

Quickscribe Reporter

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Vol: XXV – Issue 9 – September 2026

QS News

No Fall Sitting for B.C. Legislature

With the Legislative Assembly dissolved for the provincial election, the fall sitting that had been scheduled to begin in October will not proceed. As a result, no regularly scheduled legislative business will take place this fall. A sitting schedule for the new Parliament has not yet been announced. Under the Legislature's normal calendar, the spring sitting begins in February and continues through May, although dates for the new Parliament will be confirmed following the election. While the House is dissolved, regulations, Orders in Council and the coming into force of previously enacted legislation can still result in legislative changes, and Quickscribe will continue to track these developments. BC's general local elections take place October 17, followed by the provincial election on October 24.

Lexi – Early Launch Planned for November

We are getting close. Following several months of testing and a deliberately slow, methodical rollout, we are now targeting **early November for the Early Launch of Lexi – AI for Legislative Research**.

Lexi provides another way to search Quickscribe's legislation: ask a practical legal or factual question in plain language and Lexi helps identify the current legislation and provisions that may be relevant, with the underlying primary law kept front and centre.

Lexi is completely optional. Organizations control whether it is enabled, who has access, and how it is configured. **Nothing will be activated across your organization without authorization, and no action is required now.**

During November, Quickscribe will contact clients directly to discuss their options. Lexi will be included with Quickscribe **at no additional cost**. The Early Launch will continue through year-end, followed by our broader **General Launch in January**, with additional features and optional enhanced-access choices.

Want to try it now? Visit the Lexi page and select **"Notify me when Lexi launches"**. We will contact you, normally within 48 hours, about approved individual Preview access.

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

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

Quickscribe Alerts

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

Want to Track Federal Laws?

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

Looking for Previous Reporters?

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

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COMPANY & FINANCE

Company and Finance News:

B.C. Pauses PST Expansion to Professional Services

The B.C. government has paused the planned expansion of the provincial sales tax (PST) to certain professional services, which had been scheduled to take effect on October 1, 2026. The Province announced the change on September 18, citing ongoing international trade disruptions and economic uncertainty.

The expansion, introduced as part of Budget 2026, would have extended the 7% PST to accounting and bookkeeping services, architectural services, engineering and geoscience services, security and private investigation services, and certain non-residential real estate services. For architectural, engineering and geoscience services, PST was to apply to 30% of the purchase price.

While changes to the [Provincial Sales Tax Act](#) came into force on October 1st, the Province has implemented the pause through [B.C. Reg. 161/2026](#), which has added exemptions to the [Provincial Sales Tax Exemption and Refund Regulation](#), with the result that the planned October 1 expansion will not take effect and the affected professional services will continue to receive their existing PST treatment.

The change will be particularly relevant to businesses, public bodies and local governments that purchase these professional services, as well as service providers that had been preparing to register, modify invoicing systems and collect PST beginning October 1. The Province estimates that the pause will avoid approximately \$260 million in additional costs for people, businesses and local governments in 2026-27.

The pause applies to the newly proposed expansion of PST and **does not affect legal services**, which remain subject to B.C.'s existing PST rules.

No new effective date for the expansion has been established. Quickscribe will continue to monitor any further regulatory or legislative developments affecting the taxation of professional services in British Columbia.

Productivity Mega Deduction: Key Tax Measures Announced at the Canada Investment Summit

Key takeaways

- Canada has proposed a permanent Productivity Mega Deduction that would allow eligible taxpayers to deduct up to 100% of the cost of eligible depreciable capital property acquired on or after September 15, 2026.
- Eligible Canadian development expenses ("CDE") would also qualify for immediate expensing.
- The measure would increase the share of capital investment eligible for immediate expensing from roughly 15% to approximately two-thirds.
- Most buildings, goodwill and certain other assets are excluded from the Productivity Mega Deduction.
- The Canada Revenue Agency ("CRA") will prioritize advance income tax ruling requests relating to investments of \$1 billion or more in Canada.

On September 15, 2026, at the first-ever Canada Investment Summit, the Government of Canada announced a new permanent "[Productivity Mega Deduction](#)" that would allow the cost of a broad range of depreciable properties and Canadian development expenses to be deducted immediately. Since Canada already has a "productivity super-deduction", the new deduction is a "mega deduction". An accompanying backgrounder ("Backgrounder") and draft legislative proposals to amend the [Income Tax Act](#) ("ITA") and regulations thereunder ("Regulations") were released on the same date. The CRA will also prioritize advance income tax ruling requests relating to investments of \$1 billion or more in Canada. Read the [full article](#) by Stefanie Morand, Nigel P.J. Johnston, Corinne Grigoriu, Abbey Kind, Katherine Neil and Rojin Esmaeili with McCarthy Tétrault.

"Access Equals Delivery" Model for Continuous Disclosure Comes into Force

On September 22, 2026, the "access equals delivery" model (the "Access Model") for continuous disclosure documents came into force. As a result, a reporting issuer (other than investment funds) that complies with the Access Model will be exempt from the annual requirement to send request forms to securityholders to request paper copies of their annual and interim financial statements and related management's discussion & analysis (collectively, the "CD Documents"). Note, however, that the Access Model does not impact a securityholder's ability to request CD Documents in electronic or paper form and if a securityholder has provided standing instructions to receive the CD Documents in electronic or paper form, an issuer is required to continue to comply with those instructions. Read the [full article](#) by Gillian Muirhead, Rachelle Wong, Meghan Little and Ian Jonson with Lawson Lundell LLP.

CRA to Prioritize Advance Ruling Requests for Large Investments

On September 14, 2026, the Minister of Finance and National Revenue announced that the Canada Revenue Agency (CRA) will, as of now, prioritize advance income tax ruling (AITR) requests relating to investments of at least \$1 billion in Canada. The news release, issued on the first day of the federal government's Investment Summit, states that this change is intended to provide "the clarity and certainty [major investors] need to move forward with confidence to get projects built" by reducing risks and informing investors' financing decisions.

AITRs allow taxpayers to request the CRA's view of how specific provisions of the [Income Tax Act](#) (Canada) apply to a proposed transaction. Once issued, AITRs are binding on the CRA for the particular taxpayer (subject to stated requirements or caveats). The news release notes that AITRs provide "the highest level of tax certainty available from the CRA." Read the [full article](#) by Timothy Hughes and Ilana Ludwin with Osler.

Who Can Deduct Legal Fees for a Tax Dispute in Canada? Lessons from *Kruivitsky v. The King*

You paid a relative's legal fees for their tax dispute, but can you claim the deduction?

According to the Tax Court of Canada's recent decision in *Kruivitsky v. The King*, [2026 TCC 141](#) [*Kruivitsky*], the answer was no. Here is what the ruling could mean for those that fund someone else's tax fight.

The appellant, a chartered accountant, paid \$6,211 in legal fees to support a tax appeal pursued by her niece's husband. The appellant had no financial stake in the outcome of the dispute. The appeal was ultimately discontinued.

The appellant subsequently claimed the legal fees as a deduction under subparagraph 60(o)(i) of the [ITA](#). The Canada Revenue Agency denied the deduction, and she appealed to the Tax Court of Canada. Read the [full article](#) by Thomas Ghag with Miller Thomson.

CSA Seeks Comment on Proposed Amendments to Investment Fund Repurchase Transactions Requirements

The Canadian Securities Administrators (CSA) today [Sept. 17] [published](#) for comment proposed amendments that would provide harmonized exemptions from certain repurchase transactions requirements for reporting issuer investment funds. The proposed amendments are intended to facilitate access to the Bank of Canada's Contingent Term Repo Facility (CTRF), as well as any future repurchase facilities provided by the Bank of Canada for liquidity management purposes. The proposed amendments would codify the temporary exemptive relief provided by Coordinated Blanket Order 81-930 *Exemptions from Certain Repurchase Transactions Requirements for Investment Funds*.

The CTRF is designed to support the stability of the Canadian financial system and to counter future, severe market-wide liquidity stress events. The CTRF is activated and deactivated at the Bank of Canada's discretion and offers funding for terms of up to 30 days to eligible participants against securities issued or guaranteed by the Government of Canada or a provincial government. Eligible investment funds with exposure to money market and fixed income securities may find it helpful to access the CTRF or a future repurchase facility to better manage their liquidity during periods of severe market-wide stress. Read the [news release](#) from the BC Securities Commission.

Updates to BC Sales Taxes

The following updates to sales taxes were recently posted:

Provincial sales tax (includes municipal and regional district tax)

- **September 8, 2026**

[FIN 319, Gift of a Vehicle \(PDF, 310KB\)](#), has been updated to clarify submission instructions.

