

# Quickscribe Reporter

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## Vol: XXV – Issue 3 – March 2026

### QS News

#### BC Proposes Temporary Suspension of DRIPA Provisions

The BC government is preparing legislation to temporarily suspend certain provisions of the [Declaration on the Rights of Indigenous Peoples Act](#) (DRIPA), citing litigation risk following a recent Court of Appeal decision confirming the Act's legal effect. The proposed suspension, which may last up to three years, replaces earlier plans for permanent amendments, with consultations ongoing and legislation expected this session. If you would like to receive timely notification when these amendments are introduced, we recommend creating a custom alert via your [My Alerts](#) page.

#### Distinguishing Members' Bills at a Glance

Quickscribe is making it easier to distinguish government bills from Members' bills. [BC Legislative Digest](#) subscribers will now see a clear "[Member's Bill]" reference displayed directly alongside the title of any Member's bill. This enhancement was introduced in response to client feedback and reflects our commitment to continually refining the service based on user input. As always, [we welcome your suggestions](#) on further improvements.

### New Bills

The following bills were recently introduced:

#### Government Bills

- [i Bill 10](#) – Labour Statutes Amendment Act, 2026
- [i Bill 11](#) – Residential Tenancy Amendment Act, 2026
- [i Bill 12](#) – Safe Access to Schools Amendment Act, 2026
- [i Bill 13](#) – Safe Access to Places of Public Worship Act
- [i Bill 14](#) – Forests Statutes Amendment Act, 2026
- [i Bill 15](#) – Environmental Assessment Amendment Act, 2026
- [i Bill 16](#) – Miscellaneous Statutes Amendment Act, 2026
- [i Bill 17](#) – Housing and Municipal Affairs Statutes (Codes of Conduct) Amendment Act, 2026
- [i Bill 18](#) – Housing and Municipal Affairs Statutes (Parental Leave) Amendment Act, 2026

#### Members' Bills

- [Bill M233](#) – Public Sector Construction Projects Procurement Act
- [Bill M234](#) – School Amendment Act, 2026
- [Bill M235](#) – Drug Recovery and Community Safety Act
- [Bill M236](#) – Health Professions and Occupations Repeal Act
- [Bill M237](#) – Insurance (Vehicle) Amendment Act, 2026
- [Bill M238](#) – Health Professions and Occupations Repeal Act (No. 2)
- [Bill M239](#) – Aboriginal Title 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:

- [Michael Moll](#), Civic Legal LLP – [Community Charter](#)

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

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## COMPANY & FINANCE

### Company and Finance News:

#### Axing the Anti-Directed Giving Rule

The Canadian Bar Association's Charities and Not-for-Profit Law Section is recommending that the government delete or amend the anti-directed giving rule of the [Income Tax Act](#). Paragraph 168 (1)(f) of the Act prevents a registered charity from accepting donations that, in substance, are passed through to a specific non-qualified donee at the donor's direction, such as a foreign NGO or a non-charity in Canada.

The rule risks revoking charity registrations for accepting donor-specified gifts or grants intended for non-qualified donees, even when properly structured as qualifying disbursements for legitimate charitable programs, such as grassroots or Indigenous initiatives. Read the [full article](#) from the *CBA National*.

#### SEC Provides Relief from Newly Imposed Section 16(a) Insider Reporting for FPIs

On March 5, 2026, the United States Securities and Exchange Commission (SEC) issued an order (Order) granting an exemption from insider reporting requirements under Section 16(a) of the *Securities Exchange Act of 1934* (Exchange Act) for directors and officers of certain foreign private issuers (FPIs). The exemption follows recent amendments enacted on December 18, 2025 under the *Holding Foreign Insiders Accountable Act*, which extended Section 16(a) reporting obligations to directors and officers of FPIs with securities registered under the Exchange Act. The order provides timely relief, as the extended Section 16(a) requirements were set to take effect on March 18, 2026.

The Order aims to avoid duplicative reporting obligations for FPIs in both the US and their home jurisdictions, providing conditional relief where insiders are already subject to substantially similar reporting requirements under the laws of certain foreign jurisdictions. Read the [full article](#) by Sydney Kert, Robbie Grossman and Tasha Liang with DLA Piper.

#### British Columbia 2026 Budget: Updates to PST

On February 17, 2026, British Columbia ("BC") Minister of Finance Brenda Bailey tabled the 2026 provincial budget (the "2026 Budget"), which will expand the scope of services subject to provincial sales tax ("PST") while eliminating certain exemptions from PST. The 2026 Budget also remedies one longstanding issue for purchasers acquiring goods in BC for use outside the province. A brief summary of the key PST changes announced in the 2026 Budget are set out below.

##### Expanding the PST Tax Base

Introduced in 1948, BC's PST has primarily applied to the sale of goods. However, reflecting the province's shift toward a more service-based economy, the 2026 Budget will expand the PST base to cover certain services, aligning BC more closely with other provinces imposing a sales tax. Effective October 1, 2026, the PST will apply at a rate of 7% to the following services.

- Accounting and bookkeeping services;

- Architectural services;
- Engineering and geoscience services;
- Non-residential real estate services including trading services, rental property management services, strata management services and commissions related to the purchase and sale of non-residential real estate; and
- Security services, including private investigation services.

Read the [full article](#) article by Randy Schwartz, Jesse Waslowski and Giorgina Chum with McCarthy Tétrault LLP.

### **C&W Offshore: Beneficial Ownership in a Back-to-Back Loan Context**

In *C & W Offshore Ltd. v. The King*, [[2026 TCC 40](#)] the Tax Court of Canada held that a United Kingdom corporation ("InterMoor UK") was the beneficial owner of rental payments made by an arm's length Canadian corporation ("C&W") under a sublease of mooring chains, even though the bulk of those payments were remitted by InterMoor UK to its Norwegian affiliate ("InterMoor Norway") from which it had originally leased the mooring chains. The Tax Court concluded that C&W failed to withhold the non-resident tax under Part XIII of the [Income Tax Act](#) (Canada) and was subject to a penalty of 10% of the amounts it failed to withhold. Read the [full article](#) by Al-Nawaz Nanji and Robert Celac with McCarthy Tétrault LLP.

### **Canadian Securities Administrators Implement Semi-Annual Reporting Pilot for Eligible Venture Issuers**

On March 19, 2026, the Canadian Securities Administrators (CSA) announced the adoption of a pilot project to allow eligible venture issuers to voluntarily adopt semi-annual financial reporting (the SAR Pilot). The CSA adopted the SAR Pilot through [Coordinated Blanket Order 51-933 Exemptions to Permit Semi-Annual Reporting for Certain Venture Issuers](#) (the Blanket Order).

#### **Substance and purpose of the SAR Pilot**

The SAR Pilot exempts eligible venture issuers listed on the TSX Venture Exchange Inc. (TSXV) or the CNSX Markets Inc. (CSE) from filing interim financial reports for the three- and nine-month interim periods of a financial year under [National Instrument 51-102 Continuous Disclosure Obligations](#) (NI 51-102).

The purpose of the SAR Pilot is to reduce the administrative burden and related costs of preparing quarterly interim financial reports, particularly for smaller venture issuers. The CSA has noted that the majority of commenters during the consultation period were supportive of the initiative, indicating that the SAR Pilot would meaningfully reduce regulatory burden for smaller venture issuers while maintaining investor protection. The CSA indicated the scope of the SAR Pilot, together with existing timely disclosure requirements and venture exchange listing rules, can help mitigate any risks associated with less frequent reporting.

Read the [full article](#) by Sydney Kert, Robbie Grossman and Nicole Kinley with DLA Piper.

### **Canadian Securities Regulators Report on Key Oversight Activities of CIRO and CIPF**

The Canadian Securities Administrators (CSA) today published a report outlining key oversight activities for the Canadian Investment Regulatory Organization (CIRO) and the Canadian Investor Protection Fund (CIPF).

[CSA Staff Notice 25-315](#) summarizes key information, activities and observations related to the CSA's oversight of CIRO and CIPF during the 2025 calendar year.

During the report period, the CSA focused its review on several CIRO initiatives, including rules consolidation, operationalization of the delegated registration functions and powers for dealers and individual registrations. The CSA also reviewed the amendments to the Dealer Member Fee Model along with implementation of the new proficiency model for investment dealers. The CSA also considered CIRO's response to the August 2025 cybersecurity breach. Read the [full news release](#) from the BC Securities Commission.

### **Open Banking in Canada Moves from Blueprint to Law**

As we have written about previously ([here](#), [here](#), [here](#), [here](#), [here](#) and [here](#)), the Canadian journey toward open banking (also called consumer driven banking) has been stop and go for quite some time. With [Bill C-15](#) receiving Royal Assent, Canada's consumer-driven banking framework has crossed an important threshold and the new *Consumer Driven Banking Act* (the "CDBA") has been enacted. With the CDBA now law, the focus shifts from legislative uncertainty to implementation, regulatory detail, and operational readiness.

The CDBA establishes a national, mandatory open-banking framework applicable to both individuals and businesses, covering a broad range of financial products, including: deposit and transaction accounts, payment products, lending and credit products and certain investment accounts. Read the [full article](#) by Christine Ing, Michael Scherman and Mohammed M'Hiri with McCarthy Tétrault LLP.

### **Mutual Fund Trailing Commissions Are Subject to GST/HST – Canada Revenue Agency Updates Position**

The Canada Revenue Agency (the "CRA") recently revisited the application of GST/HST to trailing commissions earned by mutual fund dealers and announced in [GST/HST Notice 344: Application of the GST/HST to Mutual Fund Trailing Commissions](#) that such commissions no longer meet the definition of "financial service" and are now considered taxable supplies. This announcement updates the CRA's longstanding position that such services were exempt financial services.

Following regulatory and operational changes in the mutual fund sector, the CRA revisited the GST/HST treatment of mutual fund trailing commissions paid to dealers and advisors. Read the [full article](#) by Colleen Ma with Miller Thomson.

### **Updates to BC Sales Taxes**

The following updates to sales taxes were recently posted:

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

• **March 12, 2026**

[Bulletin CTB 002, Sales and Leases to Governments \(PDF, 120KB\)](#), has been revised to:

- Update information about sales tax refunds for Modern Treaty Nation governments
- Note that provincial governments other than B.C. do not need to provide a PST number or exemption certificate to claim an exemption from provincial sales tax (PST) or municipal and regional district tax (MRDT)
- Remove references to the carbon tax, which was eliminated effective April 1, 2025

**Motor fuel tax and carbon tax**

• **March 12, 2026**

[Bulletin CTB 002, Sales and Leases to Governments \(PDF, 120KB\)](#), has been revised to:

- Update information about sales tax refunds for Modern Treaty Nation governments
- Note that provincial governments other than B.C. do not need to provide a PST number or exemption certificate to claim an exemption from provincial sales tax (PST) or municipal and regional district tax (MRDT)
- Remove references to the carbon tax, which was eliminated effective April 1, 2025

[Bulletin MFT 002, Motor Fuel Tax Refunds for Purchasers \(PDF, 140KB\)](#), has been revised to:

- Update terminology relating to Indigenous Peoples
- Clarify that Modern Treaty Nation governments applying for refunds of motor fuel tax paid under certain circumstances can complete the [FIN 413/NNMFT, Application for Refund of Motor Fuel Tax under the Motor Fuel Tax Act, Nisga'a Nation Taxation Agreement and Other First Nations Treaty Taxation Agreements \(PDF, 220KB\)](#)
- Update the record keeping information to reflect that, effective April 1, 2020, records are no longer required to be kept in B.C.
- Clarify that each refund application form has its own documentation requirements

[Bulletin MFT 014, Propane Exemptions \(PDF, 140KB\)](#), has been revised to:

- Update terminology relating to Indigenous Peoples

[FIN 147, Application for Refund of Motor Fuel Tax – Purchaser of Fuel \(PDF, 450KB\)](#), has been revised to:

- Update terminology for First Nations land
- Remove references to the carbon tax, which was eliminated effective April 1, 2025

[FIN 413/NNMFT, Application for Refund of Motor Fuel Tax under the Motor Fuel Tax Act, Nisga'a Nation Taxation Agreement and Other First Nations Treaty Taxation Agreements \(PDF, 220KB\)](#), has been revised to:

- Update terminology relating to Indigenous Peoples

**Tobacco tax**

• **March 12, 2026**

[Bulletin CTB 002, Sales and Leases to Governments \(PDF, 120KB\)](#), has been revised to:

