client's privileged communications for their own defence. The lawyer at the centre of the case, Sharon Fox, is a criminal defence lawyer from Regina, Saskatchewan. In October 2019, she received a call from a potential client at a police station who had been arrested, asking her to pass along a message to one of her existing clients. That client was being monitored under a wiretap authorization that excluded any conversation that could possibly be covered under solicitor-client privilege. While the RCMP officers monitoring the call stopped listening after eight seconds, a civilian monitor listened in for nearly four minutes. Read the [full article](#) by Dale Smith with CBA National.

### **Lawyers, Legal Orgs Criticize BC's Challenges to Courts' Authority over Reconciliation Matters**

In the weeks since the British Columbia government began pushing back against a landmark court ruling that confirmed that courts have the power to decide whether BC laws align with the [United Nations Declaration on the Rights of Indigenous Peoples](#), the government has faced growing criticism from members of the legal community, who argue that BC's efforts threaten the courts' independence, hurt advances made towards reconciliation, and will stymie economic growth. BC has asked the Supreme Court of Canada to review the decision in [Gitxaala v. British Columbia](#). It is also in the process of amending the [Declaration on the Rights of Indigenous Peoples Act](#), or DRIPA, to strip back the power that courts have to shape BC's reconciliation efforts. Read the [full article](#) by Jessica Mach with *Canadian Lawyer*.

### **Five-year Review of BC's Whistleblower Law Released, Recommendations Aim to Strengthen Protections and Public Trust**

Special Committee of the Legislative Assembly has released its [final report](#) following a comprehensive review of British Columbia's [Public Interest Disclosure Act](#) (PIDA), making 30 recommendations aimed at improving how the Act operates, strengthening confidentiality protections, and building trust in the public interest disclosure process. The Act became law in 2019 and requires a legislative review every five years. BC Ombudsperson Sandy Hermiston welcomed the report and thanked the Committee for its work examining how the Act has functioned over its first five years. Read the [full news release](#) published by the Office of the Ombudsperson.

### **Feds Release Musqueam Title Agreements Covering Much of Greater Vancouver**

The federal government has released details of recent agreements with the Musqueam First Nation recognizing Aboriginal title over an area potentially covering much of Greater Vancouver, but it says the agreements do not have any effect on privately owned land. The office of Crown-Indigenous Relations Minister Rebecca Alty says in a statement the agreements instead provide "general recognition" of Musqueam Aboriginal rights and title within their territory, while establishing a framework for future negotiations on "how and where those rights and title could apply." In addition to the 30-page rights recognition agreement, the ministry provided copies of a marine management agreement and fisheries agreement with the band that were all struck last month. Read the [full article](#) published by *BIV*.

### **Canada's Strict Gun Laws Include a Ban on Assault-style Firearms and a Freeze on Handgun Sales**

The Canadian government has banned more than 2,500 makes and models of assault-style firearms in recent years. Former Prime Minister Justin Trudeau announced an immediate ban of more than 1,500 models on May 1, 2020, two weeks after a gunman killed 22 people in Nova Scotia. The ban included two weapons used by that gunman as well as the AR-15 and other weapons that have been used in a number of mass shootings in the United States. "Canadians need more than thoughts and prayers," he said at the time. Read the [full article](#) published by the Associated Press.

### **Federal Court of Appeal Affirms New Trademark Owners Not Required to Account for Non-use**

The Federal Court of Appeal recently released its decision in [Comité interprofessionnel du vin de champagne v. Coors Brewing Company](#), providing guidance regarding the interpretation of [subsection 45 of the Trademarks Act](#). The Court affirmed that there is no obligation on new owners to account for non-use prior to the acquisition of the trademarks in question. The new owner only needed to account for non-use for a period of six months since it acquired its trademarks. As the new owner was navigating regulatory requirements and taking concrete steps towards using the trademarks during that time, the Court was satisfied that there were special circumstances to excuse the non-use. Read the [full article](#) by Mat Brechtel, Jenna Aljarrah and Kevin Bushell with Osler.

### **PD-70 – Hearings and Pre-hearing Conferences before the Registrar**

from the [BC Supreme Court](#)

Chief Justice Skolrood has issued [PD-70 – Hearings and Pre-hearing Conferences before the Registrar](#), which describes requirements for scheduling hearings and pre-hearing conferences before the registrar and sets timelines for filing related appointments. It also sets out the material that must be provided in advance of a registrar's hearing and a pre-hearing conference. With respect to hearings before the registrar, it provides that failure to file a hearing record in accordance with the timelines in the [Supreme Court](#)

[Civil Rules](#) or the [Supreme Court Family Rules](#) will result in the matter being removed from the hearing list.