- **September 9, 2026**

The [PST on engineering and geoscience services](#) page has been updated to:

- Note that firms selling taxable services should register to collect and remit PST, not their individual engineers or geoscientists
- Clarify that EGBC-registered firms providing advice or services within the practice of engineering and geoscience are providing services subject to PST, unless a specific exemption applies, regardless of whether the individual providing the advice or service is registered
- Clarify that PST applies to registered software engineering firms
- Clarify that services are PST exempt when provided as part of exempt categories of service

The [PST on architectural services](#) page has been updated to:

- Note that firms selling taxable services should register to collect and remit PST, not their individual architects
- Clarify that AIBC-registered firms providing advice or services within the practice of architecture are providing services subject to PST, unless a specific exemption applies, regardless of whether the individual providing the advice or service is registered
- Clarify that services are PST exempt when provided as part of exempt service phases

Both pages have also been updated to:

- Specify that services must be purchased solely for resale for the resale exemption to apply. Relevant examples have been added
- Note that you may choose to itemize taxable and non-taxable or exempt goods and services separately on invoices to avoid making a bundled sale

- **September 10, 2026**

The [PST on accounting services](#) page has been updated to clarify that tax planning services and certain consulting and management services are subject to PST.

The [PST on security services](#) page has been updated to clarify that security alarm services, other than security alarm monitoring, are exempt as security services.

The [PST on non-residential real estate services](#) page has been updated to:

- Note that brokerages selling taxable services should register to collect and remit PST, not individual licensees
- Add a section on commissions and clarify that:
 - PST applies to real estate commissions and fees on the sale or lease of non-residential real estate
 - PST does not apply again when the brokerage pays out commission to an agent or personal real estate corporation
- Note that PST does not apply to non-residential real estate services provided by a company to its own properties
- Clarify how PST applies to mixed-use properties, including commission for the sale of a mixed-use property

All three pages have also been updated to:

- Specify that services must be purchased solely for resale for the resale exemption to apply. Relevant examples have

been added

- Note that you may choose to itemize taxable and non-taxable or exempt goods and services separately on invoices to avoid making a bundled sale

- **September 18, 2026**

As [announced](#) today, the expansion of PST to accounting, architectural, engineering, geoscience, non-residential real estate, and security services is paused.

- **September 21, 2026**

The [Cannabis](#) page has been updated to clarify that you must register for PST if you make cannabis sales that are not for resale (i.e., you sell to a person who will consume or use the product), including when the sale is to another licensed business.

- **September 21, 2026**

As [announced](#), the expansion of PST to accounting, architectural, engineering, geoscience, non-residential real estate and security services is paused. If you registered for a PST account, you should cancel it using [eTaxBC](#) or by calling 1-877-388-4440.

- **September 22, 2026**

[Bulletin PST 110, Production Machinery and Equipment Exemption \(PDF, 530KB\)](#), has been updated to clarify that the manufacturing services exemption does not apply to online marketplace services.

- **October 1, 2026**

The [PST exemptions and documentation requirements](#) page has been updated to reflect that, effective October 1, 2026:

- The following are no longer exempt from PST:
 - Clothing patterns and related materials
 - Services to clothing or footwear (except services to exempt protective clothing or footwear)
 - Basic cable TV services, residential landline telephone services and toll-free telephone services
- Dry-cleaning, wet-cleaning and laundry services are exempt from PST, even if they are provided with another related service that is subject to PST

The [Register to collect PST](#) page has been updated to:

- Remove accounting, architectural, engineering, geoscience, non-residential real estate and security services from the list of who needs to register
- Reflect that, effective October 1, 2026:
 - Clothing patterns and related materials are taxable goods
 - Alterations and repairs to clothing or footwear are taxable services, except when provided to exempt protective clothing or footwear
 - Basic cable TV services, residential landline telephone services and toll-free telephone services are taxable services
- Add information about designation agreements for principals and agents

The [Small business guide to PST](#) page has been updated to:

- Reflect that, effective October 1, 2026:
 - Clothing patterns and related materials are taxable goods
 - Services to clothing or footwear are taxable, except when provided to exempt protective clothing or footwear
 - Dry-cleaning, wet-cleaning and laundry services are exempt from PST, even if they are provided with another related service that is subject to PST
- Clarify that cleaning services are not exempt when they form part of the purchase price of accommodation
- Add a link to the [Register to collect PST](#) page in the PST registration section
- Update the process for making a voluntary disclosure if you are not a registered collector and should be
- Remove references of the federal luxury tax on aircraft and boats, repealed by the Government of Canada effective November 5, 2025

[Bulletin PST 001, Registering to Collect PST \(PDF, 400KB\)](#), has been updated to:

- Revise the Businesses Required to Register section to reflect that, effective October 1, 2026:
 - Clothing patterns and related materials are taxable goods
 - Alterations and repairs to clothing or footwear are taxable services, except when provided to exempt protective clothing or footwear
 - Basic cable TV services, residential landline telephone services and toll-free telephone services are taxable services
- Revise the information about how to register to collect PST

[Bulletin PST 201, Children's Clothing and Footwear \(PDF, 330KB\)](#), has been updated to reflect that, effective October 1, 2026, PST applies to clothing patterns and related materials.

[Bulletin PST 206, Grocery and Drug Stores \(PDF, 460KB\)](#), has been updated to reflect that, effective October 1, 2026, PST applies to:

- Clothing patterns
- Yarn, natural fibres, synthetic thread, and fabric commonly used in making or repairing clothing

[Bulletin PST 303, Warranties, Service Contracts and Maintenance Agreements \(PDF, 390KB\)](#), has been updated to reflect that, effective October 1, 2026:

- Services to clothing or footwear are no longer exempt from PST
- Dry-cleaning, wet-cleaning and laundry services are exempt from PST, even if they are provided with another related

service that is subject to PST

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

BC Securities – Policies & Instruments

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

- [81-102](#) – Investment Funds [CSA Notice and Request for Comment]
- [51-102](#) – Continuous Disclosure Obligations [NI]
- [11-207](#) – Failure-to-File Cease Trade Orders and Revocations in Multiple Jurisdictions [CSA Advance Notice]
- [81-105](#) – Mutual Fund Sales Practices

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

Act or Regulation Affected	Effective Date	Amendment Information
British Columbia Chicken Marketing Scheme, 1961 (188/61)	Sept. 1/26	by Reg 99/2026
Economic Stabilization (Tariff Response) Act	Oct. 1/26	by 2026 Bill 5, c. 3, sections 12 to 14 only (in force by Reg 162/2026), Trade Recognition Act
National Instrument 51-102 <i>Continuous Disclosure Obligations</i> (110/2004)	Sept. 22/26	by Reg 156/2026
National Instrument 54-101 <i>Communication with Beneficial Owners of Securities of a Reporting Issuer</i> (154/2002)	Sept. 22/26	by Reg 156/2026
National Instrument 81-101 <i>Mutual Fund Prospectus Disclosure</i> (1/2000)	Oct. 1/26	by Reg 157/2026
National Instrument 81-102 <i>Investment Funds</i> (2/2000)	Oct. 1/26	by Reg 157/2026
National Instrument 81-105 <i>Mutual Fund Sales Practices</i> (131/98)	Oct. 1/26	by Reg 157/2026
Provincial Sales Tax Act	Oct. 1/26	by 2026 Bill 2, c. 5, sections 82 to 86, 88 and 89 only (in force by Royal Assent), Budget Measures Implementation Act, 2026
Provincial Sales Tax Exemption and Refund Regulation (97/2013)	Oct. 1/26	by Reg 113/2026 and Reg 114/2026 , as amended by Reg 161/2026
Provincial Sales Tax Regulation (96/2013)	Oct. 1/26	by Reg 114/2026 , as amended by Reg 161/2026
Tax Appeals Regulation (135/2024)	Oct. 1/26	by Reg 105/2026
Trade Recognition Act	NEW Oct. 1/26	c. 3, SBC 2026, Bill 5 , whole Act in force by Reg 162/2026



ENERGY & MINES

Energy and Mines News:

Bill C-39 Aims to Speed Up Federal Reviews and Project Decisions

On Monday, September 21, 2026, the first day of the fall sitting of the House of Commons, the federal government tabled [Bill C-39](#), the *Building Canada Strong Act*. The legislation builds on previous measures (including [Bill C-5](#), the *One Canadian Economy Act* to improve the impact assessment and regulatory processes for major projects. The bill, organized in three parts, proposes amendments relating to project evaluations, supply chains and the workforce.

A separate [Cabinet Directive](#) (the Directive) has also been issued to support the goal of completing federal reviews and project decisions within one year.

This Update focuses on amendments relating to approvals and regulation of major projects. The amendments discussed below [including amendments to the [Impact Assessment Act](#), [Building Canada Act](#), [Canadian Energy Regulator Act](#), [Federal Courts Act](#), [Canadian Navigable Waters Act](#), [Canadian Environmental Protection Act, 1999](#), [Species at Risk Act](#) and [Fisheries Act](#)] are selected for their significance, but should not be interpreted as an exhaustive list of all amendments. Read the [full article](#) by Sander Duncanson, Richard J. King, Deirdre A. Sheehan, Brad Gilmour, Molly Bannister and Jamie Bell with Osler.

Tilbury LNG Facility in Delta, B.C., Gets Greenlight for Expansion

The federal government has approved expansion of the Tilbury LNG facility in Delta, B.C., saying potential adverse effects are justified by the project's benefits.

Monday's [Sept. 21] approval under the "one project, one review" principle came immediately after the B.C. government issued an environmental assessment certificate to FortisBC for the project on Tilbury Island in the Fraser River.

The province says the project could generate 6,200 full-time-equivalent years of employment during construction and 100 permanent jobs, and contribute up to \$1.7 billion to provincial GDP during construction. Read the [CBC article](#).