- Update information about sales tax refunds for Modern Treaty Nation governments
- Note that provincial governments other than B.C. do not need to provide a PST number or exemption certificate to claim an exemption from provincial sales tax (PST) or municipal and regional district tax (MRDT)
- Remove references to the carbon tax, which was eliminated effective April 1, 2025

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

**BC Securities – Policies & Instruments**

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

- [22-502](#) – Registration by the Canadian Investment Regulatory Organization
- [51-933](#) – Exemptions to Permit Semi-Annual Reporting for Certain Venture Issuers
- [94-101](#) – Publication of amended National Instrument 94-101 Mandatory Central Counterparty Clearing of Derivatives
- [11-349](#) – Notice of Local Amendments in Certain Jurisdictions
- [25-315](#) – Update on Enhanced Segregation and Portability Initiatives for Clearing Agencies Serving the Domestic Futures Markets [CSA Staff Notice]

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

Act or Regulation Affected	Effective Date	Amendment Information
BC Instrument 22-502 <i>Registration by the Canadian Investment Regulatory Organization</i> (30/2026)	<b>NEW</b> Mar. 11/26	see <a href="#">Reg 30/2026</a>
BC Instrument 22-502 <i>Registration by the Investment Industry Regulatory Organization of Canada</i> (107/2008)	<b>REPEALED</b> Mar. 11/26	by <a href="#">Reg 30/2026</a>

Business Practices and Consumer Protection Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 550 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Designated Accommodation Area Tax Regulation (93/2013)	Mar. 1/26	by <a href="#">Reg 205/2025</a>
Education and Health Sector Organizations Regulation (53/2010)	Apr. 1/26	by <a href="#">Reg 127/2025</a>
National Instrument 94-101 <i>Mandatory Central Counterparty Clearing of Derivatives</i> (129/2017)	Mar. 24/26	by <a href="#">Reg 40/2026</a>
Provincial Sales Tax Exemption and Refund Regulation (97/2013)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Special Accounts Appropriation and Control Act	Apr. 1/26	by 2026 Bill 3, c. 2, section 1 only (in force by Royal Assent), <a href="#">Budget Measures Implementation Act (No. 2), 2026</a>
Tobacco and Vapour Products Control Regulation (232/2007)	Apr. 1/26	by <a href="#">Reg 188/2025</a>



## ENERGY & MINES

### Energy and Mines News:

#### **BC Court of Appeal Upholds Personal Liability for Director of Mining Company for Regulatory Offences**

The BC Court of Appeal released its decision in *R. v. Mossman*, [2026 BCCA 75](#), upholding the BC Supreme Court's decision confirming that a director, officer or agent may be personally liable for strict liability regulatory offences under the [Environmental Management Act](#) and the [Fisheries Act](#) (collectively, the "Acts").

The underlying investigation into a gold mining site near Prince Rupert, British Columbia led to regulatory charges against the director, president, and chief operating officer of the company and the designated 'mine manager' under the [Mines Act](#).

The accused was charged with several offences under the Acts, which the Court divided into three categories. Read the [full article](#) by Gavin Cameron and Nathan Wells with Fasken.

#### **Family Ties: BC Court of Appeal Confirms BC Utilities Commission Jurisdiction over Affiliate Electricity Sales**

In *Powell River Energy Inc. v. British Columbia (Utilities Commission)*, [2026 BCCA 93](#), the British Columbia Court of Appeal dismissed an appeal from a reconsideration decision of the British Columbia Utilities Commission ("BCUC"), confirming that electricity sales to corporate affiliates for export can still attract regulation under the [Utilities Commission Act](#) ("UCA"). The Court of Appeal's reasons affirm the BCUC's broad jurisdiction and provide guidance on the scope of the statutory "self-supply" exclusion and the treatment of corporate affiliates under the UCA.

Powell River Energy Inc. ("PREI") owns and operates two hydroelectric generation and transmission facilities in the Powell River area of British Columbia. Historically, the facilities supplied electricity to a pulp and paper mill, pursuant to a ministerial exemption from certain requirements of the UCA. After the mill closed in 2021 and the exemption was rescinded, PREI reorganized its operations so that all electricity generated at the facilities was sold to wholly owned subsidiary companies, which, in turn, sold the electricity into the United States export market. Read the [full article](#) by Tariq Ahmed and Niall Rand with Fasken.

#### **Minister Reveals Ambition to Triple Production at B.C. LNG Terminal**

Owners of the major gas export terminal near Squamish, B.C., are seeking to massively expand the facility's size, according to Canada's federal energy minister.

Woodfibre LNG is officially permitted to produce 2.1 million tonnes of liquefied gas per year, but federal Energy and Natural Resources Minister Tim Hodgson recently revealed the project's scale could grow significantly beyond its current permits.

"I know Woodfibre has ambitions to double and triple the size of their production," Hodgson said. Read the [BIV article](#).

#### **The National Energy Corridor: Forging Canadian Energy Sovereignty in the Age of Disruption**

The announcement on March 4, 2026, by the Government of Ontario regarding the signing of a groundbreaking National Energy Corridor Agreement (NECA) represents a fundamental pivot in the Canadian confederation's approach to critical energy infrastructure. For over a century, the Canadian electricity landscape has been characterized by a fragmented, "provincial-first" mentality where grids were developed as isolated silos, designed primarily to serve local industrial loads or to facilitate vertical exports to the United States. This historic agreement, initiated by the Ontario Ministry of Energy following the "Connecting Canada –

Building an Energy Superpower Summit" in September 2025, signals the end of that era and the birth of a unified "United Canada" grid.

The partnership brings together a massive coalition of jurisdictions: British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, New Brunswick, Prince Edward Island, Nova Scotia, Yukon, and the Northwest Territories. While Quebec is not an initial signatory, it has signaled a strategic openness to cooperation provided its jurisdictional autonomy remains intact and the economic benefits are clearly articulated. Read the [full article](#) by Paul Harricks, Ian A. Mondrow and Thomas J. Timmons with Gowling WLG.

**First Nation Sues BC Hydro Over Allegations of Unfair Electricity Rates**

BC Hydro mandates Indigenous ownership for new clean energy projects and pays a premium for it – but a First Nation that already owns a majority stake in an existing hydro project said the Crown corporation is using a rigid renewal policy to effectively price them out of the industry.

Details of the souring relationship between the BC Hydro, the province, the Lil'wat Nation and one of its businesses were detailed in a request for judicial review filed this week in the B.C. Supreme Court.

According to the court challenge, BC Hydro has purchased electricity from the Rockford Energy Corporation since 2001. The company owns a run-of-river hydro project on the Brandywine River less than a kilometre off the Sea to Sky Highway near Whistler, B.C. Read the [BIV article](#).

**Upstart B.C. Mining Company Makes Play in Critical Minerals Sector. Can It Compete with China?**

China has a lock on rare earth elements – minerals that are critical for the energy transition to electrification – but an upstart junior miner in B.C. is making a play to capture some of the market for the strategically important materials.

Vancouver-headquartered Defense Metals Corp. is vying to develop Canada's first rare earths mine at a deposit that appears to be rich in key elements, attracting the support of provincial and federal governments.

Rare earth elements, a suite of 17 obscure minerals grouped together on chemistry's periodic table, include metals that are essential for permanent magnets used in electric motors, electronic equipment and precision optic devices. Read the [Vancouver Sun article](#).

**Mining Exploration Group Urges B.C. to Stick to Decision Timeline**

The B.C. government is missing the timelines it has set for processing mining exploration projects, according to an industry group.

Over the past year, the median processing time for explorers to receive a decision on mineral claims is 143 days, exceeding the 90- to 120-day timeline the province promised under the Mineral Claims Consultation Framework (MCCF), according to the Association for Mineral Exploration (AME).

Accounting for applications that are still pending, only 14.8 per cent of applications were processed within the timeline, according to the Vancouver-based industry group with around 6,500 members. Read the [BIV article](#).

**Updates to Natural Resource Taxes**

The following updates to natural resource taxes were recently posted:

**Mining taxes**

- **March 12, 2026**  
The new web page for [interest rates for the mineral tax, the mineral land tax and the mine inspection fee](#) has been published. Please update your bookmarks to the new location on our website.
- **March 26, 2026**  
[Interest rates for mineral tax, mineral land tax and the mine inspection fee](#) have been updated.

**Oil and natural gas royalties and taxes**

- **March 31, 2026**  
The new web page [How to submit information for gas cost allowance \(Allowable Costs in Petrinex\)](#) has been published. The page provides guidelines on entering information and submitting documents on Petrinex to receive gas cost allowance.

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

**BC Energy Regulator Announcements**

The following BC Energy Regulator announcements were posted recently:

- [TU 2026-06](#) – Renewable Energy Projects Regulation Introduced
- [TU 2026-07](#) – Amendments to the Dormancy and Shutdown Regulation
- [IU 2026-01](#) – Fee, Levy and Security Regulation Updates

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

Act or Regulation Affected	Effective Date	Amendment Information
Direction to the British Columbia Utilities		

Commission Respecting the Biomass Energy Program (71/2019)	Mar. 13/26	by <a href="#">Reg 32/2026</a>
Dormancy and Shutdown Regulation (112/2019)	Mar. 10/26	by <a href="#">Reg 27/2026</a>
Fee, Levy and Security Regulation (8/2014)	Mar. 10/26	by <a href="#">Reg 26/2026</a>
Hydrogen Facility Regulation (27/2025)	Mar. 10/26	by <a href="#">Reg 27/2026</a>
Processing Facility Regulation (48/2021)	Mar. 10/26	by <a href="#">Reg 27/2026</a>
Renewable Energy Projects Regulation (28/2026)	<b>NEW</b> Mar. 10/26	see <a href="#">Reg 28/2026</a>
	Mar. 24/26	by <a href="#">Reg 42/2026</a>
Service Regulation (199/2011)	Mar. 10/26	by <a href="#">Reg 27/2026</a>



## FAMILY & CHILDREN

### Family and Children News:

#### Marriage-Like Relationship, Further Guidance by the Courts

Since the court's discussion of what constitutes a "marriage-like relationship" found in *Kiss v. Leung*, [2024 BCSC 2335](#) (see C. Ryan Chan's previous blog post, [here](#)), the BC Supreme Court has provided further guidance in their subsequent decisions.

As a starting point, for a party to prove that they were a spouse, it must be proven on the balance of probabilities that: 1) the parties cohabitated together for a continuous period of at least two years; and 2) the relationship during this time was marriage-like. The court considers numerous factors in determining if a relationship is marriage-like, however, none of these factors are determinative. While there is no checklist, the courts will look for indicia consistent with a marriage-like relationship. Some of these indicia were discussed the following cases. Read the [full article](#) by Jimmy Peterson with Harper Grey LLP.

#### Shared Parenting Child Support in Canada: How the 40% Rule and Set-Off Method Really Works

Shared parenting child support Canada, 50/50 custody child support BC, and the child support 40 percent rule Canada are among the most searched family law questions. Many parents assume that equal parenting time eliminates their financial obligation to pay child support. In reality, the law takes a more nuanced approach.

Shared parenting has become increasingly common across Canada, reflecting the importance of both parents remaining actively involved after separation. But even when time is shared, finances are not always equal. So how does shared parenting child support in Canada actually work? Read the [full article](#) by Tiara Cunningham with Watson Goepel LLP.

#### Expansion of Virtual Hearings in Civil and Family Proceedings

The Court is expanding access to virtual hearings and video appearances in civil and family proceedings. This is part of a larger strategy to modernize the civil justice system, make efficient use of judicial resources and improve affordability and increase access to justice. These reforms are also responsive to feedback gathered through the Court's chambers consultation. Chief Justice Skolrood has issued four practice directions relating to virtual hearings and video appearances. Read the announcement from the [BC Supreme Court](#).

#### When Can a Separation Agreement Be Set Aside in British Columbia?

Separation agreements are intended to provide certainty. They allow former spouses to resolve issues relating to property division, support, and parenting without proceeding to trial. In many cases, they bring finality to an emotionally and financially difficult chapter.

However, not every separation agreement is enforceable. British Columbia courts retain the authority to set aside, vary, or refuse to enforce a separation agreement where statutory or equitable grounds are established. When agreements are negotiated under pressure, based on incomplete financial disclosure, or produce significantly unfair outcomes, litigation may follow.

Understanding when a court will intervene is critical for both parties seeking to challenge an agreement and those seeking to defend one. Read the [full article](#) from the Meridian Law Group.