**British Columbia's New Virtual Counter for Court Registry Services Goes online**

British Columbia has rolled out a new virtual counter to digitally connect the province's residents to court registry staff. Residents may seek free assistance on Provincial and Supreme Court processes – both civil and criminal – and obtain links to resources via phone or videoconference. Links may be disseminated through Microsoft Teams, SMS (via Waitwell), or email. Each session may last as long as 20 minutes. One queue has been established to facilitate equal levels of service across the province. Read the [full article](#) by Jacqueline So with *Canadian Lawyer*.

Act or Regulation Affected	Effective Date	Amendment Information
Minister of State for Artificial Intelligence and New Technologies Expected Results for the 2026/2027 Fiscal Year Regulation (15/2026)	<b>NEW</b> Feb. 18/26	see <a href="#">Reg 15/2026</a>
Minister of State for Community Safety and Integrated Services Expected Results for the 2026/2027 Fiscal Year Regulation (12/2026)	<b>NEW</b> Feb. 18/26	see <a href="#">Reg 12/2026</a>
Minister of State for Local Governments and Rural Communities Expected Results for the 2026/2027 Fiscal Year Regulation (13/2026)	<b>NEW</b> Feb. 18/26	see <a href="#">Reg 13/2026</a>
Minister Without Portfolio Expected Results for the 2026/2027 Fiscal Year Regulation (14/2026)	<b>NEW</b> Feb. 18/26	see <a href="#">Reg 14/2026</a>



**MOTOR VEHICLE & TRAFFIC**

**Motor Vehicle and Traffic News:**

**Bill 6 Will Allow Online Renewal/ Replacement of BC Driver's Licence**

[Bill 6](#) proposes amendments to the [Motor Vehicle Act](#) to allow people to renew or replace a BC driver's licence, BCID, and photo BC Service Cards through ICBC's website. This would include:

- applications to replace a valid driver's licence that has been lost, destroyed, or damaged; and
- simple renewals for the majority of driver's licence classes, when no changes are required other than extending the expiry date.

The amendments will enable ICBC to offer drivers with full BC licences (classes 1 through 8) the option to renew or replace their existing licence through an online portal. Renewals and replacements of the stand-alone BCID, stand-alone photo BC Service Card, and the combination Driver's Licence/BC Services Card would also be offered online. However, online renewals for learner class licences will not be offered and will require an in-person appointment. In addition, renewals that involve a change in a driver's name or address will require an in-person visit. If the legislation passes, the online renewal process is expected to begin in 2027, after regulations outlining the process and eligibility criteria have been completed.

**Thousands of BC Commercial Trucks Are Failing Roadside Safety Checks**

On Jan. 13, 2025, just after 1 p.m., a dump truck crashed into a lamppost and a telephone pole on Boundary Road near Myrtle Street, just after passing under Highway 1. The day was cool and cloudy, with no rain. The steel lamppost was bent at a 90-degree angle, and the wooden telephone pole was leaning into the hood and cab of the dump truck, which was carrying another dump box on a trailer. RCMP said it was extremely lucky nobody was hurt, as the truck was travelling downhill with ineffective brakes. The driver was handed 10 motor vehicle violation tickets, and the dump truck and trailer were ordered off the road until they were fixed and met [Motor Vehicle Act](#) standards. Read the *Times Colonist* [article](#).

**Canada Revises Its Automotive Strategy with a View of Becoming a Global Leader in Next-generation Vehicle Manufacturing**

On February 5, 2026, the Government of Canada unveiled a new national strategy for the automotive sector, signalling a shift in federal policy through a series of measures, including the reintroduction of purchase incentives for electric vehicles (EVs) and plug-in hybrid vehicles, while stepping back from previously announced mandatory EV sales targets for 2035. Announced by Prime Minister Mark Carney, the strategy is intended to stimulate consumer demand, provide greater regulatory flexibility to automakers, and support the competitiveness of Canada's automotive supply chain amid slowing EV adoption and broader economic pressures. The government further indicated that the strategy positions Canada to become a global leader in EV production, autonomous and self-driving technologies and the battery supply chains that will power the future of mobility. Here are the key takeaways that consumers, manufacturers, suppliers and investors should be aware of as Canada adjusts its approach regarding the electrification of the

automotive sector. Read the [full article](#) published by Dentons.

