

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 299

, Approved and Ordered

June 23, 2025



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 the Property Transfer Tax Regulation, B.C. Reg. 74/88, is amended as set out in the attached Schedule.



Minister of Finance



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: *Property Transfer Tax Act, R.S.B.C. 1996, c. 378, s. 37*

Other: *OIC 364/88*

R10897937

SCHEDULE

- 1** *The Property Transfer Tax Regulation, B.C. Reg. 74/88, is amended by adding the following Part:*

PART 5 – ARBITRATIONS

Definition and application of *Arbitration Act*

- 24** (1) In this Part, “**arbitration**” means an arbitration under section 22 of the Act.
- (2) Subject to this Part, the provisions of the *Arbitration Act* apply in relation to an arbitration.
- (3) For the purpose of applying the *Arbitration Act* in relation to an arbitration, an arbitration agreement in relation to a determination of fair market value arises if both of the following apply:
- (a) a person serves on the minister a notice of arbitration under section 22 of the Act;
- (b) the notice of arbitration meets the requirements set out in section 22 of the Act and is served within the time required by that section.

Sole arbitrator only

- 25** An arbitral tribunal appointed to hear an arbitration must not be composed of more than one arbitrator.

Hearings and written proceedings

- 26** (1) Despite section 30 (1) and (2) [*hearings and written proceedings*] of the *Arbitration Act*, an arbitral tribunal must not hold an oral hearing for the presentation of evidence or for oral argument in an arbitration unless the arbitral tribunal determines an oral hearing is necessary to satisfy its duties under section 21 of that Act.
- (2) The duration of an oral hearing in an arbitration or, if there is more than one oral hearing in the arbitration, the duration of all the oral hearings taken together, may not exceed one day unless the arbitral tribunal determines that a longer oral hearing or hearings are necessary to satisfy its duties under section 21 of the *Arbitration Act*.

Costs of arbitration

- 27** (1) Section 50 (2) and (3) [*costs*] of the *Arbitration Act* does not apply in relation to the costs of an arbitration.
- (2) Each party to an arbitration is responsible for paying
- (a) the party’s own legal fees and expenses,
- (b) the fees and expenses of the party’s expert witnesses, and
- (c) subject to subsection (3), any other expenses incurred by the party in connection with the arbitration.

- (3) The parties to an arbitration must pay equal shares of the following costs of an arbitration:
 - (a) the fees and expenses of the arbitrator;
 - (b) any administration fees of an institution.
- (4) The arbitral tribunal may determine the amount of the costs referred to in subsection (3), including by reference to actual reasonable fees and expenses.