Act or Regulation Affected	Effective Date	Amendment Information

Adoption Regulation (291/96)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Assisted Living Regulation (189/2019)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Child Care Licensing Regulation (332/2007)	Apr. 1/26	by <a href="#">Reg 23/2026</a>
Community Care and Assisted Living Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 551 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Community Living Authority Regulation (231/2005)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Family Law Act Regulation (347/2012)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Residential Care Regulation (96/2009)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Small Claims Rules (261/93)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Statutory Property Guardianship Regulation (115/2014)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Vital Statistics Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 638 and 639 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>



## FOREST & ENVIRONMENT

### Forest and Environment News:

#### **Environmental Assessment Act Amendments**

On March 31, [Bill 15](#), the *Environmental Assessment Amendment Act, 2026*, was introduced. The Bill proposes amendments to the [Environmental Assessment Act](#) to add a new protocol tool for resolving issues related to the environmental assessment process.

The new tool will be co-developed with First Nations and will help resolve and close issues during assessments to avoid the dispute resolution process, thereby reaching agreements more quickly. The protocol tool will also continue to be available at the end of the assessment when dispute resolution is no longer an option. The amendments intend to resolve issues earlier and improve fairness and predictability for all parties involved.

Other amendments will enable the Environmental Assessment Office to differentiate its consultation with First Nations in Canada and U.S. Tribes, in accordance with the Supreme Court of Canada's [Desautel decision](#), when a Tribe makes an assertion of Aboriginal rights in Canada that may be impacted by a proposed project undergoing environmental assessment.

The Bill is set to come into force on Royal Assent, if passed.

#### **Forests Statutes Amendment Act, 2026 Introduced**

[Bill 14](#), the *Forests Statutes Amendment Act, 2026*, was introduced on March 30, proposing amendments to the [Forest Act](#) and the [Forest and Range Practices Act](#) that will provide a greater range of fibre-generating and forest stewardship activities and help protect forestry-related jobs.

The amendments will allow BC Timber Sales (BCTS) to introduce new timber sales licences to include activities such as commercial thinning, salvage of damaged trees and wildfire risk reduction, providing contractors with a broader range of opportunities to bid on. The new licences will increase access to a more reliable fibre supply by allowing timber that was damaged by wildfire, windstorms or insects to be recovered more quickly.

The legislation will authorize BCTS to manage timber sale licences from initial harvesting, replanting, long-term stewardship to future harvest, to help strengthen long-term planning for working forests. If passed, the Bill will come into force on Royal Assent.

#### **Land Use Objectives Cancelled**

Notice is hereby given in accordance with Section 7 of the [Land Use Objectives Regulation](#), that an order has been made under Section 93.4 of the [Land Act](#).

The order amends the "Order to Establish the Kispiox Landscape Units and Objectives" by repealing the wildlife objectives as they relate to moose, for the purposes of the [Forest and Range Practices Act](#). The order applies to the Kispiox Sustainable Resource Management Plan Area, located within the Kispiox Timber Supply Area (TSA) of the Skeena-Stikine Natural Resource District.

This cancellation is made as the result of ungulate winter range U-6-040 for moose in the Kispiox TSA coming into effect.

The order takes effect on the date this notice is published in the Gazette [March 12, 2026].

The order has been filed at the Skeena Region office of the Ministry of Water, Land and Resource Stewardship, located at 3726 Alfred Avenue, Smithers, BC V0J 2N0.

It is also available at: <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/land-use-planning/regions/skeena/kispiox-lrmp/kispiox-srmp> [mh12]

Read the notice in the [Gazette Part I, Volume CLXVI, No. 10](#).

### **Ungulate Winter Range**

Notice is hereby given that the boundaries of Ungulate Winter Range U-1-005 Unit 144 and Unit 149 in the Campbell River Forest District were amended on February 2, 2026 by order made under authority of Section 12(1) of the [Government Actions Regulation](#) (B.C. Reg. 582/2004). Details of the order may be obtained from the Ecosystems Section, West Coast Region, Ministry of Water, Land and Resource Stewardship, 2080 Labieux Road, Nanaimo, BC V9T 6J9, or from the following website: [https://www.env.gov.bc.ca/wld/frpa/uwr/approved\\_uwr.html](https://www.env.gov.bc.ca/wld/frpa/uwr/approved_uwr.html) [mh12]

Read the notice in the [Gazette Part I, Volume CLXVI, No. 10](#).

### **Ungulate Winter Range**

Notice is hereby given that Ungulate Winter Ranges (UWRs) U-4-003 and U-4-004 in the Rocky Mountain Natural Resource District and Selkirk Natural Resource District are established for bighorn sheep in the Kootenay Boundary Region. The Order was signed on February 23, 2026 under the authority of sections 9(2) and 12(1) of the [Government Actions Regulation](#) (B.C. Reg. 281/2023) of the [Forest and Range Practices Act](#) and section 31 of the [Environmental Protection and Management Regulation](#) (B.C. Reg. 219/2024) of the [Energy Resource Activities Act](#). Details of the Order may be obtained from the Ecosystems Section, Kootenay Boundary Region, Ministry of Water, Land and Resource Stewardship, No. 401 - 333 Victoria Street, Nelson, BC V1L 4K3.

The Government Actions Regulation Order, accompanying maps, and spatial files may also be obtained from: [https://www.env.gov.bc.ca/wld/frpa/uwr/approved\\_uwr.html](https://www.env.gov.bc.ca/wld/frpa/uwr/approved_uwr.html) [mh5]

Read the notice in the [Gazette Part I, Volume CLXVI, No. 9](#).

### **Nation-to-Nation Collaboration and Forestry Leadership**

Teams of forest professionals from Central Chilcotin Rehabilitation and Nk'Mip Forestry hosted one another on field tours in their respective territories this past fall to build relationships, share experiences, and learn together on the land.

Central Chilcotin Rehabilitation (CCR) is a joint venture of Tšideldel First Nation, Tl'etinqox Government, and Yunesit'in Government. Nk'Mip Forestry operates as a division of the Osoyoos Indian Band (OIB).

As the 2026 field season approaches, the connections formed during those visits remain top of mind. Through the tours, CCR and OIB shared how they are advancing wildfire resilience, post-wildfire recovery, and sustainable forestry practices aimed at creating healthier, more resilient forests. Read the [full article](#) in the *BC Forest Professional*, Spring 2026 edition.

### **Clayoquot Sound's Only Tree Farm Licence Subdivided into Three Lots to Assert First Nations' Land Visions**

The logging tenure for a landscape made famous by the "War in the Woods" protests on the west coast of Vancouver Island has been divided up into three new Tree Farm Licences (TFL) to assert First Nations' unique land-use visions.

TFL 54 in Clayoquot Sound was transferred from MaMook Natural Resources, which is owned by a partnership of five central region First Nations (Ahousaht, Tla-o-qui-aht, Hesquiaht, Toquaht and Yuułuʔiłʔatḥ), and reconfigured into TFL 66, TFL 67 and TFL 68.

According to the Ministry of Forests, Tla-o-qui-aht is now the holder of TFL 66 comprising over 13,000 hectares within their territory, TFL 67 is held by Ahousaht and comprises over 29,000 hectares in Ahousaht territory and Hesquiaht is now the holder of TFL 68 with an area size of over 9,165 hectares in their territory.

MaMook will continue to exist for the next few years with the legal obligation to clean up old logging infrastructure, including deactivating old logging roads, dryland sorts and log booming areas, but the company will dissolve once that work wraps, according to Toquaht appointed board member Ken Matthews. Read the [full article](#) in *Chek News*.

### **Legislation Passes to Amend Environmental Claims Prohibitions of the Competition Act**

Following its release of the Federal Budget 2025 ("Budget 2025"), the federal government has promptly passed [Bill C-15, Budget 2025 Implementation Act, No. 1](#) ("Bill C-15"). On March 26, 2026 Bill C-15 received Royal Assent, advancing measures set out in Budget 2025, which includes bringing into force key changes to the environmental business claims provisions of the [Competition Act](#).

Budget 2025 targeted certain recently enacted – and controversial – provisions of the *Competition Act* that limited greenwashing (for additional information, see our detailed [article](#) on Budget 2025). With the passage of Bill C-15, the federal government's *Competition Act* amendments have become law, impacting how businesses can advertise environmental claims. Read the [full article](#) by Melissa Tehrani, René Bissonnette, Shannon Uhera, Inès Maarouf, Julia Kappler, Ian Macdonald and Christopher Oates with Gowling WLG.

### **Environmental Appeal Board Decisions**

The following Environmental Appeal Board decisions were made recently:

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

- [Oak Bay Marina Ltd. DBA Pedder Bay RV Resort & Marina v. Director, Environmental Management Act](#) [Settlement Order – Appeal Dismissed Without Costs]
- [Waves Coffee Inc. v. Director, Environmental Management Act](#) [Preliminary Decision – Granted in Part]

- [Waves Coffee Franchising Inc. & Fair Waves Coffee Inc. v. Director, Environmental Management Act](#) [Document Production Order and Written Hearing Order – Documents Ordered to Be Produced]
- [Brookwood Fernridge Community Association, Nicomekl Enhancement Society, Little Campbell Watershed Society, Semiahmoo Fish and Game Club, Bill Ridge, Sonja Kroecher, Frank P. Mueggenburg, Gabriel Farms Ltd., Irongait Ventures Inc., Carl and Inge Thielemann v. Director, Environmental Management Act](#) [Final Decision – Appeals Dismissed in Part]

[Water Sustainability Act](#)

- [Mark Croxall v. Assistant Water Manager](#) [Preliminary Decision on Standing – Application Dismissed]

[Wildlife Act](#)

- [Raymond Majerus, Fraser MacDonald, Michael Schneider & Alan Jarvis v. Executive Director, Wildlife Branch](#) [Summary Dismissal Decision – Appeals Dismissed]
- [Michael Schneider v. Director, Wildlife Branch](#) [Summary Dismissal Decision – Appeals Dismissed]

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

Act or Regulation Affected	Effective Date	Amendment Information
Carbon Neutral Government Regulation (392/2008)	Apr. 1/26	by <a href="#">Reg 127/2025</a>
Spongy Moth Eradication Regulation (100/2022)	Mar. 16/26	by <a href="#">Reg 36/2026</a>



**HEALTH**

**Health News:**

**New Health Regulation Puts Patients' Safety First**

Summary:

- The health professions and occupations act comes into effect Wednesday, April 1, 2026
- The act improves patient safety by increasing transparency and accountability, and helps to end harm and discrimination in health-care settings
- This regulation will not cause any disruption to the day-to-day operations of health-care professionals
- Some professions will see minor changes come into effect, and a broader review will begin in late spring 2026 to better assess the new act for further improvements

Beginning Wednesday, April 1, 2026, the [Health Professions And Occupations Act](#) comes into effect, which will improve patient safety by increasing transparency and ensuring good and consistent governance for regulators.

For health-care professionals, it means more support and structure from regulators, so they can focus on patient care. This regulation will not cause any disruption to their day-to-day work. Read the full [government news release](#).

**Health Professions and Occupations Act Now in Effect: What Physicians Need to Know**

As of today, April 1, 2026, the [Health Professions and Occupations Act](#) (HPOA) is in effect, replacing the current *Health Professions Act* and introducing significant changes to the regulation of health professions, including physicians. Here is a high-level recap of the changes and what you need to do.

There are some key changes that physicians should be aware of, including:

- **Board appointments:** Board members of the College of Physicians and Surgeons of BC (and all other health Colleges) will now be appointed by the Ministry of Health following a recommendation from the Superintendent of the [Health Professions and Occupations Regulatory Oversight Office](#) (external link) (HPORO).
- **New discipline process:** While complaints and investigation processes will remain with the College, a new [Health Professions Discipline Tribunal](#) (HPDT) (external link) will oversee the discipline process for all regulated health professions. The HPDT will review serious cases referred by the College, support consent resolutions when appropriate, and determine disciplinary action, among other responsibilities.
- **Expanded professional responsibilities:** Physicians have a legal obligation to report discrimination, including Indigenous-specific racism, and to follow cultural safety requirements.

Read the [full article](#) from Doctors of BC.

**A Letter, Not a Law: Looming Deadlines, Provincial Uncertainty, and Ottawa's Push to Reimagine Canada Health Act Compliance**

The Canada Health Act Services Policy (policy) purports to expand the scope of publicly funded healthcare services in Canada. Since inception, the [Canada Health Act](#) (CHA) has required that provincial publicly funded health insurance regimes cover medically

required services rendered by physicians, hospital services and certain surgical-dental services.

