



INFORMATION BULLETIN

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Ministry of Attorney General

GOVERNMENT INTRODUCES MISCELLANEOUS STATUTES AMENDMENT

VICTORIA – Bill 16, the Miscellaneous Statutes Amendment Act (No. 2), 2005 was introduced today and affects the following provincial statutes:

- Freedom of Information and Protection of Privacy Act – This amendment continues government's tradition of enhancing the legislation to ensure that it provides the strongest privacy protection possible. Without limiting this protection, the changes recognize the increasingly complex electronic and international environment in which government must transact financial services and collect debts.
- The Business Practices and Consumer Protection Act – These amendments give the Lieutenant Governor in Council the power to make regulations to require a specific industry, business, trade, profession or occupation to have a licence. This change will streamline the process by which the licensing requirement can be extended to new industries. There are currently proposals for several businesses, such as manufactured home dealers and cosmetologists, to be included in the act and the amendment will enable these to be included by regulation.
- The Oil and Gas Commission Act – This amendment establishes a new fund, collected from industry through a tax on production, for reclamation of orphan oil and gas sites. The Oil and Gas Commission will be responsible for identifying and reclaiming the sites and has enhanced its review and reporting procedures to reduce the risk of new orphan sites arising in the future. The fund will pay compensation to a landowner for unpaid surface lease rental payments where the owner of the orphan well, facility or pipeline has failed to make surface lease payment to the landowner.
- Private Career Training Institutions Act - This amendment will reinforce the ability of students enrolled in non-career programs at registered institutions to have recourse through the Student Training Completion Fund should their institution close prematurely, and will clarify consumer protection for the tuition fees of students attending registered institutions.
- Business Number Incorporation Act – This amendment will allow the Province to verify the identity of a business prior to issuing that business an electronic identifier. This change will allow businesses to use one electronic identifier to access services provided by a public body.
- Credit Union Incorporation Act – This amendment will allow Credit Union Central of British Columbia to adopt a 'double majority voting rule' for special resolutions. This change will ensure that the few large credit unions and the more numerous smaller credit unions all have a voice in important decisions made by the credit union system.

- Partnership Act and Legal Profession Act – This amendment provides three technical clarifications for the registration and operation of limited liability partnerships in British Columbia. These amendments will ensure that the limited liability partnership regime in this province continues to work in an effective and efficient manner.
- Protected Areas of British Columbia Act – These amendments will transfer ownership of two provincial parks, Taylor Landing and Sunnybrae, to local governments for park purposes. The amendments will also modify the boundaries of three other parks: Shuswap Lake Marine, Coldwater River and E.C. Manning. The amendments will also add lands to Charlie Lake Provincial Park, San Juan River Estuary Ecological Reserve, and will also correct administrative errors and update boundary descriptions in the act.
- Land Title Act – These amendments strengthen British Columbia’s land title system by providing title certainty as soon as title to a property is registered with the Land and Title Survey Authority. The changes extend compensation in the very rare situations where a system or administrative error may have occurred, and provide the legal basis for fairly compensating the losses of innocent victims of fraud or forgery and claimants whose loss is partially a result of an administrative error of the Registrar and partially a result of their own actions. This brings British Columbia’s land titles system in line with other provinces.
- Land Act and Ministry of Lands, Parks and Housing Act – Under the Land Act and Ministry of Lands, Parks and Housing (MLPH) Act, the Minister of Agriculture and Lands has the authority to dispose of Crown land. The minister now has the authority to delegate those powers to other ministries with terms and conditions applied. As part of government’s re-organization, legal authorities for land disposition will be carried out by the following ministries:
 - Transportation – for airports and head leases at major ports
 - Forests and Range – for grazing leases
 - Tourism, Sport and the Arts – for commercial recreation, golf course, alpine ski and all season resorts
- Public Service Act – These amendments will separate the role of Merit Commissioner from the head of the BC Public Service Agency, and establish the Merit Commissioner as an independent officer of the Legislature. The amendments make no change to the appointment process or authority of the Merit Commissioner as it currently exists, and aligns the appointment process for the head of the BC Public Service Agency with that of other senior public service employees.

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