

SUMMARY TABLE OF CONTENTS

Preface	iii
Administrative Tribunals Act	
S.B.C. 2004, c. 45	1
Bankruptcy and Insolvency Act	
R.S.C. 1985, c. B-3	53
Orderly Payment of Debts Regulations	
Can. Reg. 369	58
Community Services Labour Relations Act	
S.B.C. 2003, c. 27	83
Criminal Records Review Act	
R.S.B.C. 1996, c. 86	87
Criminal Record Check Authorizations Regulation	
B.C. Reg. 386/2007	117
Criminal Record Check Fee Regulation	
B.C. Reg. 238/2002	121
Prescribed Programs Regulation	
B.C. Reg. 173/2002	122
Education Services Collective Agreement Act	
S.B.C. 2002, c. 1	125
Employee Investment Act	
R.S.B.C. 1996, c. 112	131
Employment Standards Act	
R.S.B.C. 1996, c. 113	161
Compassionate Care Leave Regulation	
B.C. Reg. 281/2006	216
Employment Standards Regulation	
B.C. Reg. 396/95	218
Reservists' Leave Regulation	
B.C. Reg. 254/2016	265
Rules of Practice and Procedure	
.....	267
Fire and Police Services Collective Bargaining Act	
R.S.B.C. 1996, c. 142	307
Fishing Collective Bargaining Act	

Summary Table of Contents

R.S.B.C. 1996, c. 150	311
Forestry Service Providers Protection Act	
S.B.C. 2010, c. 16	315
Freedom of Information and Protection of Privacy Act	
R.S.B.C. 1996, c. 165	329
Freedom of Information and Protection of Privacy Regulation	
B.C. Reg. 155/2012	401
Health Authorities Act	
R.S.B.C. 1996, c. 180	413
Human Rights Code	
R.S.B.C. 1996, c. 210	431
Human Rights Code Regulation	
B.C. Reg. 373/96	454
BC Human Rights Tribunal Rules of Practice and Procedure	455
Human Rights Tribunal Rules of Practice and Procedure	
Forms	483
Labour Mobility Act	
S.B.C. 2009, c. 20	615
Labour Relations Code	
R.S.B.C. 1996, c. 244	627
Labour Relations Board Fees Regulation	
B.C. Reg. 395/2003	684
Labour Relations Regulation	
B.C. Reg. 7/93	688
Prescribed Time Periods for Decisions Regulation	
B.C. Reg. 49/2012	694
British Columbia Labour Relations Board Rules	696
Labour Relations Board	
Forms	711
Pension Benefits Standards Act	
S.B.C. 2012, c. 30	809
Pension Benefits Standards Regulation	
B.C. Reg. 71/2015	887
Personal Information Protection Act	
S.B.C. 2003, c. 63	1057
Personal Information Protection Act Regulations	
B.C. Reg. 473/2003	1084
Public Education Collective Agreement Act	
S.B.C. 1998, c. 41	1087

Summary Table of Contents

Public Education Labour Relations Act	
R.S.B.C. 1996, c. 382	1089
Public Sector Employers Act	
R.S.B.C. 1996, c. 384	1095
Crown Agency Employers Exemption Regulation	
B.C. Reg. 177/2007	1111
Employment Termination Standards	
B.C. Reg. 379/97	1112
Health Care Employers Regulation	
B.C. Reg. 427/94	1116
Senior Employee Base Salary Regulation	
B.C. Reg. 319/2002	1123
Social Services Employers Regulation	
B.C. Reg. 84/2003	1124
Public Service Act	
R.S.B.C. 1996, c. 385	1131
Definition Regulation	
B.C. Reg. 279/98	1144
Employment Insurance Regulation	
B.C. Reg. 401/98	1145
Hours of Service Regulation	
B.C. Reg. 154/78	1146
Excluded Employees Indemnity Protection Regulation	
B.C. Reg. 72/2012	1147
Political Staff Oath Regulation	
B.C. Reg. 66/2014	1148
Resignation Regulation	
B.C. Reg. 132/77	1149
Review of Staffing Decisions Regulation	
B.C. Reg. 443/2003	1150
Salary Range Regulation	
B.C. Reg. 152/2017	1151
Standards of Conduct for Political Staff Regulation	
B.C. Reg. 67/2014	1154
Vacation Entitlement for Re-Employed Appointees Regulation	
B.C. Reg. 6/2009	1161
Public Service Labour Relations Act	
R.S.B.C. 1996, c. 388	1163
Public Service Labour Relations Regulations	