As of April 1, 2026, the policy takes effect, requiring that services provided by non-physician healthcare providers must also be publicly funded in certain contexts. In order to comply with the policy, provinces and territories would need to adopt laws providing for a provincial funding model for these additional health services and restricting healthcare providers from charging privately for such services. Provinces and territories that do not comply with the policy will be subject to deductions from their federal health transfer payments once the federal government starts enforcing the policy. Read the [full article](#) by Michael Watts, Susan Newell, Aya Fahmi and Jennifer Bieman with Osler.

**Federal Court Dismisses C\$5 Billion Generic Drug Price-Fixing Class Action**

The Federal Court of Canada has found that a C\$5 billion class action alleging an industry-wide conspiracy to fix generic drug prices in Canada has no basis in fact.

On February 20, 2026, the Federal Court dismissed the plaintiff's certification motion in *Kathryn Eaton v. Teva Canada Limited et al.*, [2026 FC 239](#), and did so without leave to amend. The plaintiff chose not to appeal. The decision reinforces the Court's important gatekeeping role at certification, particularly where, as here, the plaintiff advances a sprawling, ill-defined and ultimately speculative case. The outcome was a significant victory for the defendants including Pharmascience Inc., a Canadian company with no US operations and no involvement in the US enforcement proceedings on which the plaintiff's conspiracy theory was based. Read the [full article](#) by Cheryl Woodin, Emrys Davis, Kolding Larson and Evana Yukanna with Bennett Jones.

**Emergency Asset Protection Before a Committeeship Order in British Columbia**

When an adult in British Columbia loses the capacity to manage their financial or legal affairs, families often assume that a committeeship application is the immediate solution. However, committeeship proceedings take time. During that period, assets may be exposed to risk, including financial exploitation, dissipation, unauthorized transfers, or poor decision-making by third parties.

Emergency asset protection measures can be critical before a committeeship order is granted. In urgent situations, early legal intervention may preserve property, prevent financial harm, and stabilize the situation while formal court proceedings are underway.

In British Columbia, committeeship applications are governed by the [Patients Property Act](#). A court must be satisfied, based on medical evidence, that the adult is incapable of managing their affairs. This process typically requires two physicians' affidavits and a formal court application. Read the [full article](#) from the Meridian Law Group.

**Enhanced Coverage in B.C. Supports More People with Diabetes**

People in B.C. have access to expanded coverage of diabetes-related supplies and devices with help from federal National Pharmacare funding.

"At the start of the month, we announced that people in B.C. would no longer have to pay out-of-pocket for some diabetes medications," said Josie Osborne, B.C.'s Minister of Health. "Building from that, and as part of National Pharmacare in B.C., we are expanding coverages so people living with diabetes have greater access to care at less cost."

Starting Wednesday, April 1, 2026, more people with diabetes will be eligible for coverage of lancets and alcohol swabs, as well as blood and urine ketone strips. Read the government [news release](#).

**She's Giving Birth Next Month. Her Midwife Might Be Deported**

A Saanich woman due to give birth next month says she's appalled by Canada's treatment of her midwife, saying the threatened deportation of a skilled health-care worker is "incongruent" with B.C. efforts to attract them.

Anika Bell, who is due April 28, learned this week that her midwife, Heather Gilchrist, has been ordered to stop working and threatened with deportation back to Scotland after her work-permit application was denied.

Bell said she was horrified when she heard the news.

"The fact that the federal government isn't taking into account the real people impacted by potentially deporting Heather Gilchrist is so beyond words to me – we're in a real health-care crisis."

The 32-year-old said she and husband Matt Scott have found Gilchrist to be highly competent and caring. She said she's frustrated by the prospect of going into labour with a short-staffed care team, and without Gilchrist's expertise.

She said women are already suffering from a shortage of midwives and obstetrics services on south Vancouver Island. Read the *Times Colonist* [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Access to Abortion Services Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 547 and 548 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
British Columbia Cancer Agency Research Information Regulation (286/91)	Apr. 1/26	by <a href="#">Reg 136/2025</a>

Chiropractors Regulation (414/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 130/2025</a>
Complementary Health Professionals Regulation (130/2025)	<b>NEW</b> Apr. 1/26	by <a href="#">Reg 130/2025</a>
Consent to Donation Regulation (65/99)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Dental Hygienists Regulation (276/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 134/2025</a>
Dental Technicians Regulation (32/2020)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 134/2025</a>
Dentists Regulation (415/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 134/2025</a>
Denturists Regulation (277/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 134/2025</a>
Designation Regulation (363/95)	Apr. 1/26	by <a href="#">Reg 136/2025</a>
Dietitians Regulation (279/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 131/2025</a>
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>
E-Health (Personal Health Information Access and Protection of Privacy) Ac	Apr. 1/26	by 2022 Bill 36, c. 43, sections 562 to 564 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Emergency Health Services Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 565 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Emergency Medical Assistants Regulation (210/2010)	Apr. 1/26	by <a href="#">Reg 136/2025</a>
Health Authorities Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 569 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Health and Care Professionals Regulation (131/2025)	<b>NEW</b> Apr. 1/26	see <a href="#">Reg 131/2025</a> , as amended by <a href="#">Reg 41/2026</a> and <a href="#">Reg 44/2026</a>
Health Care Consent Regulation (20/2000)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Health Care Costs Recovery Regulation (397/2008)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Health Professions Act	<b>REPEALED</b> Apr. 1/26	by 2022 Bill 36, c. 43, section 546 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Health Professions and Occupations Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 3 to 8, 9(1) (b) to (e), (2), 10 to 13, 14 (1), (4), 15 (3), 16 to 434, 440, 450 (2), 455 to 466, 467 (1), 468 to 484, 486 (1) (b), 488, 490 to 544 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Health Professions and Occupations Regulation	<b>NEW</b>	see <a href="#">Reg 126/2025</a>

(126/2025)	Apr. 1/26	
Health Professions and Occupations Transitional Regulation (222/2023)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 125/2025</a>
Health Professions and Occupations Transitional Regulation (No. 2) (125/2025)	<b>NEW</b> Apr. 1/26	see <a href="#">Reg 125/2025</a>
Health Professions Designation and Amalgamation Regulation (270/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 126/2025</a>
Health Professions General Regulation (275/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 129/2025</a>
Hospital Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 574 and 575 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Hospital Act Regulation (121/97)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Hospital Insurance Act Regulations (25/61)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Information Regulation (208/2010)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Laboratory Services Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 581 to 585 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Laboratory Services Regulation (52/2015)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Massage Therapists Regulation (280/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 130/2025</a>
Medical and Health Care Services Regulation (426/97)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 128/2025</a>
Medical, Diagnostic and Therapeutic Professionals Regulation (132/2025)	<b>NEW</b> Apr. 1/26	see <a href="#">Reg 132/2025</a>
Medical Practitioners Regulation (416/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 132/2025</a>
Medicare Protection Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 591 to 596 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
		by 2003 Bill 92, c. 95, section 5 (part) only (in force by <a href="#">Reg 46/2026</a> ), <a href="#">Medicare Protection Amendment Act, 2003</a>
Mental Disorder Presumption Regulation (136/2018)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Mental Health Regulation (233/96)	Mar. 18/26	by <a href="#">Reg 157/2025</a>
	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Midwives Regulation (281/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 133/2025</a>
Naturopathic Physicians Regulation (282/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 130/2025</a>

Nurses (Licensed Practical) Regulation (224/2015)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 133/2025</a>
Nurses (Registered Psychiatric) Regulation (227/2015)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 133/2025</a>
Nurses (Registered) and Nurse Practitioners Regulation (284/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 133/2025</a>
Nurses and Midwives Regulation (133/2025)	<b>NEW</b> Apr. 1/26	see <a href="#">Reg 133/2025</a> , as amended by <a href="#">Reg 41/2026</a>
Occupational Therapists Regulation (286/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 131/2025</a>
Opioid Damages and Health Care Costs Recovery Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 598 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Opticians Regulation (118/2010)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 131/2025</a>
Optometrists Regulation (33/2009)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 131/2025</a>
Oral Health Professionals Regulation (134/2025)	<b>NEW</b> Apr. 1/26	see <a href="#">Reg 134/2025</a>
Pharmaceutical Services Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 599 to 604 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Pharmacists Regulation (135/2025)	<b>NEW</b> Apr. 1/26	see <a href="#">Reg 135/2025</a> , as amended by <a href="#">Reg 44/2026</a>
Pharmacists Regulation (417/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 135/2025</a>
Pharmacy Operations and Drug Scheduling Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 605 (part) to 629 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Pharmacy Operations General Regulation (43/2018)	Apr. 1/26	by <a href="#">Reg 136/2025</a>
Physical Therapists Regulation (288/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 131/2025</a>
Pill Press and Related Equipment Control Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 630 to 635 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Pill Press and Related Equipment Control Regulation (278/2018)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Podiatrists Regulation (214/2010)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 132/2025</a>
Provider Regulation (222/2014)	Mar. 1/26	by <a href="#">Reg 128/2025</a> and <a href="#">Reg 6/2026</a>
Psychologists Regulation (289/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 131/2025</a>

Public Health Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 636 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Regulated Health Practitioners Regulation (129/2025)	<b>NEW</b> Apr. 1/26	see <a href="#">Reg 129/2025</a> , as amended by <a href="#">Reg 41/2026</a>
Speech and Hearing Health Professionals Regulation (413/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 131/2025</a>
Traditional Chinese Medicine Practitioners and Acupuncturists Regulation (290/2008)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 130/2025</a>
Vaccination Status Reporting Regulation (146/2019)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Veterinary Drugs Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 637 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>



## LABOUR & EMPLOYMENT

### Labour and Employment News:

#### **Labour Statutes Amendment Act, 2026 Introduced**

Proposed amendments to the [Employment Standards Act](#) and [Temporary Foreign Workers Act](#) were introduced on March 4 by [Bill 10, Labour Statutes Amendment Act, 2026](#). The amendments aim to improve the efficiency of the complaint and dispute resolution process for employers and workers by resolving complaints on straightforward issues more quickly and by helping workers recover unpaid wages sooner.

The amendments will allow the Employment Standards Branch to return unclaimed wages to workers more quickly through Unclaimed BC, a provincial fund that holds money for rightful owners. Employers may appeal a decision but must deposit the full amount owed before an appeal can proceed. Additionally, the director of employment standards will be granted the ability to close a complaint when no wages are owed and decide when a written report is necessary.

Other changes require employers and workers to attend complaint resolution meetings for straightforward matters to encourage earlier communication between the parties, before a full investigation is launched.

According to the government, these amendments will align BC practices with other Canadian jurisdictions.

Critics claim the bill enhances worker and union protections but may increase employer obligations, reduce flexibility, and introduce greater complexity into labour relations.

#### **Pay-to-Appeal: Proposed Changes to the BC Employment Standards Complaint and Appeal Process**

BC employers may soon face faster investigations, mandatory deposits on appeal, and changes to procedural steps at the Employment Standards Branch (the "Branch").

On March 4, 2026, [Bill 10](#), the *Labour Statutes Amendment Act, 2026* ("Bill 10"), was introduced in the Legislative Assembly of British Columbia. This new legislation proposes amendments to both the [Employment Standards Act](#) and the [Temporary Foreign Workers Act](#). On March 10, 2026, Bill 10 passed the Second Reading and moved to the Committee Stage.

In a press release, the BC Ministry of Labour conveyed that the legislative amendments proposed by Bill 10 will improve the complaint and dispute resolution process at the Branch, to increase opportunities for early dispute resolution and to make wage recovery for workers more efficient. The amendments are also intended to improve clarity and maintain fairness in investigations for both employers and workers. Read the [full article](#) by Sarah Hickey with McCarthy Tétrault LLP.

#### **Another Case Regarding Bonus Over the Notice Period**

In *Gale v Fairmont Hot Springs Resort Ltd.*, [2025 BCSC 2690](#) Justice Stephens awarded a 9 months notice period to a 63 year old Director of Sales and Marketing with 3.4 years service. The plaintiffs' compensation was a base salary of \$142,00 plus a bonus up to 25% of his base.

The Plaintiff was given notice of termination on February 8, 2024 and was given working notice until February 29, 2024.