LNG Canada to Move Forward with Phase 2 Expansion Project in Kitimat, B.C.

LNG Canada says its multibillion-dollar Phase 2 expansion in Kitimat, B.C., is going forward, in a move that could double exports of liquefied natural gas from the northern coastal facility to overseas markets.

In a statement Tuesday [Sept. 29], LNG Canada CEO Chris Cooper said the project will create thousands of jobs and further strengthen Canada's role as a trusted energy partner. Read the [CBC article](#).

Government of Canada Reduces the Scope of the Project List under the Impact Assessment Act

On September 9, 2026, the Government of Canada announced amendments to the [Physical Activities Regulations](#) (the Regulations). The Regulations list the designated physical activities (commonly known as the Project List) that are *prima facie* subject to the federal [Impact Assessment Act](#) (IAA) framework. In practice, inclusion on the Project List means that proponents are subject to IAA prohibitions on project development activities, an obligation to provide information to the Impact Assessment Agency of Canada (IAAC) during the early stages of project development (including in an Initial Project Description), and exposure to potentially lengthy federal impact assessment review and decision-making processes. As a result of the Regulations, such prohibitions and obligations no longer apply for certain intraprovincial energy projects, and facilities regulated by the Canada Energy Regulator (described further below).

These amendments remove a layer of federal regulatory review for certain projects, and are expected to reduce regulatory timelines and costs for those projects. Read the [full article](#) by Ashley M. White, Martin Ignasiak KC and Nathan Murray with Bennett Jones LLP.

Canada's Productivity Mega Deduction: A New Opportunity for the Mining Sector

If enacted, the Productivity Mega Deduction could materially improve the after-tax economics of developing and expanding mines in Canada. By allowing qualifying Canadian development expenses, including certain mine development expenditures, and a broad range of depreciable capital property to be deducted immediately, the proposal could help attract new mining investment and allow companies already operating in Canada to realize earlier tax benefits. The federal government has released draft legislation, but the measures are not yet law.

Announced at the Canada Investment Summit in Toronto on September 15, 2026, the Productivity Mega Deduction would substantially expand Canada's immediate-expensing regime. According to the Department of Finance, approximately two-thirds of investment in capital assets would be eligible for immediate expensing, compared with about 15% under Budget 2025. The Department also estimates that Canada's marginal effective tax rate on new business investment would decline from approximately 13% to 6.4%. Read the [full article](#) by John S.M. Turner, Johanna Fipke, Krisztián Tóth, Andrew J. Gabrielson, Bradley A. Freelan and Michael Coburn with Fasken.

BC Signs DRIPA Agreement Requiring Simpcw Consent for Yellowhead Copper Project

On July 15, 2026, the BC government and Simpcw First Nation entered into a [consent-based decision-making agreement](#) (Agreement) for the environmental assessment and review of the Yellowhead Copper Project (Yellowhead Project).

The Yellowhead Project is an open-pit copper mine proposed by Trekor Metals Limited, located approximately 150 km northeast of Kamloops, BC. Simpcw is part of the Secwépemc (Shuswap) Nation, and its traditional territory covers approximately 5,000,000 hectares in BC and Alberta. Trekor is not a party to the Agreement; however, it was involved in the industry engagement about the Agreement negotiations. Read the [full article](#) by Martin Ignasiak KC, Jessica Kennedy, Jennifer (Jenn) K. Choi and Samantha Chenatte with Bennett Jones LLP.

Marine Jetty on the Fraser to Supply LNG for Export, Eventually

A new marine jetty, on the banks of the Fraser River in Delta, that will handle liquefied natural gas (LNG) for export, continues to work its way through lengthy approvals.

In 2024, the federal government gave its blessing for the Tilbury Marine Jetty Project, with a provincial environmental assessment certificate already awarded that year.

Currently advancing the bunker berth, the proponent currently still requires a number of provincial and federal permitting approvals

as well, municipal approval, including an Official Community Plan (OCP) amendment for a water lot rezoning. Read the [BIV article](#).

Updates to Natural Resource Taxes

The following update to natural resource taxes was recently posted:

Mining taxes

- **September 18, 2026**
[Interest rates for mineral tax, mineral land tax and the mine inspection fee](#) have been updated.

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

BC Energy Regulator Announcements

The following BC Energy Regulator announcements were posted recently:

- [Environmental Protection Notice](#) – FortisBC Energy Inc.
- [TU 2026-19](#) – Enhancements to eSubmission Forms for Restoration Reporting
- [IU 2026-06](#) – B.C. Production Dashboard Updates
- [IU 2026-07](#) – BCER Releases LNG Canada Black Smoke Emissions Report
- [IU 2028-08](#) – Cost Recovery Framework Review
- [TU 2026-20](#) – Updated Interim Guidance for Renewable Energy Permit Applications

Visit the BCER [website](#) for more information.

Act or Regulation Affected	Effective Date	Amendment Information
Renewable Energy Projects Regulation (28/2026)	Sept. 14/26	by Reg 158/2026
Requirements for Consultation and Notification Regulation (50/2021)	Oct. 1/26	by Reg 27/2026



FAMILY & CHILDREN

Family and Children News:

One-Parent Families Lose Even if They Win – and Most Are Headed by Women

Systemic prejudice occurs when the individual actions of a system, while appearing fair and reasonable, effectively disadvantage a particular group within the system. Retroactive child support variation or cancellation of arrears are examples of systemic prejudice because they disproportionately affect one-parent families (OPFs) headed by women.

According to [Statistics Canada](#), there were 1,836,828 OPFs in Canada on July 1, 2024, up from 1,771,398 (+3.7%) on the same date in 2021. One-parent families are predominately female. According to Stats Canada (2021 census), [81.2%](#) of one-parent families are headed by women. This translates to 1,491,504 OPFs headed by women.

The Supreme Court of Canada addressed the issue of retroactive variation in *D.B.S. v S.R.G.*, [2006 SCC 37](#) (D.B.S.). In that case, the presumption was that retroactive variation was limited to three years. There are no such restrictions on cancellation of arrears, or on delinquent payors attempting to vary beyond the three-year period. This means a payor can run up huge arrears, shift the entire day to day economic burden of raising a child to the recipient, and then later force the recipient to defend the child's right to support. Read the [full article](#) by Michael Butterfield in *BarTalk*.

B.C. Judge Declares Dad Guardian After Mom Returns to Ukraine with Toddler

A toddler born to a Vancouver man and a woman visiting Canada from Ukraine is now at the centre of an international court battle over where he'll live.

Edward Ronald Boney, 51, who was recently declared a legal guardian of "E.N.B." by a B.C. Supreme Court judge, is seeking to have the child returned to Canada after the mom returned to Ukraine in February with the boy without his knowledge, according to the decision.

In March, Boney filed an application for the boy's return through a provincial office, citing the Hague Convention on the Civil Aspects of International Child Abduction. The following month, he filed a separate claim in B.C. Supreme Court seeking shared guardianship and parenting responsibilities and the return of the boy to B.C. Read the *Vancouver Sun* [article](#).

BC Announces Over \$3M In Funding to Support Intimate Partner and Sexual Violence Victims

The Ministry of Attorney General of British Columbia has announced it will receive funding of over \$3 million for 2026–27 for initiatives addressing recommendations to improve how the province's legal system responds to intimate partner violence and sexual

violence.

"This funding will help expand critical supports, strengthen prevention efforts and ensure people can access the services they need when they need them," said Niki Sharma, British Columbia's attorney general, in a news release.

The recommendations come from a June 2025 report, released by lawyer Kim Stanton following an independent review commissioned by the attorney general. Read the [full article](#) by Bernise Carolino in the *Canadian Lawyer*.

Separated under the Same Roof in BC: Can a Spouse Be Ordered Out?

Most separating couples in the Lower Mainland do not have the option of two homes. One income cannot carry a Burnaby mortgage and a Coquitlam rental at the same time. The children are settled at a school. The house is in both names and neither side will move first for fear of what moving means. So the marriage ends and the household does not.

This arrangement is legal, common, and workable for a while. It is also where a surprising number of family files go badly wrong. Here is what to know before you settle into it, and what the court can do when it stops being survivable. Read the [full article](#) from George Lee Law Corp.

How Remarriage Can Affect Child Support in B.C.

Separation does not necessarily mean family finances remain static. Parents may begin new relationships, move in with new partners, remarry, or have children with someone else. These changes can significantly reshape a household's financial circumstances.

One question that often follows is whether a new relationship affects an existing child support obligation. In British Columbia, the answer depends on the circumstances. A parent's remarriage does not automatically eliminate or reduce child support, and a new partner does not automatically become responsible for supporting someone else's child. Read the [full article](#) by Alina Petraru with Meridian Law Group.

Act or Regulation Affected	Effective Date	Amendment Information
Supreme Court Civil Rules (168/2009)	Oct. 1/26	by Reg 105/2026
Supreme Court Family Rules (169/2009)	Oct. 1/26	by Reg 105/2026



FOREST & ENVIRONMENT

Forest and Environment News:

How Can Consultants Set Their Clients Up for Successful Cost Recovery Claims?