Summary Table of Contents

B.C. Reg. 22/74	1175
Teachers' Collective Agreement Act	
S.B.C. 2005, c. 27	1177
Workers Compensation Act	
R.S.B.C. 1996, c. 492	1179
Boards of Review Regulation	
B.C. Reg. 31/81	1321
Firefighters' Occupational Disease Regulation	
B.C. Reg. 125/2009	1327
Fishing Industry Regulations	
B.C. Reg. 674/76	1329
Lower Maximum Administrative Penalties Regulation	
B.C. Reg. 194/2015	1333
Occupational Disease Recognition Regulation	
B.C. Reg. 71/99	1336
Occupational Health and Safety Regulation	
B.C. Reg. 296/97	1338
Reports of Injuries Regulations	
B.C. Reg. 713/74	1865
Time Period for Review Regulation	
B.C. Reg. 164/2015	1866
1866	
Transitional Review and Appeal Regulation	
B.C. Reg. 322/2002	1867
Workers Compensation Act Appeal Regulation	
B.C. Reg. 321/2002	1868
Workers' Compensation Act (Review Board) Regulation	
B.C. Reg. 32/86	1870
Workers Compensation Appeal Tribunal Compensation Regulation	
B.C. Reg. 359/2002	1873
Index	1877

TABLE OF CONTENTS

ADMINISTRATIVE TRIBUNALS ACT

1	Definitions	1
1.1	Application by incorporation	2
2	Chair's initial term and reappointment	2
3	Member's initial term and reappointment	2
4	Appointment of acting chair	2
5	Member's absence or incapacitation	3
6	Temporary, non-renewable appointments	3
7	Powers after resignation or expiry of term	3
7.1	Validity of tribunal acts	4
8	Termination for cause	4
9	Responsibilities of the chair	4
10	Remuneration and benefits for members	4
10.1	Designating clusters	4
10.2	Executive chair	4
10.3	Tribunal chairs	5
10.4	Alternate executive chair	5
10.5	Validity of tribunal acts	5
10.6	Transition	5
11	General power to make rules respecting practice and procedure	6
12	Practice directives tribunal must make	7
13	Practice directives tribunal may make	7
14	General power to make orders	7
15	Interim orders	8
16	Consent orders	8
17	Withdrawal or settlement of application	8
18	Failure of party to comply with tribunal orders and rules	8
19	Service of notice or documents	8
20	When failure to serve does not invalidate proceeding	9
21	Notice of hearing by publication	9
22	Notice of appeal (inclusive of prescribed fee)	9
23	Notice of appeal (exclusive of prescribed fee)	9
24	Time limit for appeals	10
25	Appeal does not operate as stay	10
26	Organization of tribunal	10
27	Staff of tribunal	11
28	Facilitated settlement	11
29	Disclosure protection	11
30	Tribunal duties	11
31	Summary dismissal	11
32	Representation of parties to an application	12
33	Interveners	12