### CVSE Bulletins & Notices

The following documents were posted recently by CVSE:

- [NSC Bulletin 02-2023](#) – Publication of Carriers Cancelled for Cause
- [NSC Bulletin 01-2024](#) – Safety Rating Certificate and Status for B.C. Carriers
- [Circular 01-26](#) – Date Extension and Approval Validity – Extraordinary Load Approvals

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

### Passenger Transportation Board Bulletins

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

#### News and Updates

- **New TNS minimum rates (2026)**

The Passenger Transportation Board (Board) is establishing new minimum rates for all companies providing transportation network services (TNS) in B.C., also known as ride-hail services. Read the [full update](#).

#### Applications Received

- [22568-25](#) – Osoyoos Taxi and Oliver Taxi
- [22569-25](#) – Osoyoos Taxi and Oliver Taxi
- [23695-25](#) – East Shore Shuttle
- [241141-25](#) – Luxe Limos
- [24085-25](#) – Transfer from Herbert Ernst Rehfeldt to Noah's Premium Bottled Water Ltd.
- [24139-25](#) – K & K Ventures Ltd.
- [24656-25](#) – Parveen Kumari Chandel
- [24658-25](#) – Dara's Dolphins
- [24729-25](#) – Ali Black Limo
- [24228-25](#) – Sky Dragon Photo Shuttle
- [24696-25](#) – Cristealine
- [24717-25](#) – Sawara Limousine Service Ltd.
- [24718-25](#) – Manoj Kumar Chandel

#### Application Decisions

- [23226-25 TNS](#) – Super Arrow Logistics Inc. [Refused]
- [25032-26 TOP](#) – Associate Taxi Ltd. [Approved]
- [25043-26 PS TOP](#) – City Star Limousine Service Ltd. [Approved]
- [23670-25](#) – Transfer from RDY Enterprises Ltd. to YLW Limousine and Transportation Service Inc. [Approved]
- [22492-25](#) – Whistler Resort Cabs Ltd. [Approved]
- [25161-26 PS TOP](#) – Hosting 4 Hosts with Charm, Ducharme Limousine & Tours [Approved]
- [23743-25](#) – Kami Cabs Ltd. [Approved]
- [23761-25](#) – S.A.M. Productions Ltd. [Approved]
- [24256-25](#) – Kalum Kabs Ltd. [Approved]
- [24590-25](#) – Now Shuttle Limited [Approved in Part]

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

Act or Regulation Affected	Effective Date	Amendment Information
Approved Screening Device Regulation (590/2004)	Feb. 1/26	by <a href="#">Reg 9/2026</a>
Motor Vehicle Act Regulations (26/58)	Feb. 1/26	by <a href="#">Reg 9/2026</a>



## OCCUPATIONAL HEALTH & SAFETY

### Occupational Health and Safety News:

**Expanding Cancer Coverage for Firefighters**

Firefighters will have improved access to workers' compensation benefits and support services, in recognition of their higher risk of developing work-related cancers. "People in British Columbia count on firefighters in moments of crisis," said Premier David Eby. "Whether battling house fires or wildfires, or responding to traumatic events, firefighters go above and beyond. We're making sure they have support when they need it most." Eight additional cancers will be added to the list of diseases presumed to be linked to the work done by firefighters. The changes will make B.C. the province with the most comprehensive coverage of presumptive cancers in Canada, applying to more than 15,000 career, volunteer and federal firefighters, provincial wildfire fighters, fire investigators and firefighters employed by First Nations and Indigenous organizations in the province. Read the government [news release](#).

**WorkSafeBC Targets Musculoskeletal Injuries as Claim Costs Skyrocket**

Between 2020 and 2024, WorkSafeBC accepted more than 88,000 time-loss claims for MSIs, representing about 30 per cent of all time-loss claims in the province and more than a quarter of overall claim costs. Over that period, MSI claim costs exceeded \$2.35 billion.

**Complex injuries driving higher costs**

The overall number of MSI claims has been relatively steady, but the financial impact is growing, said Sandeep Mangat, prevention field services manager at WorkSafeBC. MSIs can involve multiple body systems and often become chronic, leading to prolonged recovery times and higher claim costs.