The fiscal year end of the Defendant was November 30, 2023 and was actually paid out in February of 2024. For the first 6 months of the fiscal year he was paid a bonus of \$52,300 but was paid nothing for the last 6 months of the fiscal period. His payout for the first 6 months of the fiscal year was three times the maximum entitlement. In the previous 2 years, his bonus was equal to 97% of the 25% maximum. The total bonus received in the 30 months that he achieved a bonus averaged \$4,000 per month. Read the [full post](#) on *Barry Fisher's Employment Law Blog*.

**New Program Requirements for LMIA's Effective April 1, 2026**

Employment and Social Development Canada ("ESDC") has made changes to the program requirements for low-wage positions and introduced temporary measures to support rural employers under the Temporary Foreign Worker Program ("TFWP"). These changes came into effect on April 1, 2026.

ESDC has indicated that these measures are intended to target unemployed youth in Canada and to address critical labour shortages faced by rural communities due to low unemployment rates and difficulty attracting, recruiting and retaining workers.

A 'Low-Wage' position is a position where the Employer will pay less than the wage threshold provided for the province or territory of the job location. Read the [full article](#) by Sarah Gray with Mathews, Dinsdale & Clark LLP.

**Canada Labour Code: New Equal Treatment Wage Obligations on the Horizon**

The federal government is introducing a new equal wages framework under the [Canada Labour Code](#) (the "CLC") that will require federally regulated employers to pay comparable employees the same rate of wages, regardless of employment status. The draft regulations are expected to come into force in the early months of 2026.

In this blog post, we highlight three key elements of the equal treatment framework that employers should begin preparing for now. Read the [full article](#) by Carolyn Denault with McCarthy Tétrault LLP.

**Bona Fide Benefits Plans Clarified in Latest Okanagan College Decision**

We have the next chapter in the case involving Okanagan College and the Okanagan Faculty Association. As I noted in my last [insight post](#), in an arbitration between Okanagan College and the Okanagan Faculty Association, the arbitrator held that cessation of long-term disability benefit coverage for employees who have reached age 65 was not "bona fide" as that term is used in the BC [Human Rights Code](#) ("Code"). The employer sought a review of that decision under the [Labour Relations Code](#), and on February 9, 2026, the Labour Relations Board issued its decision, overturning the arbitrator's decision. Having concluded that the employer's plan was in fact bona fide, the matter is being sent back to the arbitrator to consider whether the exception in the Code (which allows a bona fide plan to discriminate on the basis of age) is itself contrary to the guarantee of equality enshrined in section 15 of the [Charter](#). Read the [full article](#) by Lisa Chamzuk with Lawson Lundell.

Act or Regulation Affected	Effective Date	Amendment Information
Crown Agency Employers Exemption Regulation (177/2007)	Apr. 1/26	by <a href="#">Reg 127/2025</a>
Employment and Assistance Regulation (263/2002)	Apr. 1/26	by <a href="#">Reg 128/2025</a> and <a href="#">Reg 21/2026</a>
Employment and Assistance for Persons with Disabilities Regulation (265/2002)	Apr. 1/26	by <a href="#">Reg 128/2025</a> and <a href="#">Reg 21/2026</a>
Employment Standards Act	Apr. 1/25	by 2025 Bill 11, c. 6, section 2 only (in force by <a href="#">Reg 193/2025</a> ), <a href="#">Employment Standards Amendment Act, 2025</a>
		by 2025 Bill 30, c. 27, section 2 only (in force by <a href="#">Reg 34/2026</a> ), <a href="#">Employment Standards (Serious Illness or Injury Leave) Amendment Act, 2025</a>
Employment Standards Regulation (396/95)	Apr. 1/26	by <a href="#">Reg 128/2025</a> and <a href="#">Reg 193/2025</a>
Firefighters' Occupational Disease Regulation (125/2009)	Mar. 16/26	by <a href="#">Reg 37/2026</a>
Group Life Insurance Regulation (No. 1) (408/97)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Labour Mobility Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 586 to 588 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Labour Relations Code	Apr. 1/26	by 2022 Bill 36, c. 43, section 589 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Long Term Disability Plan Regulation (409/97)	Apr. 1/26	by <a href="#">Reg 128/2025</a>

Pension Benefits Standards Regulation (71/2015)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Occupational Health and Safety Regulation (296/97)	Apr. 1/26	by <a href="#">Reg 229/2025</a>
Workers Compensation Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 641 to 643 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>



## LOCAL GOVERNMENT

### Local Government News:

#### Bill 17 Introduces Mandatory Code of Conduct for Local Governments

The *Housing and Municipal Affairs Statutes (Codes of Conduct) Amendment Act, 2026*, [Bill 17](#), was introduced on April 2. The amendments propose to establish a mandatory, province-wide code of conduct for all local officials in BC, for resolving conduct issues and strengthening the application of sanctions when warranted. The legislation proposes that:

- all municipalities and regional districts in BC follow the same complaint and investigation steps, to be supported by independent investigators;
- a defined range of sanctions would be available for the councils and regional boards, including a maximum 90-day suspension without pay, with clear reporting requirements for the public to ensure transparency; and
- a single provincially established code would set a standard of behaviour for all local elected officials in BC.

Critics claim the bill introduces greater provincial control over municipal governance, potentially limiting local autonomy and reducing flexibility in how councils manage conduct and accountability. If the Bill passes, a province-wide code of conduct will be set by regulation, and will be expected to be in place for the new councils and boards following the October 17, 2026 general local elections.

#### New Parental Leave Standards for Local Elected Officials

The *Housing and Municipal Affairs Statutes (Parental Leave) Amendment Act, 2026*, [Bill 18](#), introduced on April 2, proposes amendments to the [Community Charter](#), [Local Government Act](#), [Vancouver Charter](#), [Islands Trust Act](#) and [Cultus Lake Park Act](#) to introduce minimum parental leave standards for mayors, councillors, regional district directors, Islands Trust trustees and Cultus Lake Park Board members. Some of the standards that local governments would be required to follow include:

- a clear definition of parental leave for all parents or prospective parents for pregnancy, birth or adoption;
- a minimum of 26 weeks of leave and flexible start dates that can start as many as 4 weeks before the expected birth/adoption or as many as 26 weeks afterward;
- local elected officials may choose whether to continue to receive their pay during leave; and
- local elected officials will not be disqualified from office for missing council or board meetings during parental leave.

Critics claim the bill introduces new parental leave provisions for elected officials but may create administrative and governance challenges for municipalities, particularly with respect to coverage and continuity. If passed, the legislation will come into force by Royal Assent.

#### Impact on Local Governments – Miscellaneous Statutes Amendment Act 2026, Introduced

[Bill 16](#), *Miscellaneous Statutes Amendment Act, 2026*, was introduced on April 1 and proposes amendments to the [Greater Vancouver Sewerage and Drainage District Act](#), [South Coast BC Transportation Authority Act](#), [Local Government Act](#) and [Vancouver Charter](#). The amendments will reduce upfront costs for homebuilders, while allowing municipalities to access federal infrastructure funding. New eligible project categories will be established to enable local governments and TransLink more flexibility to reduce or waive development cost charges, fees paid by developers to local governments, and lower upfront costs to support more homebuilding. Reducing development charges on multi-unit developments is also a requirement for local governments to access federal infrastructure money through Canada's proposed Build Communities Strong program.

#### What Happens if Your Building Extends Into, Above or Below a Municipal Sidewalk

Every property owner probably knows roughly where their property begins and ends. However, without having a survey done, they likely aren't aware of their property's exact boundaries and may be unaware that part of their building on their property is actually encroaching onto another property. This article discusses the issues that can arise where an encroachment exists above, below or within a municipal sidewalk that is open to the public, as well as how these encroachments can be brought into compliance with applicable laws.

##### 1. What Kind of Encroachments May Arise?

The common encroachments that can occur above, below or into sidewalks are building canopies, signs, patios, walkways, staircases, below-grade parkades, and ventilation shafts.

Read the [full article](#) published by Civic Legal LLP.

**When the Price is Not Right: Legal Developments in Community Amenity Contributions**

Community amenity contributions ("CACs") have become an important means for local governments to work with rezoning applicants and developers in creating healthier cities. However, new caselaw demonstrates the limit of CACs, and their applicability to the rezoning process. It is trite to note that throughout our day, activities and items we purchase have a price. Be it a five-dollar drink from your favourite café, or the fee required to swim at a local pool, our actions, and in turn our wellbeing are often influenced by the time and resources we put towards them. This is also, of course, the case for local governments, where investments in amenities, such as parks and plazas have a direct impact on a community's social fabric. But who pays for these amenities, and what happens when they say no? This article covers how CACs have become an important avenue in a local government's toolkit to pay for amenities, and the limits of CACs in light of the *Lorval Developments Ltd. v. Langley (Township)*, [2025 BCSC 1148](#) ("Lorval") decision. Read the [full article](#) by Peter Mate, with Young Anderson Barristers & Solicitors, published in their client Newsletter Volume 37 Number 1.

**State and Future of the Planning Profession Study – Report Available**

When the British Columbia government enacted a series of housing legislation in 2023, there was a recognition at the time that many communities may experience challenges complying with the new legislative requirements while still carrying out existing duties, such as development application reviews, due to the perceived shortage of planners. While the broader economy and housing development activities have softened in the last two years, it remains important to establish an evidence-based understanding of the state and future of the planning profession for long-term and strategic planning by the Institute and other interest holders. Under the leadership of the Member Engagement Committee, PIBC retained Roslyn Kunin and Associates (RKA) to undertake the State and Future of the Planning Profession Study. Work commenced in October 2025. The consultant has completed the main deliverable for Phase 1 – a report documenting a labour market analysis and demand outlook for planners in British Columbia and the Yukon. This report – [State and Future of the Planning Profession Study](#) – is now available. Read the [full article](#) published by Planning Institute of British Columbia.

**Land Disposition: Understanding Public Notice Obligations**

Municipalities are required under [section 26 of the Community Charter](#), and regional districts under [section 286 of the Local Government Act](#), to provide public notice before agreeing to dispose of land or improvements. Public notice requirements for land disposition are often associated with the sale of land; however, the scope of what constitutes a "disposition" is broader than a sale alone. Although the *Community Charter* and *Local Government Act* do not define the term "dispose", it is interpreted broadly under the [Interpretation Act](#) to capture a transfer by any method, including selling, granting, charging, conveying, or leasing land or improvement. Accordingly, a disposition is not limited to a transfer of ownership. Where a local government leases land or improvements or grants another interest in land or improvements, public notice requirements are triggered even if title remains with the local government. Read the [full article](#) by Alexandra Greenberg, with Young Anderson Barristers & Solicitors, published in their client Newsletter Volume 37 Number 1.

**Province Shares New Plans for Heritage Conservation Act Amendments**

from UBCM:

The Ministry of Forests has released a [Technical Policy Paper](#) on the evolution of proposed changes to the [Heritage Conservation Act](#). This paper reflects the next phase of engagement on proposed changes to the Act as the Province moves towards legislative amendments in fall 2026. Upon review of the paper, UBCM notes that the proposed changes incorporate local government, First Nations and other stakeholder feedback, and that several areas of concerns raised by UBCM members have been addressed. The Province intends to move forward with a request for legislation following a 30-day comment period on the technical policy paper. UBCM will be given an opportunity to review the proposed legislative changes following the paper's comment period, and will determine if the final changes fully address member concerns. Read the UBCM [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Daylight Saving Time Regulation (136/2006)	<b>REPEALED</b> Mar. 9/26	by <a href="#">Reg 20/2026</a>
Fees and Student Tuition Protection Fund Regulation (140/2016)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Home Owner Grant Regulation (100/2002)	<b>RETRO to</b> Jan. 1/26	by <a href="#">Reg 24/2026</a>
	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Interpretation Act	Mar. 9/26	by 2019 Bill 40, c. 41, section 1 only (in force by <a href="#">Reg 20/2026</a> ), <a href="#">Interpretation Amendment Act, 2019</a>
	Apr. 1/26	by 2022 Bill 36, c. 43, section 580 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>

Liquor Control and Licensing Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 590 only (in force by <a href="#">Reg 126/2025</a> ), <a href="#">Health Professions and Occupations Act</a>
Liquor Control and Licensing Regulation (241/2016)	Mar. 25/26	by <a href="#">Reg 43/2026</a>
	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Vancouver Charter	Mar. 9/26	by 2019 Bill 40, c. 41, section 5 only (in force by <a href="#">Reg 20/2026</a> ), <a href="#">Interpretation Amendment Act, 2019</a>



## MISCELLANEOUS

### Miscellaneous News:

#### Safe Access Zones for Schools and Places of Worship

On March 9, the government tabled two bills intended to protect access to schools and places of public worship. [Bill 12](#) amends the [Safe Access to Schools Act](#) to extend the date of the Act's repeal from July 1, 2026 to July 1, 2028 and will continue protecting students and staff from disruptive behaviours around schools within safe access zones. [Bill 13](#), the *Safe Access to Places of Public Worship Act*, will extend similar protection to people attending places of public worship. Both pieces of legislation establish 20-metre protection zones around the boundaries of schools and religious sites, as well as the properties themselves. Police, within these zones, will be allowed to arrest or ticket people for disruptive behaviours such as harassment, intimidation or intervention. According to the government, the frequency of disruptive incidents on school sites has declined since the *Safe Access to Schools Act* was first enacted. Both Bills take effect on Royal Assent and Bill 13 is set to be repealed after four years.

