

**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 35

, Approved and Ordered February 9, 2026

  
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Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective August 1, 2026,

- (a) sections 4 to 6, 7 (a), 8 to 19, 21 to 27, 36 and 40 of the *Business Practices and Consumer Protection Amendment Act, 2025*, S.B.C. 2025, c. 3, are brought into force,
- (b) the Business Practices and Consumer Protection Regulation, B.C. Reg. 294/2004, is amended as set out in the attached Appendix 1,
- (c) the Consumer Contracts Regulation, B.C. Reg. 272/2004, is amended as set out in the attached Appendix 2,
- (d) the Debt Collection and Repayment Regulation, B.C. Reg. 295/2004, is amended as set out in the attached Appendix 3, and
- (e) the Home Inspector Licensing Regulation, B.C. Reg. 12/2009, is amended as set out in the attached Appendix 4.



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Attorney General and Deputy Premier



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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: *Business Practices and Consumer Protection Act*, S.B.C. 2004, c. 2, ss. 194 and 201  
*Business Practices and Consumer Protection Amendment Act, 2025*, S.B.C. 2025, c. 3, s. 41

Other: OIC 628/2004; OIC 656/2004; OIC 657/2004; OIC 40/2009

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## APPENDIX 1

- 1 *The following Part is added to the Business Practices and Consumer Protection Regulation, B.C. Reg. 294/2004:*

### PART 1.1 – UNFAIR PRACTICES

#### Low value claim

- 2.1 For the purposes of the definition of “low value claim” in section 14.4 (1) [*dispute resolution and class proceeding term or acknowledgment inoperative – low value claim*] of the Act, the prescribed amount is \$5 000, exclusive of interest and any costs, fees, expenses or charges in relation to a dispute respecting the low value claim.
- 2 *Section 3 is amended*
- (a) *in subsection (1) by repealing paragraphs (a), (c) and (o) and substituting the following:*
- (a) section 18.2 [*contract contents*];, and
- (b) *in subsection (2) by striking out “(a), (c), (e)” and substituting “(a), (e),”.*

## APPENDIX 2

- 1 *The heading to Part 1 of the Consumer Contracts Regulation, B.C. Reg. 272/2004, is repealed and the following substituted:*

### PART 1 – CONSUMER CONTRACTS UNDER DIVISION 2 OF PART 4 OF THE ACT .

- 2 *The following heading is added after the heading to Part 1:*

#### Division 1 – Future Performance Contracts .

- 3 *The following section is added to Part 1:*

#### Prescribed amount for definition of “future performance contract”

- 1.1 The amount of total price payable prescribed for the purposes of the definition of “future performance contract” in section 17 [*definitions – consumer contracts*] of the Act is the cumulative total amount of \$50, before taxes, shipping or any other costs described in section 18.2 (h) or (i) [*contract contents*] of the Act.

**4 Section 2 is repealed and the following substituted:**

**Designated future performance contracts for  
definition of “fitness or other personal services contract”**

- 2** For the purposes of the definition of “fitness or other personal services contract” in section 17 of the Act, a future performance contract is designated if, under the contract between the supplier and the consumer, the supplier supplies, or offers to supply,
- (a) physical fitness services, including activities
    - (i) that are offered for the benefit of the consumer’s flexibility, strength or aerobic capacity, and
    - (ii) that are supplied at a facility or other place associated with the supply of those services, or
  - (b) other personal services relating to physical fitness, including instruction, training or assistance supplied to the consumer individually or in groups.

**5 Section 2.1 is amended by striking out “continuing services contract” and substituting “fitness or other personal services contract”.**

**6 Section 3 is amended**

- (a) *in subsection (1) by striking out “section 25 (6) (a) [refund if material change] of the Act, the supplier must refund the portion of all cash payments made under the contract” and substituting “sections 25 (6) (a) [refund if material change] and 25.1 (5) (a) [subscription contract – automatic renewal] of the Act, the supplier must refund the portion of all money paid under a fitness or other personal services contract or a subscription contract”,*
- (b) *in the formula in subsection (1) by striking out “cash payments” and substituting “money paid”, and*
- (c) *in subsection (2) by striking out “cash payments made under the contract” and substituting “money paid under a fitness or other personal services contract”.*

**7 The following heading is added before section 4:**

**Division 2 – Direct Sales Contracts .**

**8 The following section is added before section 4:**

**Definition for this Division**

- 3.1** In this Division, “restricted good or service” means a good or service referred to in section 20.1 (1) [direct sales contract – prohibitions] of the Act.