Under British Columbia's [Environmental Management Act](#), the "polluter pays" principle requires responsible parties to bear the cost of cleaning up contaminated sites, even where the activities that caused the contamination were authorized at the time they occurred. The [Contaminated Sites Regulation](#) builds on that framework by setting out the technical and regulatory standards for determining when a site is contaminated and what remediation may be required.

Environmental consultants play a central role in this process. They are often involved in site assessments, remediation planning, technical compliance, and communications with regulators. They may also act as intermediaries between responsible parties, regulators, and other stakeholders. Read the [full article](#) by Nicola Virk with Harper Grey LLP.

New Canadian Chemical Reporting Requirements Apply Broadly

On August 29, 2026, Environment and Climate Change Canada (ECCC) published two notices under section 71 of the [Canadian Environmental Protection Act, 1999](#) (CEPA) requiring certain businesses that manufactured, imported or used listed substances during the 2025 calendar year to submit information to ECCC. The notices cover 200 substances and may apply to businesses across a broad range of industrial, commercial and consumer-facing sectors, not just chemical manufacturers.

Specifically, any business that manufactured, imported or used a listed substance in a manufacturing process in 2025 may be subject to the reporting requirements, even where the substance was contained in an imported mixture or product, or was used to manufacture a good but is not present in the final product. Read the [full article](#) by Lana Finney, Ryan McNamara and Amir Sodagar with Blakes.

Best Management Practices for Post-Harvest Burning in British Columbia

Managing wildfire risk, preparing for wildfire response, and supporting prescribed and cultural fire in British Columbia (BC) requires an integrated approach that considers fire early in the planning process (Jull et al. 2025). Designing harvest areas with controlled fire in mind allows forest and fire practitioners to create safer, more effective, and operationally feasible burn units (BC Wildfire, 2026). By incorporating fuel continuity, access, and control features into layout and harvest planning, harvested blocks can better support prescribed and cultural burning while contributing to broader landscape resilience when wildfires inevitably occur.

Since 2017, more than 9.5 million hectares of forest in BC have been impacted by wildfire (BC Wildfire, 2026). That follows the

mountain pine beetle epidemic that damaged 18 million ha of forest and contributed to the susceptibility of stands to wildfire (Talucci and Krawchuk, 2018). Read the [full article](#) by Kira Hoffman, Isabel Bodnar, and Fons Raedschelders in the *BC Forest Professional*, Fall 2026 issue.

Campbell River, B.C., Area Will Be First to Test New Proposed Forest Management Model

British Columbia's Forests Ministry has chosen a stretch of land near Campbell River to be the first candidate for a proposed new model of how forests and timber are managed in the province.

Under what the province has dubbed the "working forest landscape model," the area north of and adjacent to Campbell River would be divided into three zones that dictate how and where trees can be logged.

Forests Minister Ravi Parmar says the goal is to end "cut-block-by-cut-block permitting" and move to "operational plan forestry," while environmental groups have pushed back, saying the plan would create guaranteed logging zones and obstruct the public's ability to protect and conserve forests. Read the *BIV* [article](#).

Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

Environmental Management Act

- [Mr. P's & Mr. Pet's Ltd. v. Director, Environmental Management Act](#) [Summary Dismissal Decision – Appeal Dismissed]
- [Domtar Inc. dba Skookumchuck Pulp v. Director, Environmental Management Act](#) [Consent Order – Varied; Appeal Dismissed Without Costs]
- [West Coast Reduction Ltd. v. District Director, Metro Vancouver Regional District](#) [Preliminary Decision on Jurisdiction – Granted]

Wildlife Act

- [Maria Origoni v. Regional Manager, Recreational Fisheries & Wildlife Program](#) [Preliminary Decision on Dismissal – Appeal Dismissed]

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

Forest Appeals Commission Decisions

The following Forest Appeals Commission decisions were made recently:

Wildfire Act

- [Canadian National Railway Company v. Government of British Columbia](#) [Preliminary Decision on Adjournment – Granted]
- [Shae Mould v. Government of British Columbia](#) [Application for Summary Dismissal – Appeal Dismissed]

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

Act or Regulation Affected	Effective Date	Amendment Information
Conservation Officer Service Authority Regulation (318/2004)	Oct. 1/26	by Reg 68/2026
Designation and Exemption Regulation (168/90)	Oct. 1/26	by Reg 66/2026 , as amended by Reg 155/2026
Hunting Regulation (190/84)	Oct. 1/26	by Reg 66/2026
Park, Conservancy and Recreation Area Regulation (180/90)	Oct. 1/26	by Reg 68/2026
Permit Regulation (253/2000)	Oct. 1/26	by Reg 66/2026
Summit Creek Campground and Recreation Area Regulations (164/73)	Oct. 1/26	by Reg 66/2026
Tax Appeals Regulation (135/2024)	Oct. 1/26	by Reg 105/2026
Wildlife Act	Oct. 1/26	by 2021 Bill 4, c. 7, sections 95 to 101 only (in force by Reg 63/2026), Firearm Violence Prevention Act
Wildlife Act General Regulation (340/82)	Oct. 1/26	by Reg 66/2026



HEALTH

Health News:

Should B.C. Doctors Inform New Patients of Treatments They Won't Do Because of Religious Belief?

There's no requirement in B.C. for doctors to inform new patients that they won't provide certain treatments because of their religious beliefs. And, unlike in Ontario and Nova Scotia, they don't have to refer patients to another doctor who is willing to treat them.

This raises questions about how patients who need access to medical services that are against some doctors' beliefs, such as abortion, medical assistance in dying, infertility treatments or transgender health care for youth, can get that care in a timely manner.

Refusing care on moral or religious beliefs is called conscientious objection, and it's in the spotlight after a recent B.C. Human Rights Tribunal ruling against a family doctor who refused care to a transgender patient. Read the [Vancouver Sun article](#) (Paywall).

B.C. Judge Drops Drug Charges Against Vancouver Compassion Club, Declares Law Illegal

A B.C. Supreme Court judge has dropped a political hot potato in the middle of the B.C. provincial election by ruling a federal law banning possession of drugs for the purpose of trafficking is unconstitutional.

Justice Catherine Murray released her ruling on Tuesday, which quashed that specific drug charge against two co-founders of a Vancouver "compassion club" – Jeremy Kalicum and Eris Nyx – that supplied clean drugs to its members.

After failing to receive a legal exemption from Ottawa to buy and sell heroin, cocaine and methamphetamine, the Drug Users Liberation Front set up a "compassion club," which bought the drugs on the black market and tested them for fentanyl before selling them at cost to its 43 members. Read the [full article](#) from the *Vancouver Sun*.

Health Canada Summer 2026 Regulatory Round-Up

It has been a "hot" summer for Health Canada. The Canadian regulator of pharmaceuticals has been busy approving new laws and announcing new proposals. Many of these initiatives are linked to Canada's overarching strategic policy priority to improve access to drugs. To make sure your summer vacation schedule didn't cause you to miss out, we are here to summarize the latest so you can hit the ground running this fall.

On June 17, 2026, Health Canada published the [Regulations Amending Certain Regulations Made Under the Food and Drugs Act \(Shortages and Discontinuation of Sale of Drugs and Medical Devices\)](#) (Amending Regulations), comprising amendments to both the [Food and Drug Regulations](#) (FDR) and the [Medical Devices Regulations](#). We previously [reported](#) on Health Canada's proposed amendments. Read the [full article](#) by Kristin E. Wall and Sarah Pennington with Norton Rose Fulbright Canada LLP.

B.C. College Licensed 1,200 Internationally Trained Docs Last Year: Minister

About 1,200 internationally trained doctors received licences from the College of Physicians and Surgeons of B.C. last year, Health Minister Ravi Kahlon said outside the Union of B.C. Municipalities meeting in Vancouver on Thursday [Sept. 17].

That brings to 6,000 the number of internationally trained doctors licensed to work in B.C. as of July.

As of Aug. 31, B.C. had about 17,000 licensed doctors overall.

Kahlon said B.C. is leading the country in attracting health-care professionals.

He was promoting the province's recruitment efforts while at the UBCM meeting, where most of the talk was focused on preparations for a possible snap provincial election.

The announcement on international recruits comes on the heels of a B.C. Supreme Court ruling posted last week that the government wasn't authorized to force graduates of medical programs outside Canada to work in "underserved" areas. Read the [BIV article](#).

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



LABOUR & EMPLOYMENT

Labour and Employment News:

Revising the Rules: Bill C-39 and the Future of Federal Labour Relations

On September 21, 2026, the federal government introduced [Bill C-39](#) (the *Building Canada Strong Act*) for first reading – an omnibus

bill that proposes significant amendments to the [Canada Labour Code](#) (the "Code"). The proposed amendments to the Code are among the most consequential changes to the federal labour relations framework in recent years. These amendments follow the government's consultations in the spring of 2026, as reported in our April 2026 and July 2026 bulletins, and reflect a number of the themes that emerged therein.

The most significant proposed changes for federally regulated employers relate to:

- a restructured ministerial intervention power under section 107;
- mandatory early bargaining obligations;
- a new special mediator process;
- expanded successorship rights in respect of contractors (initially limited to airports and certain prescribed industries);
- a strengthened first collective agreement arbitration regime;
- the expansion of sectoral and multi-employer bargaining;
- a paid sick leave exemption for collectively bargained workplaces; and
- enhanced wage recovery enforcement tools.