Read the [full article](#) by Shane Mercer with *Canadian Occupational Safety*.

**WorkSafeBC's Average Base Premium Rate Unchanged in 2026**

In 2026, WorkSafeBC is returning an estimated \$570 million of surplus funds to employers by pricing premium rates below system costs. BC employers will see no change to the average base premium rate from WorkSafeBC in 2026. For the ninth consecutive year, WorkSafeBC has set the average base rate at \$1.55 per \$100 of assessable payroll. Each year, the costs in some industries go up, some go down, and others stay the same. In 2026, 39% percent of employers in BC will experience a decrease in their industry base rate, 47% will see their industry base rate increase, and 14% will see no change. Read the [full article](#) published in the March 2026 *Forest Safety Newsletter*.

**Climate, Heat and Work: What Canada's New Thermal Stress Rules Mean for HR**

Canada's new thermal stress rules are arriving as climate change makes heat and cold a daily operational concern in many workplaces, from warehouses and postal routes to commercial kitchens and transit yards. The [Canada Labour Code](#) amendments, updated on Feb. 12, 2026, set out detailed expectations under Part X of the [Canada Occupational Health and Safety Regulations](#) (COHSR), including the use of ACGIH Threshold Limit Values (TLVs) for heat and cold, monitoring tools like humidex and wind chill, and specific requirements for training, reporting and controls under Part II of the Code. Read the [full article](#) by Stacy Thomas with Canadian HRReporter. [Note: the Feb. 12 amendments were to the "[Thermal Stress in the Work Place](#)" guidelines.]

**Better Crane Safety Protections Coming for Workers**

The Province is taking action to strengthen protections for workers and enhance crane safety with legislation enabling a new WorkSafeBC crane licensing and permitting program. "Major nation-building projects are moving forward in B.C. and the people who build them must have the best level of safety we can provide," said Premier David Eby. "British Columbia will be a leader in crane safety – with the highest standards of training, certification, technology and oversight – to protect workers and the public on every project, every time." Read the government [news release](#).

**OHS Policies/Guidelines – Updates  
Guidelines – Occupational Health and Safety Regulation**

February 12, 2026

Editorial revisions were made to the following guideline on February 12, 2026:

- Part 11 – Fall Protection  
[G11.5-4 Equipment standards – Prusik sling](#)

**Policies – Workers Compensation Act**

March 2, 2026

The following policy was updated as a result of changing the term "Personal Optional Protection" to "Personal Coverage" throughout WorkSafeBC's policy manuals. This change is effective March 2, 2026:

- [P2-21-1 Employer Duty Towards Other Workers](#)

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

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



**PROPERTY, REAL ESTATE & CONSTRUCTION**

**Property, Real Estate & Construction News:**

## **BC Budget 2026: Real Estate Services, Ownership, Investment and Development Highlights**

On February 17, 2026, [British Columbia's 2026 Budget](#) was introduced by finance minister Brenda Bailey. The budget contains the following measures that impact those investing in, owning, developing and providing services related to real estate in British Columbia:

### 1. Increase in Additional School Tax Rates - Effective for the 2027 Tax Year

Commencing with the 2027 tax year, the school tax rate for residential property that is over \$3,000,000 in value is increased.

- From 0.2% to 0.3% for the residential portion of value assessed between \$3,000,000 and \$4,000,000; and
- From 0.4% to 0.6% for the residential portion of value exceeded beyond \$4,000,000.

Generally, the additional school tax applies to condominiums, single family homes, townhouses and vacant land assessed at over \$3,000,000. For properties that are mixed-use, the school tax rate only applies to the portion of the property that is residential with an assessed value above \$3,000,000. Read the [full article](#) by Nicholas R. Shon and Peter J. Haley with Lawson Lundell LLP.

## **Fraudulent Conveyance Claims and Certificates of Pending Litigation on Corporate-Held Land**

Certificates of Pending Litigation ("CPLs") are among the most powerful interim remedies available in British Columbia litigation. Once registered against the title, a CPL can effectively freeze land, disrupt financing, delay sales, and dramatically alter bargaining power between litigants. For that reason, courts have repeatedly emphasized that CPLs are an extraordinary pre-trial remedy that must strictly comply with the requirements of the [Land Title Act](#). In [1046056 B.C. Ltd. v. Liang](#), the Supreme Court of British Columbia addressed a recurring and increasingly sophisticated question in commercial litigation: can a CPL be registered against land that is not directly owned by a judgment debtor, but instead held through closely-controlled corporate entities, where the plaintiff alleges a fraudulent conveyance? Read the [full article](#) published by the Meridian Law Group.