#### Miscellaneous Statutes Amendment Act, 2026 Introduced

[2026 Bill 16](#) was introduced on April 1, 2026, and proposes amendments to the following acts:

##### [Judicial Review Procedure Act](#)

- clarifies how sensitive cabinet information is handled and protected during court challenges;
- introduces a 60-day deadline to limitation period to apply for for judicial review in most cases, aimed at reducing delay, legal costs and uncertainty.

##### [Fuel Price Transparency Act](#)

- introduces an industry-funded model, allowing the BC Utilities Commission to recover administration costs from fuel suppliers.

##### [Zero-Emission Vehicles Act](#)

- reduces the 2035 ZEV sales target from 100% to 75%;
- removes the prohibition on the sale of new internal-combustion engine vehicles from January 1, 2035;
- shifts the 2026 and 2030 ZEV sales targets to only the ZEV regulation, allowing greater flexibility to adapt to changing market conditions.

##### [Greater Vancouver Sewerage and Drainage District Act](#), [South Coast BC Transportation Authority Act](#), [Local Government Act](#), [Vancouver Charter](#)

- provides communities with new tools to help lower costs when building homes;
- allows communities to access federal funding that supports infrastructure.

##### [Manufactured Home Park Tenancy Act](#) and [Residential Tenancy Act](#)

- provides clarity that evidence rules, rather than court rules, are used for administrative penalty proceedings.

##### [University Endowment Land Act](#)

- enables the enforcement of university endowment land bylaws by implementing ticketing similar to what is used by local governments.

##### [Correction Act](#)

- allows correctional officers to assist health-care providers when delivering involuntary psychiatric treatment during an inmate's mental health crises;
- requires the Investigation and Standards Office (ISO) to report inspection findings to the Minister of Attorney General and the public;
- grants the ISO director with broader discretion regarding inmate complaint investigations.

#### How Would Limits to Court Access

#### Impact Reconciliation in BC?

The courts play an important role in advancing Reconciliation in British Columbia, particularly where legal accountability is at issue.

1However, Premier David Eby, KC signaled in January that the BC government intends to amend the [Declaration on the Rights of Indigenous Peoples Act](#) (DRIPA) in ways that could narrow the role of the courts. His public comments indicated that the responsibility for ensuring the consistency of provincial laws with UN Declaration on the Rights of Indigenous Peoples (UNDRIP) should rest with government-to-government processes involving the province, the federal government and Indigenous governments. Through public statements, letters and media interviews, the Canadian Bar Association, BC Branch has outlined our position that the Province should not restrict the courts' role in matters arising under DRIPA, including judicial review and statutory interpretation. CBABC also wrote to the Premier in early March to discuss the potential impacts of the proposed amendments and present recommendations. Read the [full article](#) published by CBABC.

**New Lawful Access Bill Still Lacking**

The federal government has tabled a new version of its lawful access legislation. Although the changes follow extensive stakeholder consultations, privacy lawyers say that only a few of the concerns with the original bill were addressed. As a result, serious concerns remain with [Bill C-22](#), which has been separated from C-2, the controversial omnibus border security bill. The first part of the new legislation deals primarily with production orders and narrows the scope of who can be asked for subscriber information to telecom providers. It also sets out explicit protections for medical providers and solicitor-client confidentiality, which were concerns raised in C-2. Read the [full article](#) by Dale Smith with CBA National.

**A Strike of Genius: Strategic Applications in Class Actions**

A recent decision of the British Columbia Court of Appeal delivers a clear reminder: pleadings matter. In *Hvitved v. Home Depot of Canada Inc.*, [2026 BCCA 39](#), the Court dismissed both the appeal and cross-appeal of the B.C. Supreme Court's certification order. In doing so, the Court of Appeal underscored a basic but foundational point – the success of a claim begins with properly pleaded facts. For class action defendants, the message is clear: applying to strike deficient pleadings remains a viable tool in the class action defence toolkit. Read the [full article](#) by Emily MacKinnon and Hannah Goodridge with Osler.

**The Charter's Two Notwithstanding Clauses**

We are at a pivotal juncture for the notwithstanding clause's future. It is at the centre of this week's Supreme Court hearings on Quebec's Bill 21, a law that bans public servants from wearing religious symbols. The Court may reexamine whether there are any limits on section 33, which allows legislatures to override portions of the [Charter of Rights and Freedoms](#) for five-year periods, including whether other sections of the *Charter* limit it. One central dispute is the tension between sections 28 and 33. Section 28 guarantees rights to men and women equally, notwithstanding anything in the *Charter*. Section 33 allows laws to operate, notwithstanding the guarantee of equality, including sex-based equality, in section 15. Read the [full article](#) by Michael Scott, Charlie Buck and Charles Dumais with CBA National.

**Workplace Sexual Misconduct in British Columbia: Legal Duties, Investigations & the OPCC Systemic Probe**

Workplace sexual harassment and misconduct in British Columbia is under renewed scrutiny following a systemic investigation launched by the Office of the Police Complaint Commissioner (OPCC). For employers and employees alike, this raises important questions: What is considered workplace sexual misconduct? What are an employer's legal obligations in BC? And how should organizations respond to complaints? Led by Commissioner Prabhu Rajan, the OPCC's investigation will examine how municipal police departments—including those in Vancouver and across the province—handle workplace sexual misconduct. Importantly, this is not about individual cases. The focus is on whether systems, policies, and workplace culture are effectively preventing and addressing misconduct. This authority arises from amendments to the [Police Act](#), reflecting a broader shift toward proactive oversight and institutional accountability. Read the [full article](#) by Katharine E. Hennebery with Watson Goepel LLP.

**BCLI Issues Report Curbing Unnecessary Litigation Risk for Directors and Officers**

BCLI has issued a new report aimed at injecting more clarity into an area of law where uncertainty creates unnecessary risk for directors and officers of being sued personally because of wrongs committed by their corporations. The [Report on Non-Statutory Liability of Directors and Officers](#) addresses a grey area where corporate law and the law of torts intersect, namely under what circumstances directors and officers share liability with the corporation for a common law tort. While directors and officers in business corporations are most affected, the report and its recommendations are relevant to both business corporations and incorporated not-for-profit organizations. Read the [full article](#) by Greg Blue with BCLI.

**BC High Court Finds Aboriginal Title to Large Chunk of Nootka Island**

The B.C. Court of Appeal has overturned a lower court decision and ruled that the Nuchatlaht First Nation has Aboriginal title over its entire 210-square-kilometre claim against provincial land on remote Nootka Island off the west coast of Vancouver Island. The [decision](#), released Friday [April 2], overturns a 2024 B.C. Supreme Court decision that found the Nuchatlaht had title to only a part of their claim, about 11 square kilometres, confined largely to coastal areas at the northwest tip of the island. Read *The Vancouver Sun* [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Civil Resolution Tribunal Act	Mar. 18/26	by 2025 Bill 17, c. 21, section 9 only (in force by <a href="#">Reg 38/2026</a> ), <a href="#">Intimate Images Protection Statutes Amendment Act</a>
Correction Act Regulation (58/2005)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Crime Victim Assistance (General) Regulation	Apr. 1/26	by <a href="#">Reg 128/2025</a>

(161/2002)		
Criminal Record Check Authorizations Regulation (386/2007)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Criminal Records Review Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 552 to 561 only (in force by <a href="#">Reg 126/2025</a> ), <a href="#">Health Professions and Occupations Act</a>
Designation Regulation (363/95)	Apr. 1/26	by <a href="#">Reg 136/2025</a>
Election Act	Mar. 9/26	by 2019 Bill 40, c. 41, sections 2 to 4 only (in force by <a href="#">Reg 20/2026</a> ), <a href="#">Interpretation Amendment Act, 2019</a>
Evidence Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 566 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Freedom of Information and Protection of Privacy Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 568 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Freedom of Information and Protection of Privacy Regulation (155/2012)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Government Body Designation (Public Interest Disclosure) Regulation (58/2022)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Intimate Image Claims Regulation (38/2026)	<b>NEW</b> Mar. 18/26	see <a href="#">Reg 38/2026</a>
Intimate Images Protection Act	Mar. 18/26	by 2025 Bill 17, c. 21, section 9 only (in force by <a href="#">Reg 38/2026</a> ), <a href="#">Intimate Images Protection Statutes Amendment Act</a>
Lobbyists Transparency Regulation (235/2019)	Apr. 1/26	by <a href="#">Reg 127/2025</a>
Personal Information Protection Act Regulations (473/2003)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Private Training Regulation (153/2016)	Apr. 1/26	by <a href="#">Reg 45/2026</a>



## MOTOR VEHICLE & TRAFFIC

### Motor Vehicle and Traffic News:

#### MVA: "Agony of the Moment" Doctrine

Case: *Bezanson v. Insurance Corporation of British Columbia*, [2026 BCCA 130](#)

The Appellant, driving home on his motorcycle, is approaching the T-intersection of East 29th Avenue and Nanaimo Street, Vancouver. A pick-up truck turns left onto Nanaimo Street, and then "immediately drift[s]" in front of the Appellant. (See para. 4). After the Appellant slows down to avoid the "clear hazard" presented by the pick-up, he attempts to pass but fails to navigate a curve in the road, crosses the median and collides head on with a Toyota FJ Cruiser travelling north. (See paras. 3-5). The entire sequence of events occurs over a period of "no more than, 10 seconds". (See para. 8). The Appellant says his injuries are caused by the negligence of the (unidentified) pick-up driver who "forced him to take evasive action leading to the collision". Following a trial on liability only, the Trial Judge (Kirchner J.) concludes the Appellant failed to establish the collision was caused in fact and in law by the pick-up driver's negligence. (See para. 1). On appeal, the Appellant submits the Trial Judge erred by, among other things, misapplying the "agony of the moment doctrine". (See para. 2). The Court of Appeal (Warren, Groberman, and Edlmann JJ.A.) dismisses the appeal. (See para. 41). Read the [full article](#) published by *Supreme Advocacy*.

#### Drawing a Line on the Implied License Doctrine

Although police were fine to approach the vehicle of a suspected impaired driver in a private driveway and knock on the window, officers breached his privacy rights when they opened the door after he failed to respond. That was the Supreme Court of Canada's finding in a [5-4 decision](#) in the case of Wayne Singer. The matter began when two RCMP officers in the community of Big Island Lake Cree Nation in Saskatchewan responded to a complaint that he was driving while impaired. They saw a truck that matched the description in the complaint in a residential driveway, running with its lights on. Inside, they could see that Singer was either asleep

or passed out. Read the [full article](#) by Dale Smith with CBA National.

### **Working Group to Consider Changes to the *Motor Vehicle Act***

The Ministry of Transportation and Transit is considering changes to the BC [Motor Vehicle Act](#) to improve transportation safety and affordability, and is inviting local governments to participate in an informal working group. Priority areas include:

- Commercial vehicle safety and enforcement,
- Protections for vulnerable road users (speed reduction and intersection safety), and
- New traffic control devices that support active transportation.

Read the UBCM [article](#).

### **'They're intense': Transport Canada Seeks Feedback on Bright Vehicle Headlights**

If you feel like vehicle headlights are too bright these days and are blinding your eyes on the road, Transport Canada wants to hear from you. The federal agency is conducting a survey on headlights that have gotten a lot brighter over the years, with some experts saying they're a safety concern. Bright LED lights on the road is becoming a more common trend that semi-truck drivers are noticing first-hand. Bill Fries has been a trucker for 30 years and said the stronger headlights can be useful, but harsh on the eyes. Read the [Global News article](#).