Read the [full article](#) by Christopher Pigott, Jackie VanDerMeulen, Shane D. Todd, Ian Campbell and Andrew J. Gould with Fasken.

BCCA Refuses to Reopen Appeal on Whether Franchisees Are Common Employers

The British Columbia Court of Appeal has declined to reconsider an appeal against a British Columbia Labour Relations Board decision based on a constitutional issue not previously raised, allegedly justified by a subsequent Supreme Court of Canada (SCC) ruling.

The underlying case involved a common employer application under s. 38 of BC's [Labour Relations Code, 1996](#), in connection with a franchise arrangement between Sobeys Capital Incorporated and four franchisees.

The board declared Sobeys and its franchisees as a common employer, while the board's reconsideration panel dismissed a petition for judicial review.

Five appeals challenged the decision as patently unreasonable for failure to apply s. 38's alleged requirement for a finding of common control or direction among all franchisees. Read the [full article](#) by Bernise Carolino in the *Canadian Lawyer*.

Could Bill C-39 Strike Powers Breach an ILO Treaty?

Federal employers relying on Ottawa to end costly strikes are facing fresh uncertainty.

The International Trade Union Confederation (ITUC) has sent a letter directly to Prime Minister Mark Carney saying that [Bill C-39's](#) right-to-strike restrictions could put Canada in breach of a labour treaty it ratified in 1972, the Canadian Labour Congress (CLC) shared.

The ITUC, representing 191 million workers in 169 countries and territories, says the restrictions are "highly likely to violate" Canada's obligations under International Labour Organization (ILO) Convention 87 on freedom of association. It wants them suspended pending meaningful consultation with unions. Read the [full article](#) by Jim Wilson in the *Canadian HRReporter*.

British Columbia Court of Appeal (Canada) Upholds Vexatious Litigant Designation Following Repeated Employment-Related Claims

- The British Columbia Court of Appeal (BCCA) has dismissed all appeals brought by a former employee who was declared a vexatious litigant after filing six separate proceedings arising from the same underlying employment dispute.
- The BCCA confirmed that the doctrine of res judicata prevents a party from re-packaging previously rejected arguments, including allegations of fraud, and presenting them afresh to the courts.
- The BCCA reinforced that allegations of bias or fraud must be grounded in evidence, not speculation, and that disclosure applications amounting to a 'fishing expedition' will be refused.
- Employers involved in protracted disputes with former employees should be aware that courts may restrict a litigant's access to the courts where proceedings are found to be habitual, persistent and without reasonable grounds.

Under section 18 [Supreme Court Act](#) (British Columbia), a court may declare a person to be a vexatious litigant and prohibit them from commencing further proceedings without leave where they have habitually, persistently and without reasonable grounds instituted vexatious legal proceedings. In *Pereira v British Columbia Labour Relations Board*, [2026 BCCA 271](#), the BCCA considered whether the lower court had properly exercised this power in the context of a longstanding employment dispute. Read the [full article](#) by Duncan Burns-Shillington with DLA Piper.

When Everyone is "Successful" But No One Wins: The Costly Lesson in Salina v. Investors Group

Litigation is often thought of in much the same way as sport: expected to produce a winner and a loser (we're ignoring soccer for these purposes – as one of the above authors did throughout this summer).

Sometimes, however, after years of litigation, extensive document production, expert evidence, and weeks of trial, the result resembles a scoreless draw, with neither side getting what it wanted despite the significant time and expense invested along the way. At best, one or both parties emerge with a Pyrrhic victory.

The recent decision of *Salina v. Investors Group Financial Services Inc.*, [2026 BCSC 1168](#), is a perfect illustration. The Plaintiff, a former investment consultant, established that he was a dependent contractor, that the termination provision in his contract was unenforceable, and that his alleged misconduct known at the time of termination did not amount to just cause. However, his wrongful

dismissal claim was ultimately dismissed because his employer established after-acquired cause. Read the [full article](#) by Matthew E. McCarthy and Abbie Formoso with Boughton Law.

New Workplace Monitoring Software Has Employees Up in Arms. They're Concerned About the Wrong Thing

Employees are concerned about workplace surveillance. They are missing the point. What they should be concerned about is the delegation of management to algorithms.

When TD Bank announced it would begin monitoring employees' digital activity during the workday – tracking browser usage, messaging platforms and other applications – the backlash was immediate. Critics called it Orwellian. Employees complained they were being treated like children. Privacy advocates warned of "Big Brother."

But everyone is arguing about the wrong issue.

And it isn't a legal one, since employers in Canada are largely allowed to monitor their employees.

The real issue is what happens when artificial intelligence begins making employment decisions based on what it observes. Read the *Financial Post* [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Occupational Health and Safety Regulation (296/97)	Oct. 1/26	by Reg 39/2026



LOCAL GOVERNMENT

Local Government News:

Public Expression and Elected Officials:

A Trio of Cases under the PPPA

In 2019, the [Protection of Public Participation Act](#) ("PPPA") came into force, creating a mechanism for the summary dismissal of proceedings arising from expressions relating to matters of public interest. Most commonly, but not always, the PPPA is engaged by the defendants to defamation claims. The PPPA provides that, where a proceeding arises from an expression that relates to a matter of public interest, the proceeding will be dismissed unless the plaintiff can demonstrate: (1) grounds to believe that the proceeding has substantial merit; (2) grounds to believe that the defendant has no valid defences; and (3) that the public interest in protecting the plaintiff's reputation outweighs the public interest in protecting the expression. Municipal elected officials have found themselves on both sides of PPPA applications in recent months, as illustrated by a trio of recent BC Supreme Court decisions. In all three of these decisions, courts dismissed the underlying defamation action, showing what a powerful tool the PPPA can be. Read the [full article](#) by Nick Falzon and Jack Wells, published in the Young Anderson Newsletter, Volume 37, Number 3.

Cambie Corridor Neighbourhood Ass'n: Municipal Policy

Does Not Typically Form Legal Entitlements

In its September 15, 2026 decision in *Cambie Corridor Neighbourhood Association v. Vancouver (City)*, [2026 BCSC 1744](#), the BC Supreme Court dismissed a petition seeking to quash Vancouver City Council's approval of a rezoning proposal for lands at West 29th Avenue and Ash Street. The proposal contemplated increased density to allow for approximately 230 secured market rental homes in six-storey buildings, together with townhouse components. The petition was brought by the Cambie Corridor Neighbourhood Association after Council approved the rezoning in July 2025. A central issue was Council's decision not to require the project to provide below-market rental housing under Vancouver's transit-oriented development policy. The policy contemplated 20% of floor area being rented below prevailing market rents in exchange for specified development benefits, including relief from community amenity contributions. City staff concluded that the incremental increase in land value associated with the rezoning was insufficient to support the below-market requirement. The petitioners argued, among other things, that Council had acted inconsistently with its own policies, relied on a developer financial analysis that was not publicly available, and failed to provide an adequate opportunity for public scrutiny of the revised proposal. Read the [full article](#) by Josh Krusell with SMS Law.

Is That Proper Easement?

Easements are pervasive in the use and development of land. In the construction process, they are used to permit a developer to install shoring into, or swing a crane into the airspace of, an adjacent parcel. Throughout and afterwards, they can, for example, be used to ensure a parcel can run utility lines over, get access through, or park on another parcel. For the uninitiated, an easement is, at its core, a right of one person over another person's property. This raises an obvious question: what is the difference between an easement and another right of access and use such as a licence? Read the [full article](#) by Kai Hsieh with Civic Legal LLP.

Municipalities Demand BC to Optimize Industrial

Lands amid U.S. Tariff Pressures

Municipalities across BC are asking the province to take action to protect and optimize industrial lands as U.S. tariff highlight the importance of "Made in Canada" products. The majority of mayor and councillors voted in favour of a resolution to protect and optimize industrial lands in the province at the 2026 Union of BC Municipalities convention in Vancouver in Vancouver Friday [September 18]. Following the vote, UBCM will put the resolution forward for the province's consideration. "We've got generational procurement opportunities right now across the province, nationally and internationally, as we look to diversify markets [away from the U.S.]," said Jason Lum, councillor with the City of Chilliwack and a director at the Fraser Valley Regional District (FVRD), who

submitted the motion. "Whether it be in food processing, in defence, in advanced manufacturing, all of these things require a robust industrial land base." Industrial land has been dwindling with only a 10- to 15-year supply remaining in BC, Lum said. The opportunities to add more land are limited. Read the [BIV article](#).

Local Government Authority to Regulate Cannabis Production: Delta v. Nardi

On August 18, 2026, the Supreme Court of British Columbia released its decision in *Delta (City) v. Nardi*, [2026 BCSC 1555](#), confirming that in Canada's post-legalization cannabis regime, local governments' land use regulation powers can apply to limit the permissible locations for federally authorized personal medical cannabis production. The [Cannabis Act](#), S.C. 2018, c. 16 was enacted by the federal government in 2018, in part, to provide for the legal production of cannabis and to provide access to a quality-controlled supply of cannabis. The Act permits authorized persons to produce cannabis for medical purposes, both for themselves and other registered users. Until recently, Canadian courts had not opined on the extent to which local governments may regulate where that production takes place. Read the [full article](#) by Elizabeth Anderson and Ramon Dabiryan, published in the Young Anderson Newsletter, Volume 37, Number 3.