## **Owner Payments After Lien Notice: BC Court of Appeal Confirms the Consequences**

In [Lonsdale Quay Market Corporation v. Klondike Contracting Corporation](#), [2025 BCCA 461](#), the British Columbia Court of Appeal delivered an important reminder to owners and developers: continuing to pay a general contractor after receiving notice of a subcontractor's lien can significantly increase an owner's financial exposure. The Court confirmed that the statutory holdback is not a guaranteed cap on liability. Where an owner pays a contractor after receiving actual notice of a lien, the owner may be required to pay both the holdback and the full amount of the lien to clear title. The decision provides meaningful guidance on the interaction between sections 23 and 34 of the [Builders Lien Act](#), SBC 1997, c 45 (the "BLA") and underscores the risks of disregarding a lien notice. Read the [full article](#) by Carter Moe and Tyler Williamson with Clark Wilson.

## **British Columbia Court of Appeal Awards Specific Performance in Culos Development (1996) Inc. v. Baytalan, 2025 BCCA 265**

In a significant decision, the British Columbia Court of Appeal awarded the remedy of specific performance for a breach of an option to purchase (OTP) in [Culos Development \(1996\) Inc. v. Baytalan](#), [2025 BCCA 265](#). This case provides important guidance on the application of specific performance in real estate transactions involving an OTP, particularly where substantial pre-development work has been undertaken.

### **Background**

The appellant, Culos Development (1996) Inc. (Culos), entered into an OTP with the respondent, Gregory Steven Baytalan (Baytalan), to purchase land owned by Baytalan in the Glenmore area of Kelowna, BC (the Property). The purpose of the purchase, as proposed by Baytalan to Culos, was to develop non-profit social housing. The OTP granted Culos one year to exercise the option, with an optional six-month extension. Pursuant to the final version of the OTP, the purchase price was to be the greater of C\$1,300,000 or the appraised market value of the Property as of the agreement's execution date, March 26, 2020.

Read the [full article](#) by Mark V. Lewis, Melanie Teetaert, Harpreet Sidhu, Maruska Giacchetto and Paige Lutz with Bennett Jones.

## **When a Deposit Becomes a Penalty: Relief from Forfeiture in Real Estate Transactions**

Canadian common law has long considered deposits in real estate transactions to be in a special class, treated distinctly from penalty clauses in other contracts. Deposits are generally deemed to be a partial pre-payment that a vendor may retain if the purchaser breaches the contract. In rare circumstances, however, courts have departed from this practice and ordered that a deposit be returned to a defaulting purchaser. Vendors in real estate transactions should familiarize themselves with these circumstances to avoid returning a deposit to a defaulting purchaser.

### **Deposits vs Penalties**

Canadian common law generally precludes the operation of penalty clauses in contracts, which would otherwise cause the forfeiture of a predetermined amount following a default. Courts have consistently applied this doctrine since the Supreme Court of Canada's decision in [Canadian General Electric Co v Canadian Rubber Co of Montreal](#), which describes impermissible penalties as any "payment of a stipulated sum on breach of the contract, irrespective of the damage sustained" (at 351). As described by the British Columbia Court of Appeal in [Tang v Zhang](#), a deposit is an invention of law that motivates parties to a contract to carry out their obligations, establishing a pre-paid amount that the buyer will forfeit if they buyer fails to complete the transaction, without any requirement for evidence of the vendor's damages. In this way, deposits are an exception to the general rule against contractual penalty clauses. The risk of forfeiture means deposits also represent a guarantee or security for ensuring completion of the purchaser's obligations.

Read the [full article](#) by Daniel (Dan) R. Chubb, Joan Bilsland and Luke Stretch with Bennett Jones.