### **BC Government Relaxes 2035 Zero-emission Vehicle Sales Mandate**

The provincial government has backed away from a plan to outlaw the sale of all new gas-powered, light duty vehicles in the next decade. On Wednesday [April 1], B.C. Energy Minister Adrian Dix said an earlier mandate enshrined in provincial law – requiring that 100 per cent of all new vehicles sold be zero-emission by 2035 – will be amended. Instead, the new target will be 75 per cent. Dix said the changes to the 2019 [Zero-Emission Vehicles Act](#) would bring the province in line with recent changes to federal goals around the uptake of zero-emission vehicles and give consumers more flexibility. Read [The Vancouver Sun](#) article.

### **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
- [Bulletin 01-2026](#) – Passenger Transportation Regulation Amendment – Record Check Certificate Process
- [Commercial Transport Procedures Manual](#) – The Commercial Transport Procedures Manual has been updated.
- [Notice 02-2026](#) – Changes to Passenger Comment and Complaint Submission Process

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**

- **Reminder: Taxi licensees must replace old meters**  
The Passenger Transportation Board wishes to remind all taxi licensees that new standards for taxi meters will take effect on May 1, 2026. Read the [full update](#).

#### **Applications Received**

- [24249-25](#) – Said Mohammad Azam (Pemberton Horseshoe Taxi)
- [24117-25](#) – Arbutus Limousine Services Ltd.
- [24679-25](#) – Ark Cab Company Ltd. (Indra Jeet Singh)
- [24768-25](#) – Sener Yilmaz (Sener Art Motion)
- [24799-25](#) – Transfer from Herbert Ernst Rehfeldt to Leah Marie MacNeil
- [24114-25](#) – A Grape Experience Wine Tour Inc.
- [24760-25](#) – Z's Limo Service (ZLS) Ltd.
- [24683-25](#) – Regent Limousine Service Ltd.

#### **Application Decisions**

- [24283-25](#) – Northern Spirit Transportation Services Ltd. [Approved in Part]
- [23803-25](#) – Mandeep Singh Grewel (Tri City Limo) [Approved]
- [22970-25](#) – Sham Lal Enterprises Ltd. (DD Arrive Alive) [Refused]
- [25271-26 PS TOP](#) – Supreme Limousine & Chauffeur Service Ltd. [Approved]
- [22883-25](#) – 1377565 BC LTD. (Kao Auto) [Approved]
- [23674-25](#) – 0838255 B.C. Ltd. (Language Limousine) [Refused]
- [24169-25](#) – Ji Seuk Jang (Plan A Tours) [Approved in Part]
- [22005-24 TNS](#) – Halo Ride Hailing Ltd. [Approved]

- [24055-25](#) – Gabriel Robek (CyberLift) [Approved]
- [24696-25](#) – Andrei Cristea (Cristealine) [Approved]
- [23687-25](#) – Savannah Marie Swaisland [Approved]
- [25444-26 TOP](#) – Dara's Dolphins Transportation Services Ltd. [Approved]
- [24729-25](#) – Abdullah Abdulwahab AL-Yafeai (Ali Black Limo) [Refused]
- [24718-25](#) – Manoj Kumar Chandel (Victoria Taxi) [Approved]

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

Act or Regulation Affected	Effective Date	Amendment Information
Blood Sample Certificate Regulation (333/83)	<b>REPEALED</b> Apr. 1/26	by <a href="#">Reg 128/2025</a>
Enhanced Accident Benefits Regulation (59/2021)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Insurance Corporation Act	Apr. 1/26	by 2022 Bill 36, c. 43, section 576 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Insurance Premium Tax Regulation (128/2025)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Insurance (Vehicle) Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 577 to 579 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>
Insurance (Vehicle) Regulation (447/83)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Passenger Transportation Regulation (266/2004)	Mar. 16/26	by <a href="#">Reg 35/2026</a>
Victoria Regional Transit Commission Regulation No. 47-2026 (33/2026)	<b>NEW</b> Mar. 31/26	see <a href="#">Reg 33/2026</a>



## OCCUPATIONAL HEALTH & SAFETY

### Occupational Health and Safety News:

#### Protecting Workers from Traffic: Getting Started

Protecting workers from the all-too common risk of being struck by a vehicle is crucial. Preventing these incidents starts well before workers arrive on site. To do this, employers must assess the risks associated with every roadside work zone and develop a traffic control plan that effectively eliminates or minimizes those risks. Traffic control plans must follow the order of controls set out in Section 18.3 of the [Occupational Health and Safety Regulation](#), as well as the principles outlined in the [2020 Traffic Management Manual for Work on Roadways](#). Read the [full article](#) published in *WorkSafe Magazine* – Spring 2026.

#### BC Expands Cancer Coverage for Firefighters

The British Columbia government announced changes to the [Workers Compensation Act](#) that will add eight cancers to the list of diseases presumed to be work-related for firefighters, making the province home to the most comprehensive firefighter cancer protections in Canada, according to a press release. The eight cancers being added are skin cancer, mesothelioma, soft-tissue sarcoma, and cancers of the larynx, trachea, bronchus, nasal cavity, and pharynx. They will join an existing list of 18 presumptive cancers established under the [Firefighters' Occupational Disease Regulation](#). The province also reduced the minimum employment period required to qualify for esophageal cancer coverage, dropping it from 20 years to 15 years. Read the [full article](#) by Jonalyn Cueto with *Canadian Occupational Safety Magazine*.

#### WorkSafeBC Investigating BC Avalanche that Critically Injured Worker, Killed 3 Guests

WorkSafeBC has launched an investigation into a fatal avalanche involving a heli-ski operation in northwestern British Columbia, treating the slide as a serious workplace incident and warning employers they remain responsible for managing avalanche risks wherever their employees work. The agency said it was notified about Sunday's slide on Mount Knauss, north of Terrace, as a "serious workplace incident" and has deployed investigators to determine what happened and whether similar tragedies can be prevented, according to a report from The Canadian Press (CP). Read the [full article](#) by Jim Wilson with *Canadian HRReporter*.

#### April 2026 Public Hearing on Proposed Regulatory Amendments

WorkSafeBC is holding a virtual public hearing on proposed amendments to the Occupational Health and Safety Regulation. The virtual public hearing will be streamed live on April 21, 2026, in two sessions. The first will take place from 11 a.m. to 1 p.m. and the second from 3 to 5 p.m. Further information on how to view or participate in the virtual public hearing will be provided closer to the hearing date. These details will be posted on worksafebc.com and communicated by enews. Read the [full announcement](#) from WorkSafeBC.

### **Crane Safety: BC Moves towards Mandatory Licensing and Permitting**

British Columbia is moving to introduce mandatory licensing and permitting for crane work under WorkSafeBC, in what observers say is the most significant expansion of crane safety oversight since a series of high-profile incidents and regulatory reforms began in 2021. The province says forthcoming legislation will enable a WorkSafeBC-administered crane licensing and permitting framework intended to strengthen protections for workers and improve the consistency of safety standards across high-risk crane operations. Read the [full article](#) by Jim Wilson with *Canadian Occupational Safety Magazine*.

### **Licensing and Certification Transforming Asbestos Work in BC**

Two years in, these programs are revealing high-risk work and are helping protect workers before exposure to asbestos occurs. Asbestos may be banned from new construction, but it remains a serious and persistent hazard in older buildings across B.C. That legacy risk continues to surface during renovations, maintenance, and demolition – often in places where workers least expect it. The consequences are profound. Asbestos exposure remains the leading cause of work-related death in the province. Diseases such as lung cancer, asbestosis, and mesothelioma can take decades to develop, making prevention today critical to protecting workers' long-term health. Read the [full article](#) by Alexandra Skinner with WorkSafeBC.

### **OHS Policies/Guidelines – Updates**

#### **Guidelines – Occupational Health and Safety Regulation**

March 12, 2026

The following new and revised guidelines were posted:

- Part 7, Division 4 – Heat Exposure
  - [G7.27\(1\) Heat exposure – Application](#) (revised)
  - [G7.28\(1\)-1 Heat stress exposure limits](#) (new)
  - [G7.28\(1\)-2 Unacclimatized workers](#) (new)
  - [G7.29-1 Heat stress assessment](#) (revised)
  - [G7.29-5 Exposure control plan](#) (revised)
  - [G7.30 Heat stress controls](#) (new)
  - [G7.31 Provision of water](#) (new)
- Part 13, Ladders, Scaffolds and Temporary Work Platforms
  - [G13.2 Ships' ladders](#) (revised)
- Part 20, Construction, Evacuation and Demolition – Work in Compressed Air
  - [G20.123 Alternate acceptable standard](#) (revised)

The following guidelines were retired:

- [G7.28\(1\) Exposure limits – Using the ACGIH Standard](#)
- [G7.28\(2\) Clothing correction values](#)
- [G7.29-2 Environmental parameters](#)
- [G7.29-3 Physiological measures](#)
- [G7.29-4 Heat stress assessment using a dry bulb thermometer or Humidex index](#)
- [G7.30-1 Engineering controls](#)
- [G7.30-2 Administrative controls](#)
- [G7.30-3 Personal protective equipment](#)

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

April 1, 2026

The following guidelines were revised or retired consequential to amendments to the OHS Regulation in effect on April 1, 2026.

- Part 8: Personal Protective Clothing and Equipment – Safety Headgear
  - [G8.12/8.13 Use of safety headgear for workers on ATVs similar equipment in agricultural operations](#) (revised)
  - [G8.13 Use of safety headgear with bicycles and skates](#) (revised)
- Part 8: Personal Protective Clothing and Equipment – Respirators
  - [G8.33-1 Respiratory protection – Selection](#) (revised)
  - [G8.33\(1\) Selection of respiratory protection – Alternate standard](#) (retired)
  - [G8.34-3 Maximum use concentration and IDLH](#) (revised)
  - [G8.40 Respiratory protection – Fit test](#) (revised)
  - [G8.41 User seal check – Alternate standard](#) (retired)

- [G8.44 Records](#) (retired)
- [G8.45 Maintenance and inspection of self-contained breathing apparatus](#) (revised)
- Part 31: Firefighting – Respirators
  - [G31.26 Maintenance and inspection of self-contained breathing apparatus](#) (revised)

**Policies – Occupational Health and Safety Regulation**

April 1, 2026

Housekeeping changes were made to the following policy items to reflect amendments to the OHS Regulation in effect on April 1, 2026.

- [R8.33-1 Respirators – Interchanging Air Cylinders](#)
- [R8.33-2 Respirators – Interchanging Air Lines](#)

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

Act or Regulation Affected	Effective Date	Amendment Information
Firefighters' Occupational Disease Regulation (125/2009)	Mar. 16/26	by <a href="#">Reg 37/2026</a>
Occupational Health and Safety Regulation (296/97)	Apr. 1/26	by <a href="#">Reg 229/2025</a>
Workers Compensation Act	Apr. 1/26	by 2022 Bill 36, c. 43, sections 641 to 643 only (in force by <a href="#">Reg 126/2025</a> , as amended by <a href="#">Reg 19/2026</a> ), <a href="#">Health Professions and Occupations Act</a>



**PROPERTY, REAL ESTATE & CONSTRUCTION**

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

**Supportive Housing Tenancy Rules Strengthened [Early Consolidation]**

On March 4, [Bill 11](#), the *Residential Tenancy Amendment Act, 2026*, was introduced and proposes amendments to the [Residential Tenancy Act](#) to improve health and safety in supportive housing while continuing to protect the rights of tenants. Supportive housing is subsidized housing with on-site supports for people at risk of or experiencing homelessness, to help improve housing stability, quality of life and greater independence of tenants. Some of the new tools proposed by the legislation to help supportive housing providers deal with disruptive tenants include:

- the authority to enforce bans on weapons;
- options for providers to temporarily restrict access to certain individuals when critical health and safety risks to other residents and staff exist; and
- clarifying the circumstances on when and where the *Residential Tenancy Act* applies.

Most of these amendments are set to come into force in the future by regulation. For your convenience, Quickscribe has published an [early consolidation](#) of the changes to the *Residential Tenancy Act*.