BC School Districts Crack Down on E-Scooters, E-Bikes as Emergency Room Visits Rise

More British Columbia school districts are banning electric bikes and scooters from their properties ahead of the new school year, citing a spike in injuries among underage riders. The Langley School District said in a letter to parents this week that e-scooters and e-dirt bikes are now banned at all of its schools, while the Nanaimo-Ladysmith district said elementary students cannot arrive at school on an e-bike or scooter. "If an e-bike or scooter does come to school, we will call parents to come and pick up the e-bike or e-scooter," said Gillian Robinson, communications director with the Nanaimo-Ladysmith district. Both school districts said an increase in injuries among children and youth riders influenced their decision to implement bans on school property. Dr. Genevieve Ernst, trauma medical director at BC Children's Hospital, said the hospital has seen a steep rise in both emergency room visits and devastating brain injuries for child patients as a result of e-scooter crashes. By law, light e-bike riders must be at least 14 years old, and e-bike or scooter riders must be 16. But figures from the Canadian Hospital Injury Reporting and Prevention Surveillance Program show 13-year-old children made up the highest proportion of emergency room visits for e-scooter crashes at 22 per cent. Read the CTV News [article](#).

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



MISCELLANEOUS

Miscellaneous News:

New Procedure for Bringing Applications in Civil and Family Chambers and Related Updates to Practice Directions

Effective today [October 1], Rule 8-1 of the [Supreme Court Civil Rules](#) and Rule 10-6 of the [Supreme Court Family Rules](#) have been amended and the procedure for bringing an application has changed. Parties are now required to exchange materials before setting an application for hearing and before filing materials. The changes aim to support efficient use of court time and improve access to chambers by encouraging parties and counsel to engage in early discussions and focus the issues in dispute, improving time estimates, reducing adjournment applications, and reducing the volume of applications that are set down and which do not proceed to hearing. Chief Justice Skolrood has amended the following practice directions to align them with the new procedure for bringing applications:

- [FPD-20 – French Language and Bilingual Divorce Act Proceedings](#)
- [PD-48 – Applications for Authorization to Video Record or Broadcast Court Proceedings](#)
- [PD-56 – Notification of Publication Ban Applications](#)
- [PD-61 – Applications to Commence Proceedings Anonymously](#)
- [PD-73 – Virtual Chambers \(Associate Judges Chambers Pilot Project\)](#)
- [PD-75 – Chambers Practice](#)

The amendments to PD-61 update the process and timing for bringing an application to commence a proceeding using initials or a pseudonym. The amendments to PD-73 update the process for bringing an application in virtual chambers. The updates establish a new form for serving notice of an intention to bring an application in virtual chambers, a new process for objecting to a virtual hearing, and a modified notice of application for setting a hearing in virtual chambers. The updates to FPD-20, PD-48, PD-56 and PD-75 are housekeeping in nature and do not change the processes they set out. For more information about these and other rule amendments, please see [OIC No. 264/2026](#). Information about the timelines and steps for bringing an application is also available on the Supreme Court Civil and Family Rules Committee's website, [here](#). Source: [BC Supreme Court](#)

Firearm Violence Prevention Act Now in Force

Most provisions of the [Firearm Violence Prevention Act](#), which replaces the [Firearm Act](#), came into force on October 1. The Act was introduced in response to recommendations made by policing experts in the 2017 [Illegal Firearms Task Force Report](#) to address gang and gun violence and includes:

- regulating the misuse of low-velocity firearms and imitation firearms;
- establishing new offences for unsafe use of firearms, low-velocity firearms and imitation firearms;
- prohibiting firearms, low-velocity firearms, and imitation firearms in designated places, including schools, post-secondary institutions, courts, places of worship and hospitals; and

Parts 4 and 5, which include provisions on shooting ranges and motor vehicle impoundment, are not yet in force and can be read in Quickscribe's [early consolidation](#). The Act also made consequential changes to the [Body Armour Control Act](#) and [Armoured Vehicle and After-Market Compartment Control Act](#).

BC Supreme Court Reverses 'File, then Serve' Rule in Civil, Family Cases

For civil and family proceedings, the British Columbia Supreme Court will require those bringing chambers applications to share their materials with the opposing side, which will receive time to respond, prior to scheduling a hearing date, effective Oct. 1. "These changes encourage people to exchange information sooner, giving them a better opportunity to understand each other's position, narrow the issues and, where possible, reach a resolution without a court hearing," said Niki Sharma, BC attorney general. "That means less delay, less stress and more court time available for matters that require a judicial decision." Read the [full article](#) by Bernise Carolino with *Canadian Lawyer*.

BC Court of Appeal: No Basis in Fact = No Class Action

In *Cleaver v. The Cadillac Fairview Corporation Limited*, [2026 BCCA 353](#), the BC Court of Appeal reaffirmed the courts' gatekeeping role at certification and upheld the chambers judge's refusal to certify a privacy class action because the plaintiffs had not put forward any basis in fact for the central allegation in the claim. As [summarized in our post](#) about the [certification decision](#), the chambers judge below found that three of the five certification criteria were not satisfied because the plaintiffs had put forward no evidence that the defendants' shopping mall directory software actually recorded proposed class members' facial images and converted them into biometric data as alleged. The Court of Appeal agreed: "the material before the court provided no basis in fact for the proposition that facial images or biometric and personal information was recorded by the respondents. As that proposition is essential to the claim, the judge was right to deny certification". Read the [full article](#) by Katherine Booth, with Bennett Jones LLP.

BC Court Strikes Down Canada's "Possession for the Purpose of Trafficking" Offence in the DULF Case

Today [September 29] the BC Supreme Court declared one of the most frequently charged drug offences in Canada unconstitutional. In *R v Kalicum*, [2026 BCSC 1855](#), Madam Justice Murray found that section 5(2) of the [Controlled Drugs and Substances Act](#) (CDSA), which makes it a crime to possess a controlled substance for the purpose of trafficking, violates sections 7 and 15 of the [Charter](#). She declared the section of no force or effect, then suspended the declaration of invalidity for six months to give Parliament time to respond. She then stayed the convictions of Jeremy Kalicum and Eris Nyx, the co-founders of the Drug User Liberation Front (DULF). It is the most significant drug law ruling out of this province since the Supreme Court of Canada kept *Insite* open in 2011. It is also a detailed, evidence-based account of what happens when governments let politics drive their response to a public health emergency. Read the [full article](#) published by Kyla Lee, A DUI lawyer in Vancouver.

Setting New Standard for Arbitration Appeals: Supreme Court to Hear Standard of Review Appeals of Arbitral Awards

On September 24, 2026, the Supreme Court of Canada (SCC) granted leave to appeal the Court of Appeal for British Columbia's (BCCA) ruling in [Vancouver School District No. 39 v. Kingsgate Property Ltd. \(Kingsgate Property\)](#) which held that the standard of review on an appeal from an arbitral award was the appellate standard, i.e., correctness on questions of law. Previously, on July 23, 2026, the SCC granted leave to appeal the Manitoba Court of Appeal's (MBCA) ruling in [Buffalo Point First Nation v. Buffalo Point Cottage Owners Association Inc \(Buffalo Point\)](#), which reached the opposite conclusion and held that the standard of review on an appeal from an arbitral award was reasonableness. Presumably, this means the SCC will fill in a gap left by its decision in [Canada \(Minister of Citizenship and Immigration\) v. Vavilov \(Vavilov\)](#) and definitively establish the standard of review on appeals of arbitral awards. The opposing holdings of the MBCA and BCCA show the gap in the law that the SCC now appears set to clarify. Read the [full article](#) by Lauren Tomasich and Cameron Somerville with Osler.

Supreme Court Says There's No Presumptive Ceiling for Sentencing Delays

While a person has the right to be tried within a reasonable time, the Supreme Court of Canada says there is no strict deadline to adhere to when sentencing an offender after they've been convicted. The Court's [unanimous decision](#) on a presumptive ceiling overturns an Ontario Court of Appeal decision that sought to create a Jordan-like bright line. It also clarifies that when it comes to sentencing delays, the proper remedy is a reduced sentence, not a stay of proceedings. In the case at hand, RB-C was an Iranian in the country on a post-graduate work visa when he was convicted of sexual assault. The sentencing portion of the trial took over a year to complete, prompting RB-C to apply for a stay of proceedings, citing the five-month presumptive ceiling imposed by the Ontario Court of Appeal in *Charley*. Read the [full article](#) by Dale Smith with *CBA National*.