Act or Regulation Affected	Effective Date	Amendment Information
Residential Tenancy Regulation (477/2003)	Feb. 23/26	by <a href="#">Reg 16/2026</a>



## WILLS & ESTATES

### Wills and Estates News:

#### Estates Law Case Comment: Boisvert Estate (Re), 2026 BCSC 195

BC Supreme Court considers Section 33 of WESA for the first time, granting an order vesting title to a spousal home in a surviving spouse and converting the interests of the other intestate heirs into registrable charges for later enforcement. Ordinarily, under section 21(1) of the [Wills, Estates and Succession Act](#), S.B.C. 2009, c.13 ("WESA"), when a person dies intestate (without a will), leaving a spouse and children, the deceased person's estate is divided as follows:

- a. the surviving spouse receives the household furnishings and a preferential share of the estate of either \$300,000.00 or \$150,000.00, depending on whether the children are or are not the children of the deceased and surviving spouse, respectively;
- b. the residue of the intestate estate, after satisfaction of the surviving spouse's preferential share, is divided one-half to the surviving spouse and one-half to the children.

But what happens if the value of the estate is not large enough for the spouse to retain the spousal home without cutting into the children's share of the estate? Read the [full article](#) by Matthew B. Nakatsu with Alexander Holburn Beaudin + Lang LLP.

#### The Risk of Joint Assets

"I'll just make everything joint so my estate will be simple, and I won't need a will or probate." This statement is often heard by estate planning lawyers. On its face, placing assets into joint ownership may appear to be a simple way to avoid the probate process and reduce probate fees. However, joint assets are regularly subject to litigation and, rather than simplify an estate, can instead add significant administrative complexity. A commonly litigated claim in relation to joint assets is a resulting trust claim. The principle of resulting trust was established in *Pecore v. Pecore*, [2007 SCC 17](#) and provides that where there has been a gratuitous transfer of assets into joint tenancy, the transferee is presumed to hold those assets on resulting trust for the transferor or the transferor's estate (there is some uncertainty as to whether this presumption applies to transfers between spouses, but this is beyond the scope of this article). The onus, therefore, shifts to the transferee to prove that a true gift of the asset (through right of survivorship) was intended. To rebut the presumption of resulting trust, the transferee must show that, at the time the transfer was made, the transferor intended to gift the transferee that joint asset. The problem is that these claims typically arise after the death of the transferor, who can therefore no longer speak to their intention. Read the [full article](#) by Ingrid Tsui & Christy Tang with *BarTalk*.

#### B.C. Court of Appeal Finds Suspicious Circumstances

##### Where Beneficiary Involved in Preparation of Will

The B.C. Court of Appeal decision of *Kroeger v. Bush Estate*, [2026 BCCA 16](#) has attracted recent media attention, including coverage in the *Vancouver Sun*. The Court in *Kroeger* overturned a lower court decision and held that the involvement of a beneficiary in the preparation of a new will, which dramatically altered the distribution of an earlier will to their personal benefit, constituted a "suspicious circumstance." I recently wrote about suspicious circumstances arising in this context, and that post can be found here. Read the [full article](#) by James Zaitsoff on the BC Estate Litigation Blog.

#### BC Court Rejects Alleged Will Revocation

##### Amid Dementia Concerns

In a recent decision, the Supreme Court of British Columbia considered a high-conflict dispute over whether a will had been destroyed (and therefore revoked) shortly before the will-maker's death. The decision provides important guidance for estate litigation in Vancouver and across British Columbia, particularly where allegations of revocation arise in the context of cognitive decline, family conflict, and missing original wills. The case, [Jugovits Estate \(Re\)](#), addresses two central questions:

1. Was the will physically destroyed with the intention of revoking it?
2. If so, did the deceased have the requisite testamentary capacity to revoke it?

The court ultimately admitted a copy of the will to probate and rejected the allegation that the deceased died intestate. The reasons offer a careful review of the law under the [Wills, Estates and Succession Act](#) ("WESA") and reinforce the evidentiary burden required to prove revocation. Read the [full article](#) published by the Meridian Law Group.

#### Fraudulent Calumny in Contemporary Estates Practice

As estate and trust practitioners, we are increasingly seeing families where an older adult is isolated from loved ones by a child or spouse, often for reasons that include pecuniary advantage to the isolating party. This isolation can cause significant emotional distress during the older adult's lifetime and may ultimately result in a will that benefits the isolating party. In such cases, counsel must consider whether fraudulent calumny has occurred and whether it should be pleaded. Fraudulent calumny arises where a wrongdoer, often a family member, deliberately maligns another person's reputation or character to a will-maker, which causes the will-maker to exclude that maligned person from their will, or to make a smaller provision for that maligned person than would otherwise be expected. Read the [full article](#) by Amy A. Mortimore, KC, and Mark S. Weintraub, KC, with *BarTalk*.

Effective

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