**Big Bills Are Coming Due for Underfunded BC Stratas, Says New Report**

BC condo budgets are severely underfunded compared to other provinces, says a new report. Ontario's condo budgets are nearly 40 per cent higher than those in B.C. and Alberta, largely a result of Ontario's higher funding requirements, said a [March 3 report](#) by OctoAI Technologies Corp., a Vancouver-based condo intelligence provider. Ontario condo owners contribute nearly three times more to reserve funds than those in BC, the report said. As a result, Ontario condo communities have per-unit reserves that are more than double those in British Columbia. BC condo communities have just \$4,000 per unit set aside for capital projects, compared to about \$6,000 in Alberta and \$10,000 in Ontario, said the report. Underfunded condominiums in BC are facing a funding cliff and are likely to see a surge in unexpected repair bills, it said. Special levies—for things like a roof, siding, window and balcony projects—could put BC condo owners in a precarious position, OctoAI said. Read the [BIV article](#).

**Who Benefits: Allocating Common Property Expenses that "Solely Relate to" a Section of a Strata Corporation**

The BC [Strata Property Act](#), SBC 1998, c 43 (the "Act") permits strata corporations to create "sections" to represent the different interests of different types of strata lots (i.e., residential vs. non-residential, tower vs. townhouse, etc.). Under s. 195 of the Act, expenses for common property that "relate solely to" the strata lots in a section are to be shared by the owners of those lots only, calculated *pro rata* based on unit entitlement. Naturally, s. 195 has generated debate about what exactly "relate solely to" means. A recent decision of the British Columbia Supreme Court, *Section 2 of the Owners, Strata Plan LMS 257 v. The Owners, Strata Plan LMS 257*, [2025 BCSC 1985](#) ("LMS 257"), provides clarity. In LMS 257, the court found the owners of strata lots in a commercial section were not required to pay to repair an interior courtyard catwalk used solely by owners in the residential section. It affirmed guidance

from the BC Court of Appeal in *Thurlow & Alberni Project Inc. v. The Owners, Strata Plan VR 2213*, [2022 BCCA 257](#) ("Thurlow"), concluding that expenses "relate solely" to a section where the expenses "solely benefit" that section. Read the [full article](#) by Daniel Siracusa and Lauren Prail with McCarthy Tétrault.

**Builders Liens in BC: The Importance of Filing on Time**

The recent Supreme Court of British Columbia decision in *All Seasons Roofing (2001) Ltd. v. Newport Village Courtenay Developments Ltd.*, [2025 BCSC 1930](#), serves as a reminder that the timelines for filing a builders lien under the *Builders Lien Act*, SBC 1997, c 45 (the "BLA"), are strictly enforced. Failure to comply with those timelines can result in a lien being extinguished entirely. The decision underscores two critical and often misunderstood points: a lien claimant cannot rely on vague or unsupported assertions of ongoing work to extend the 45-day filing deadline, and an owner cannot unilaterally trigger that deadline by issuing a certificate of completion outside the statutory process. Read the [full article](#) by Kim Do and Tyler Williamson with Clark Wilson LLP.

**Court Refuses to Discharge "No-Build" Covenant in Indian Arm**

Restrictive covenants frequently shape the development landscape across British Columbia. They are often registered against title decades earlier and can significantly limit what property owners are permitted to build or how land may be used. When market conditions change, or municipal policies evolve, owners sometimes seek to have these covenants cancelled under [s. 35 of the Property Law Act](#). In *Wozniak v. North Vancouver (District)*, the Supreme Court of British Columbia considered whether a long-standing "no-build" covenant registered against a property in Indian Arm should be discharged. The petitioner argued that the covenant had become obsolete and no longer served a practical purpose. The Court disagreed and dismissed the petition. This decision provides important guidance for property owners, developers, and municipalities on the high threshold required to cancel a restrictive covenant under s. 35 of the *Property Law Act*. Read the [full article](#) published by the Meridian Law Group.

**Justifying User Fees**

**Dear Tony:** Our strata corporation is charging \$100 to replace keys in our common areas and \$250 for new FOBS in the parking garage. The strata council has decided it has been over 3 years since we last updated our locks and access to the parking garage. They are refusing to provide owners with the new keys or FOBS unless they pay the fee first. This seems very heavy handed and unfair. They are also charging an additional \$50 for each additional key for units and limiting them to 2 per unit. We have several families with working parents and school age children who also require access. How does the strata council have the ability to charge these outrageous costs? – *Marion V Kelowna*

**Dear Marion:** Strata corporations have a restricted ability to collect funds. Strata fees are calculated through the approval of the annual budget, special levies are approved by a 3/4 vote resolution at a general meeting or common insurance deductible, and bylaw fines, damages and insurance deductibles may be imposed through an enforcement and collection process.

Read the [full article](#) by Tony Gioventu with CHOA.

**Aboriginal Title Claims and Private Land: Understanding Recent Developments**

Until recently, claims for Aboriginal title have focused on Crown (government-owned) land. Two 2025 court decisions, *Cowichan Tribes v Canada (Attorney General)* (*Cowichan Tribes*) and *J.D. Irving, Limited et al. v. Wolastoqey Nation (Wolastoqey Nation)*, considered whether and how Aboriginal title applies to privately held lands, prompting broader discussions about the origins and implications of these claims. In a recent seminar, partners in our Commercial Real Estate and Indigenous law groups discussed these developments and highlighted several key takeaways. Read the [full article](#) by Sam Adkins, Rochelle Collette, Graham Fulton and Roy Millen with Blakes.

Act or Regulation Affected	Effective Date	Amendment Information
Guide Dog and Service Dog Regulation (223/2015)	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Home Owner Grant Regulation (100/2002)	RETRO to Jan. 1/26	by <a href="#">Reg 24/2026</a>
	Apr. 1/26	by <a href="#">Reg 128/2025</a>
Residential Tenancy Regulation (477/2003)	Apr. 1/26	by <a href="#">Reg 128/2025</a>



**WILLS & ESTATES**

**Wills and Estates News:**

**Should the Definition of "Child" Be Expanded for Wills Variation Claims? B.C. Court Finds a Triable Issue**

Recently, I [wrote](#) about DNA testing orders in estate litigation and noted that, to date, British Columbia courts have limited the legal definition of "child" for wills variation claims to biological or adopted children. I also highlighted that the Court of Appeal had left open the possibility that a future case could revisit this definition. That possibility was directly considered in the chambers decision of *Stainer v. Thurgood*, 2026 BCSC 326. In *Stainer*, the administrators of an estate applied under Rule 9-6 of the [Supreme Court Civil](#)

[Rules](#) to summarily dismiss a wills variation claim on the basis that there was no genuine issue for trial. The plaintiff admitted that she was neither the biological nor adopted child of the deceased. The dispute centered on whether she nonetheless had standing to bring her claim. Read the [full article](#) by [James Zaitsoff](#) with Legacy Tax + Trust Lawyers.

### **Digital Remains and the Future of Estates Law in British Columbia**

Today's clients typically leave more than just a house, some furniture, and a tidy list of bank accounts when they pass. And the key to a safety deposit box might instead be a locked iPhone that controls two-factor authentication for a plethora of "digital remains." The email accounts probably hold billing records, their iCloud storage, other business documents... and what instructions have they left their heirs regarding their cryptocurrency wallets or monetized social media accounts? Executors may have legal authority to administer the estate but no practical ability to access the digital life that makes that administration possible. There is a growing corpus of literature on this trend and the underlying tension between privacy interests of the deceased, various corporate interests (and terms of service) of the mostly big tech custodians of our digital afterlife, and the emotional, financial, and pragmatic needs of the loved ones left behind. Read the [full article](#) by Courthouse Libraries, published in BarTalk.

### **When Executors Don't Get Along: The Court's Considerations on Addressing an Inability to Work Together**

Disagreements between co-executors are not uncommon – especially when the role is shared by grieving siblings or family members with a strained relationship. But how much conflict is too much? In a recent case with somewhat unique circumstances, *Parkinson Estate (Re)*, [2025 BCSC 152](#) [*Parkinson*], the British Columbia Supreme Court reaffirmed that personal animosity alone is not enough to remove an executor from their role. In *Parkinson*, a sister (Ms. Parkinson) applied to have her brother (Mr. Parkinson) passed over as co-executor of their father's estate. This would leave Ms. Parkinson as the sole executor under their father's will. Under the will, the two siblings are the sole beneficiaries. Read the [full article](#) by Scott Boucher and Maggie MacInnis with Lawson Lundell.

### **Determining Spousal Status in Estate Matters**

The determination of spousal status has significant implications in estate matters. Many unmarried clients have preconceived notions and strong opinions about their spousal status. These beliefs may not be based in law, and a client may be surprised to learn that their spousal status is different from what they assumed, potentially resulting in unintended legal and financial consequences. Case law makes it clear that spousal status, and particularly the definition of a marriage-like relationship, cannot be determined by the presence or absence of any particular factor. There is no checklist of characteristics that will invariably be found in all marriages. A holistic approach must be taken to determine spousal status and whether two parties are in or were in a marriage-like relationship. Read the [full article](#) by Julia Norman and Joni Metherell with BarTalk.

### **Hidden Coins in the Home: Residue of the Estate or Household Contents?**

It is not uncommon for executors to make surprising discoveries when administering an estate. Occasionally, that surprise comes in the form of coins hidden in a testator's home. When a will contains a gift of household contents to one beneficiary and a gift of the residue of the estate to another, an immediate and important question arises: who is entitled to the coins? Many wills include a clause gifting the contents of the testator's residence, often described as articles of household use, household goods, or personal effects. In order to avoid a partial intestacy, wills also include a residuary clause, which captures all remaining assets in the estate after debts, taxes, and other testamentary gifts have been dealt with. However, when a will is not clear on whether an asset falls under one of these two categories, courts may be required to interpret the will and determine where those assets fall. Read the [full article](#) by Mark Weintraub, K.C., and Mackenzie Do with Clark Wilson LLP.

### **When Two Wills Become One Big Problem**

*The [Wills, Estates and Succession Act](#) risk for small business owners in BC*

Small business owners who hold shares in a privately held corporation may look to the "multiple wills" strategy as an attractive estate planning solution to keep the value of their corporate assets out of probate. In this article, we review when this strategy may not be the right solution and why an alter ego trust ("AET") or joint partner trust ("JPT") may be a better option (for clients who are 65+). Consider this client scenario: your client, Rae, is 70 years old. She is married to her second spouse and has two adult children from a previous marriage. She has built a successful business. She wishes to leave her business to her kids and everything else to her spouse, while paying as little as possible in probate fees. She asks about the "multiple wills" strategy. The concept of multiple wills is relatively straightforward. The client makes one will for corporate assets (the limited or secondary will) and one will for personal assets – essentially everything else (the general or primary will). In British Columbia, the two wills must have different executors. On death, the executor of the general will applies for probate of that will (and discloses only those assets governed by that will), but the executor of the limited will need not apply for probate, as shares in privately held corporations often do not require a grant of probate to administer. Read the [full article](#) by Susanne Greisbach and Kristen Collishaw with BarTalk.

### **When Texts Aren't Wills –**

#### **Court of Appeal Clarifies Section 58**

I've written previously about [section 58 of the Wills, Estates and Succession Act](#) (*WESA*) – this is a powerful remedial provision that allows BC Courts to 'cure deficiencies' and admit to probate a record or document that represents a deceased's testamentary intentions, but does not meet the formal requirements of a valid will, revocation, alteration or revival of a past will under *WESA*. Section 58 has been used by courts in BC to 'cure' and probate: a lawyer-prepared will that was unsigned, a handwritten will that was improperly witnessed, loose notes around a bedroom leaving certain property to specific people, and entries on a computer setting out plans to prepare a will. In the decision of *Paige v. Noel*, [2026 BCCA 358](#), the 'records' at issue were an informal text message and email. The chambers judge found these messages were a 'record' that could be 'cured' under s. 58. The Court of Appeal disagreed and overturned the decision. Read the [full article](#) by James Zaitsoff on the BC Estate Litigation Blog.

### **Family-size Class Warfare – Who Gets the Ranch?**

Kenneth Jack probably had no idea he was setting up a future class war when he made his will calling for his estate to be divided equally amongst his children who survived him, but that's what happened. Mr. Jack the Senior ("Mr. Jack") made a will in 2006 and died in 2018. His will called for the residue of his estate to be divided equally among "my children then alive." A term in a will that

says what is to happen with the residue of the estate is called a "residuary clause." Residue is the portion of an estate left over after all debts, funeral expenses, and other expenses are paid and specific property that the will gives to particular beneficiaries has been distributed to those beneficiaries. Read the [full article](#) by Greg Blue with BCLI.

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

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