Act or Regulation Affected	Effective Date	Amendment Information
Armoured Vehicle and After-Market Compartment Control Act	Oct. 1/26	by 2021 Bill 4, c. 7, sections 88, 89 (a), 90 and 91 only (in force by Reg 63/2026), Firearm Violence Prevention Act
Body Armour Control Act	Oct. 1/26	by 2021 Bill 4, c. 7, section 92 only (in force by Reg 63/2026), Firearm Violence Prevention Act

Firearm Act	REPEALED Oct. 1/26	by 2021 Bill 4, c. 7, section 87 only (in force by Reg 63/2026), Firearm Violence Prevention Act
Firearm (Authorization) Regulation (373/80)	REPEALED Oct. 1/26	by Reg 63/2026
Firearm Violence Prevention Act	NEW Oct. 1/26	c. 7, SBC 2021, Bill 4, sections 1 to 5 (1), 6 to 14, 16 (a), (b), 17 to 25, 56 to 62 (a) to (g), (i), (k), (l), 63 to 65 (1) (a) to (h), (j) to (p), (2), (3), 66 (1) (a), (h), (2), (3), 67 to 78 (1), 79 to 81 (1), (2) (a), (b), (3), 82, 85 and 86 only (in force by Reg 63/2026), Firearm Violence Prevention Act
Firearm Violence Prevention (Designated Property) Regulation (65/2026)	NEW Oct. 1/26	see Reg 65/2026
Firearm Violence Prevention General Regulation (64/2026)	NEW Oct. 1/26	see Reg 64/2026
Post-Secondary International Education (Designated Institutions) Act	NEW Sept. 1/26	c. 4, SBC 2026, Bill 7 , sections 1 to 4 (part), 5 to 11, 13 to 21 (part), 22 to 36 (part) and 37 (in force by Reg 146/2026)
Post-Secondary International Education (Designated Institutions) Regulation (146/2026)	NEW Sept. 1/26	see Reg 146/2026
Safe Access to Schools Regulation (153/2026)	NEW Sept. 8/26	see Reg 153/2026



MOTOR VEHICLE & TRAFFIC

Motor Vehicle and Traffic News:

Supporting Road Safety, Streamlining Licensing for New Drivers

BC has introduced [new regulatory amendments](#) to enable the removal of the second road test to progress to a Class 5 licence by replacing it with a driving record assessment. The assessment shows whether drivers have met the minimum driving experience as a novice driver. A record of unsafe behaviours, including convictions for excessive speeding and electronic device use, will result in re-starting the "novice" driving period. Nearly all jurisdictions worldwide do not have a second road test in their graduated licensing program. Transport Canada collision statistics show that three of the four Canadian provinces with the lowest motor-vehicle fatality rates do not have an exit test. The GLP's changes will come into effect on Oct. 19, 2026, and drivers who are eligible may qualify for a one-time, automatic licence upgrade from a Class 7 to a Class 5 licence, meaning they won't be required to complete an in-office driving record assessment. Read the government [news release](#).

Seriously Injured in a BC Car Accident? What a \$350,000 Brain Injury Award Reveals About ICBC No-Fault Insurance

The BC Supreme Court recently released its decision in [Taylor v. Brar](#), a case arising from a March 2022 collision in which Thomas Taylor was driving through a Coquitlam intersection with a green light. At the same time, Malinder Brar drove his truck through a red light and struck the driver's side of Mr. Taylor's vehicle. The collision was violent, and Mr. Taylor spent 18 days in hospital, including nine days in intensive care. Mr. Brar backed his truck away from the wreck and left the scene. Read the [full article](#) by Kyle Ramsey with Pushor Mitchell LLP.

UBCM Delegates Back Push to Allow Mobility Scooters in Bike Lanes

Delegates to the Union of B.C. Municipalities convention have called on the province to allow more wheeled vehicles in bike lanes in BC. Local government representatives endorsed a resolution this week to update motor vehicle legislation to allow wheelchairs and three- and four-wheeled mobility scooters on bike routes. Currently, the [Motor Vehicle Act](#) prohibits those devices in bike lanes, though they are permitted on sidewalks and in crosswalks. Advocates called the UBCM endorsement a big step forward, saying the province's rules create unnecessary barriers for seniors and people with disabilities who rely on wheelchairs and mobility scooters to travel independently. Read the [BIV article](#).

Temporary Foreign Worker Program Compliance Risks for Canadian Trucking Companies

Labour shortages remain a concern for employers across many sectors in Canada. In response, programs such as the federal Temporary Foreign Worker Program (TFWP) allow employers to hire foreign workers to fill positions they have been unable to staff domestically. This is particularly prevalent in the trucking industry, where persistent driver shortages have led a growing number of carriers to rely on the TFWP. Used properly, the TFWP is a legitimate and valuable program that supports both employers and workers. A recent *Globe and Mail* investigation, however, revealed that some unsafe trucking companies have been exploiting the program, participating in it while out of compliance with the trucking regulatory framework and, in a number of cases, engaging in

unfair labour practices toward foreign workers. Read the [full article](#) by Chantal Arsenault, Stéphane Duval, Adam Goldenberg, Brian Allen Lipson and Tasia Ntwari with McCarthy Tétrault.

CVSE Bulletins & Notices

The following documents were posted recently by CVSE:

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

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

Passenger Transportation Board Bulletins

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

Applications Received

- [26042-26](#) – No Compromise Limousine Service Inc.

Application Decisions

- [24725-25](#) – Access Rent A Car Inc. [Approved in Part]
- [25132-26](#) – 1510913 B.C. Ltd (V.I.P. Transportation) [Approved]
- [25168-26](#) – Lil Critter Croft Transport [Refused]
- [26064-26](#) – Burns Lake Taxi (Clearwater Services Ltd.) [Approved]
- [25021-26](#) – West Kelowna Taxi Services Ltd. [Approved in Part]
- [26530-26](#) – Transfer from Meredith Diane Jones to Malinda Rose Davis [Approved]

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

Act or Regulation Affected	Effective Date	Amendment Information
Motor Vehicle Act	Oct. 1/26	by 2021 Bill 4, c. 7, section 94 only (in force by Reg 63/2026), Firearm Violence Prevention Act
Motor Vehicle Act Regulations (26/58)	Sept. 30/26	by Reg 154/2026
Passenger Transportation Regulation (266/2004)	Sept. 1/26	by Reg 35/2026
Violation Ticket Administration and Fines Regulation (89/97)	Oct. 1/26	by Reg 67/2026



OCCUPATIONAL HEALTH & SAFETY

Occupational Health and Safety News:

Feds to Hire 100 New Health and Safety Officers under Bill C-39

The federal government plans to hire 100 new health and safety officers as part of a sweeping labour bill tabled in Parliament on September 21, 2026, a hire the government says will lift federal workplace inspection capacity by roughly 70 per cent, according to its official news release announcing the bill. The hires are one part of [Bill C-39](#), the *Building Canada Strong Act*, introduced by the Liberal government on the first day of the fall parliamentary sitting. The bill's labour provisions, grouped under what the government calls its "Canada Strong For All" pillar, also include changes to the federal law setting out federally regulated workers' core safety rights, the [Canada Labour Code](#), meant to speed up collective bargaining, 26 new staff at the Canada Industrial Relations Board to clear a backlog of worker complaints, and more inspectors to target worker misclassification. Read the [full article](#) by Shane Mercer, published in the *Canadian Occupational Safety Magazine*.

Preparing for Regulatory Updates

Several changes to the [Occupational Health and Safety Regulation](#) will take effect over the coming year. They are intended to improve workplace health and safety and clarify employer responsibilities. You can find a complete list of approved regulatory changes at the end of this article. Two significant amendments involve:

- Combustible dusts
- Society fire brigades and volunteer firefighters

Read the [full article](#) by Steven Gilstead with *Worksafe Magazine*.

Setting Up for Success with Small Tools Training

Workers build safe habits when employers include practical, hands-on training from the start. This training can help prevent common injuries before work begins. New and young workers often arrive on a jobsite with a range of training, experience, and safety habits. Hands-on small tools training can help close those gaps and set workers up for safer, more successful careers from day one. That's the approach being taken on the Surrey Langley SkyTrain project. SkyLink Guideway Partners, a consortium that includes FlatironDragados and Ledcor, is building the 16-kilometre elevated guideway and active transportation elements for the Province of B.C. The project will link King George Station in Surrey to the new Langley City Centre Station in downtown Langley. Read the [full article](#) by Marnie Douglas with *Worksafe Magazine*.

OHS Policies/Guidelines – Updates

Guidelines – Occupational Health and Safety Regulation

September 3, 2026

- Part 5 Chemical Agents and Biological Agents
 - [Table of Exposure Limits for Chemical and Biological Substances](#)
- The table has been updated to reflect changes to OHS Policy R5.48-1 (amended September 3, 2026). Deletions are shown as strikethrough; additions and revisions are highlighted in green.

OHS Policies – Occupational Health and Safety Regulation

September 3, 2026

OHS Policy R5.48-1 has been amended (effective September 3, 2026) to reflect the current exposure limits for substances listed on the new or revised Threshold Limit Values for June 2026 from the American Conference of Governmental Industrial Hygienists.

