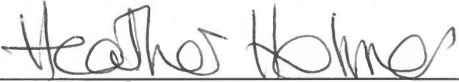


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL


Order in Council No. 471

, Approved and Ordered September 20, 2022



~~Lieutenant Governor~~
Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ ^{Administrator}, by and with the advice and consent of the Executive Council, orders that the Compensation and Disaster Financial Assistance Regulation, B.C. Reg. 124/95, is amended as set out in the attached Schedule.



Minister of Public Safety and Solicitor General and
Deputy Premier



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Emergency Program Act, R.S.B.C. 1996, c. 111, s. 28 (2) (d)

Other: OIC 310/95

R10609718

SCHEDULE

- 1 *Section 13 of the Compensation and Disaster Financial Assistance Regulation, B.C. Reg. 124/95, is amended by striking out “\$300 000” and substituting “\$400 000”.*
- 2 *Section 35 is amended*
 - (a) *by adding the following definition:*

“2021 atmospheric river disaster” means the disaster caused by the atmospheric river weather system that occurred in British Columbia during the period beginning November 14, 2021 and ending December 2, 2021 and in respect of which the minister determined under sections 8 (2) and 20 (2) that disaster financial assistance may be provided under Parts 2 and 3; , *and*
 - (b) *in the definition of “effective date” by striking out “this Part” and substituting “section 37.1”.*
- 3 *Section 36 (1) is amended by striking out “the effective date” and substituting “April 28, 2022”.*
- 4 *Section 37 is amended*
 - (a) *in subsection (1) in the definition of “specified claim” by striking out “the effective date” and substituting “April 28, 2022” and by striking out “a specified disaster” and substituting “the 2021 atmospheric river disaster”,*
 - (b) *in subsection (1) in the definition of “specified criteria” by striking out “the effective date” and substituting “April 28, 2022”,*
 - (c) *in subsections (2) and (3) by striking out “before the effective date” and substituting “before April 28, 2022”, and*
 - (d) *in subsection (4) by striking out “a specified disaster” and substituting “the 2021 atmospheric river disaster” and by striking out “the effective date” and substituting “April 28, 2022”.*
- 5 *The following section is added:*

Transition – limit to assistance under Part 2

- 37.1** (1) In this section, **“specified claim”** means an application provided under section 19 (5) before the effective date in respect of a specified disaster.
- (2) If
- (a) the Provincial Emergency Program, before the effective date, made a determination under section 19 (8) of the amount of assistance to be provided to the applicant in relation to a specified claim, and
 - (b) the amount of assistance payable under Part 2 in respect of the specified claim would have been greater than \$300 000 but for the limit on the maximum amount payable under that Part, as it read immediately before the effective date,

the determination is set aside.

- (3) If a determination is set aside under subsection (2), the Provincial Emergency Program must reconsider the maximum amount of assistance that is payable in respect of the specified claim in accordance with this regulation as it reads on the effective date.
- (4) In reconsidering the maximum amount of assistance that is payable, the Provincial Emergency Program may consider only the information previously considered under section 19 (8), including any documentation previously provided by the applicant.

6 *Section 38 is repealed.*