**9 Section 4 (1) is amended by striking out “\$50” and substituting “the cumulative total amount of \$50, before taxes, shipping or any other costs described in section 18.2 (h) or (i) [contract contents] of the Act”.**

**10 The following section is added:**

**Prescribed goods or services for certain prohibited direct sales contracts**

- 4.1** For the purposes of section 20.1 (1) (j) [*direct sales contract – prohibitions*] of the Act, the following are prescribed goods or services:
- (a) a heat pump system;
  - (b) a solar photovoltaic panel system or solar thermal panel system;
  - (c) a component or related service for a good or service referred to in section 20.1 (1) of the Act.

**11 Section 5 is repealed and the following substituted:**

**Exemptions from application of certain contract requirements for regulated direct sellers**

- 5** (1) In this section, “**regulated direct seller**” means one of the following direct sellers, if the direct seller is engaged in selling the goods or services for which the direct seller is licensed, registered or incorporated:
- (a) a direct seller who is a person licensed under the *Real Estate Services Act*;
  - (b) a direct seller that is a society, as defined in the *Societies Act*;
  - (c) a direct seller who is a motor dealer registered under the *Motor Dealer Act*;
  - (d) a direct seller who is an insurance agent licensed under the *Financial Institutions Act*;
  - (e) a direct seller who is a dealer or salesperson registered under the *Securities Act*.
- (2) The following provisions of the Act do not apply to a direct sales contract for the supply of a good or service in respect of which the regulated direct seller is licensed, registered or incorporated:
- (a) Division 1.1 [*Contract Requirements*] of Part 4 [*Consumer Contracts*];
  - (b) section 20 [*direct sales contracts*];
  - (c) section 20.1 [*direct sales contract – prohibitions*];
  - (d) section 21 [*direct sales contract – cancellation*].

**12 The following sections are added:**

**Exemptions for direct sales contracts at certain temporary locations**

- 5.1** (1) In this section, “**temporary location**” means
- (a) an agricultural show or fair, trade show, craft show, art show or similar type of exhibit,
  - (b) a temporary kiosk in a shopping mall, or
  - (c) an auction.

- (2) Section 20.1 (1) [*direct sales contract – prohibitions*] of the Act does not apply to a supplier who enters into a direct sales contract at a temporary location for the supply of a restricted good or service.
- (3) The following provisions of the Act do not apply to a direct sales contract entered into at a temporary location unless that direct sales contract is entered into for the supply of a restricted good or service:
  - (a) Division 1.1 [*Contract Requirements*] of Part 4 [*Consumer Contracts*];
  - (b) section 20 [*direct sales contracts*];
  - (c) section 21 [*direct sales contract – cancellation*].

**Exemptions from prohibited direct sales contracts when consumers allow residential access**

- 5.2** (1) Section 20.1 (1) of the Act does not apply to a supplier who enters into a direct sales contract for the supply of a restricted good or service if a consumer invites the supplier to the consumer’s place of residence for the purpose of entering into the direct sales contract after
- (a) the supplier initiates communication with the consumer by any means other than in person at the consumer’s place of residence or by telephone, or
  - (b) the consumer initiates communication with the supplier, including when the supplier is an ongoing supplier under an existing direct sales contract and the consumer accepts a request from the supplier to meet at the consumer’s place of residence.
- (2) The exemption under subsection (1) of this section does not apply when a supplier is performing an energy audit at a consumer’s place of residence.

**13** *Section 6 is repealed.*

**14** *The following heading is added before section 7:*

**Division 3 – Consumer Rights of Cancellation .**

**15** *Section 7 (1) is amended by striking out “section 19 (m) [notice of consumer’s rights of cancellation] of the Act, a continuing services contract” and substituting “section 18.2 (s) [contract contents] of the Act, a fitness or other personal services contract”.*

**16** *Schedule A is amended by striking out “[Supplier: insert this paragraph if the contract is a time share contract.] You may cancel at any time, if you are not given a copy of this contract when you sign it.”*

**APPENDIX 3**

**1** *Section 14 of the Debt Collection and Repayment Regulation, B.C. Reg. 295/2004, is amended by striking out “sections 19” and substituting “sections 18.2”.*

## APPENDIX 4

- 1 Section 12 (1) of the Home Inspector Licensing Regulation, B.C. Reg. 12/2009, is amended by striking out “sections 19” and substituting “sections 18.2”.*