- [R5.48-1 Controlling Exposure – Exposure Limits](#)

September 17, 2026

The following guideline is revised:

- Part 8: Personal Protective Clothing and Equipment – Respirators
 - [G8.33-1 Respiratory protection – Selection](#)

The following guideline is issued consequential to the OHS Regulation amendments that come into effect on November 6, 2026:

- Part 8: Personal Protective Clothing and Equipment – Respirators
 - [G8.39 Effective seal for tight-fitting respirators](#)

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

Guidelines – Workers Compensation Act

September 17, 2026

The following guideline was revised:

- Division 10 – Employer Accident Reporting and Investigation
 - [G-P2-68-1 Accidents and incidents requiring immediate notification to WorkSafeBC](#)

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

Act or Regulation Affected	Effective Date	Amendment Information
Occupational Health and Safety Regulation (296/97)	Oct. 1/26	by Reg 39/2026



PROPERTY, REAL ESTATE & CONSTRUCTION

Property, Real Estate & Construction News:

BC Presale Contracts Declared Unenforceable

Due to [REDMA](#) Disclosure Failures

Developers marketing presale units in British Columbia must continue to disclose material developments throughout the life of a project or risk losing the ability to enforce their purchase agreements. In *KingSett Mortgage Corporation v. Lumina Eclipse Limited Partnership*, [2026 BCSC 1598](#) (Lumina Eclipse), the British Columbia Supreme Court held that a developer's failure to disclose material developments affecting a condominium project rendered 39 presale agreements unenforceable against the purchasers, notwithstanding that the project was subsequently completed over the course of a [Companies' Creditors Arrangement Act](#) (CCAA) proceeding. Read the [full article](#) by Matthew G. Swanson, Matthew Tolan, Ryan Laity, Serge Lakatos and Sukhpreet Sandhu with Borden Ladner Gervais LLP.

Charging Ahead: What Commercial Landlords Should Know about Licensing Parking Stalls for EV Charging

Canada's electric vehicle ("EV") market continues to evolve rapidly. With the federal government replacing its 100% surtax on

Chinese EV imports with a quota system that permits up to 49,000 Chinese-made EVs annually at a 6.1% tariff beginning in March 2026 ^[1], demand for convenient charging infrastructure is likely to increase. As EV adoption grows, commercial parking lots are well positioned to meet that demand. For landlords, underutilized parking stalls can generate additional revenue, attract customers, and help retain tenants. This post addresses commercial properties held by a single owner. Strata properties, whether commercial or residential, raise distinct issues under the [Strata Property Act](#), because parking areas are often common property that only the strata corporation may license. Similarly, residential rental buildings raise issues under residential tenancy legislation. Those topics are beyond the scope of this article.

1. How EV Charging Arrangements Are Typically Structured

EV charging arrangements are typically documented as either licence agreements or short-form leases. Usually, the charging operator or vehicle manufacturer funds the charging equipment and any necessary electrical upgrades, while the landlord grants rights over designated parking stalls and related equipment areas. Compensation may take the form of a fixed monthly fee, a share of charging revenue, or the installation of charging infrastructure at little or no cost in exchange for a long-term operating right.

Read the [full article](#) by Timothy Law, Zue Zhang and Celest Xu with Lawson Lundell LLP.

CIMIC Morningstar Investments Ltd. v. Chandos Construction Ltd.: Delays and Notice – Substance over Form, Again

A building owner issued hundreds of design changes and added over \$2.7 million in extra work, refused to grant schedule extensions, then tried to claim liquidated damages against its contractor for the resulting delays. In *CIMIC Morningstar Investments Ltd. v. Chandos Construction Ltd.*, [2026 BCCA 2](#), the BC Court of Appeal refused leave to appeal an arbitral award of nearly \$6.5 million in favour of the contractor, and in doing so, reinforced four principles that owners, contractors, and construction professionals should keep front of mind when managing delay disputes. The dispute involved the construction of a four-story, mixed-use building in White Rock, British Columbia. CIMIC Morningstar Investment Ltd. ("CIMIC"), the owner, engaged Chandos Construction Ltd. ("Chandos") as the general contractor under a CCDC-2 fixed price contract. The contract was executed on October 23, 2020, with a fixed price of \$20,245,000 plus taxes, with a substantial completion deadline of May 31, 2022. Read the [full article](#) by Alice M.L. Wong and Evan Jacka with Miller Thomson.

Condo Smarts: Tenants Have Rights When Condo Neighbours Break Strata Rules

Strata councils must respond to tenant complaints about noise, bylaws and interference, just as they do for owners.

Dear Tony: We have been renting a rare 3-bedroom apartment for our family in an East Vancouver condo for five years. The landlord has been extremely kind and supportive to us, and the unit is close to the elementary school for our kids. Six months ago, a new buyer moved into the unit upstairs and renovated with what everyone thought was a long-term residence. The renos went smoothly with little disruption. Everyone has now discovered the identical three-bedroom unit is now a four-bedroom unit and is being rented by six students. The parties have been endless, we are paying the price for the continuous noise, an overflowed toilet, balcony garbage and now threats to us because we are complaining. The council has basically put their hands in the air and said deal with your landlord. Do tenants have any rights in condo developments? Don't the bylaws and rules apply to everyone the same?

DJR

While tenants who reside in strata communities are certainly afforded rights under their tenancy agreement and tenancy laws, the Strata Property Act expands on these protections. Tenants, like owners, have a right to use and enjoy their home free from unreasonable noise and interference, and they have a right to participate in the enforcement of their community's bylaws and rules.

Read the [full article](#) by Tony Gioventu article, published by the *Times Colonist*.

CPL Cancellation in BC: Court of Appeal Clarifies Protective Actions and Abuse of Process

A certificate of pending litigation (CPL) can effectively freeze title to real property before the underlying claim has been proven. In British Columbia real estate litigation, a CPL can impede a sale, refinancing, development, or other transaction involving the property. Because of those consequences, the [Land Title Act](#) requires litigants who register CPLs to diligently advance the underlying proceeding. [Section 252](#) of the *Land Title Act* permits a property owner or other interested party to apply for cancellation of a CPL where no step has been taken by the plaintiff in the underlying claim for one year. In *1316215 BC Ltd. v. Davis*, [2026 BCCA 338](#), the Court of Appeal for British Columbia considered whether a s. 252 application could be sidestepped through procedural manoeuvring, specifically by the plaintiff filing a second "protective" proceeding and a second CPL. Read the [full article](#) by Matthew G. Swanson, Sarah Péloquin and Sophie Méra-Joyce with Borden Ladner Gervais LLP.

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



WILLS & ESTATES

Wills and Estates News:

An Executor's Duties and Risks in Becoming a Corporate Director

When a deceased's assets are concentrated in a private corporation, the estate trustee often feels pressured to become a director of the company. Is there a conflict? Is it a prudent course for a professional estate trustee? There will be a lot more work required to take over the management and operation of an active company. One might expect, out of fairness, that if a person does both the work of an executor and a company director, that she should be paid for both jobs. Whether that actually happens is a matter of estate planning. A trustee, guardian or personal representative is entitled to such fair and reasonable allowance for the care, pains and trouble, and the time expended in and about the estate, as may be allowed by a judge of the Superior Court of Justice. But the general rule of thumb under the common law is that the executor would only be permitted her executor's fees unless the will says otherwise. Read the [full article](#) by Bradley Phillips with *Law360*.

The Potential Costs of Challenging a Will Without Evidence

It is not uncommon for family members to feel surprised, hurt, or suspicious after reading a loved one's will after they have passed. A child may believe that a parent was incapable of making the will, or that another family member pressured them into changing it. Those concerns can be serious. However, as discussed in a recent estate law decision, *Dhillon Estate (Re)*, [2026 BCSC 597](#) ("*Dhillon*"), suspicion that the will might not have been valid alone is not enough, and there may be costs consequences that arise depending on the reasonableness of the challenge. In *Dhillon*, certain of the deceased's children filed a notice of dispute in respect of the deceased's Will but withdrew their opposition to the grant of probate application in the months leading up to the trial of that issue. The deceased's other children argued that the claimants had improperly filed the notice of dispute, making unsupported allegations that caused unnecessary expense to the estate. Read the [full article](#) by Scott Boucher and Leon Mintu with Lawson Lundell.

Henriksen Estate (Re): Is a Will Created after Death Legally Valid?

The British Columbia Supreme Court in [Henriksen Estate \(Re\)](#) recently faced a tough question: can an unsigned will drafted after death be cured as valid under the [Wills, Estates and Succession Act](#) ("WESA")? Although the Court had to consider multiple provisions of WESA to reach its decision, it ultimately answered the question in the affirmative: yes, a will drafted after death can be a valid will. This is not the first case in which the Court has considered the validity of a will which was finalized post-death and did not comply with WESA. In [Fleury Estate \(Re\)](#), the deceased never saw the final version of her will. She had provided instructions for a draft will that the Court later cured under WESA to make it valid. However, *Henriksen Estate (Re)* is novel in that the court had to grapple with curing a will that was drafted after the deceased had died. Read the [full article](#) by Tatum Sabourin with Clark Wilson.

Contractual Obligations of the Deceased

For executors, managing a deceased's commercial covenants requires fulfilling the dead's obligations without exposing the trustee to personal liability. It is incumbent on lawyers to inform, advise and protect their clients regarding these obligations. Experienced prudent lawyers remind executors that by taking on this role they are stepping into the shoes of the deceased and have to deal with all the contractual obligations of the testator. Did the deceased owe money: what arrangements have been made to pay the debts? Did they own a company: who is going to run the business? Are there deals in process: who is going to make those decisions and ensure the obligations are complied with? How do these obligations mesh with the duty to preserve the estate? Read the [full article](#) by David Wagner and Taiyler Wiebes.

Act or Regulation Affected

Effective Date

Amendment Information

There were no amendments this month.

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