Table of Contents

34	Power to compel witnesses and order disclosure	12
35	Recording tribunal proceedings	13
36	Form of hearing of application	13
37	Applications involving similar questions	13
38	Examination of witnesses	13
39	Adjournments	14
40	Information admissible in tribunal proceedings	14
41	Hearings open to public	14
42	Discretion to receive evidence in confidence	14
43	Discretion to refer questions of law to court	15
44	Tribunal without jurisdiction over constitutional questions	15
45	Tribunal without jurisdiction over Canadian <i>Charter of Rights and Freedoms</i> issues	15
46	Notice to Attorney General if constitutional question raised in application	16
46.1	Discretion to decline jurisdiction to apply the <i>Human Rights Code</i>	16
46.2	Limited jurisdiction and discretion to decline jurisdiction to apply the <i>Human Rights Code</i>	17
46.3	Tribunal without jurisdiction to apply the <i>Human Rights Code</i>	17
47	Power to award costs	18
47.1	Security for costs	18
47.2	Government and agents of government	18
48	Maintenance of order at hearings	18
49	Contempt proceeding for uncooperative witness or other person . . .	19
50	Decisions	19
51	Final decision	19
52	Notice of decision	19
53	Amendment to final decision	20
54	Enforcement of tribunal's final decision	20
55	Compulsion protection	20
56	Immunity protection for tribunal and members	20
57	Time limit for judicial review	21
58	Standard of review if tribunal's enabling Act has privative clause	21
59	Standard of review if tribunal's enabling Act has no privative clause	22
59.1	Surveys	22
59.2	Reporting	22
60	Power to make regulations	23
61	Application of <i>Freedom of Information and Protection of Privacy Act</i>	23
62	Application of Act to BC Review Board	24
	Consequential amendments	24

Table of Contents

BANKRUPTCY AND INSOLVENCY ACT

PART V — ADMINISTRATION OF ESTATES

Scheme of Distribution

136	Priority of claims	53
137	Postponement of claims — creditor not at arm’s length	55
138	[Repealed 2007, c. 36, s. 48.]	55
139	Postponement of claims of silent partners	55
140	Postponement of wage claims of officers and directors	56
140.1	Postponement of equity claims	56
141	Claims generally payable rateably	56
142	Partners and separate properties	56
143	Interest from date of bankruptcy	56
144	Right of bankrupt to surplus	56
145	Proceeds of liability insurance policy on motor vehicles	56
146	Application of provincial law to lessors’ rights	57
147	Levy payable out of dividends for supervision	57

CAN. REG. 369 — ORDERLY PAYMENT OF DEBTS REGULATIONS

.....	58
-------	----

COMMUNITY SERVICES LABOUR RELATIONS ACT

1	Definitions and interpretation	83
2	CSSEA as bargaining agent	83
3	Bargaining units of agency employees	83
4	Association of unions	84
5	Vote for one union	85
6	Volunteers and family home providers	85
7	Labour relations matters	85
8	Application of the Code	86

CONSEQUENTIAL AMENDMENT

Community Services Interim Authorities Act

9	.....	86
10	Commencement	86

CRIMINAL RECORDS REVIEW ACT

PART 1 — INTRODUCTORY PROVISIONS

1	Definitions	87
2	Purpose	91
3	Equivalent standards	91

PART 2 — CRIMINAL RECORD CHECK AND RECONSIDERATION

4	Criminal record check	91
4.1	Completion of criminal record check	94
5	Reconsideration	94

Table of Contents

6	Use of information	96
	PART 2.1 — CRIMINAL RECORD CHECK VERIFICATION	
6.1	Criminal record check verification	96
	PART 3 — EMPLOYERS AND EMPLOYEES	
7	Application of Part 3	97
8	General duty of employers	97
9	Applicants for employment	98
10	Existing employees	98
10.1	No portable criminal record check	98
11	Effect of finding of risk	99
11.1	Effect of finding of risk — working with vulnerable adults	99
12	New convictions or outstanding charges	100
	PART 4 — REGISTERED MEMBERS	
13	General duty of governing body	100
14	Applicants for registration	100
15	Existing registered members	101
15.1	No portable criminal record check	101
16	Effect of finding of risk	101
17	New convictions or outstanding charges	102
	PART 4.1 — REGISTERED STUDENTS	
17.1	General duty of education institutions	102
17.2	Registered students working with children	103
17.2.1	No portable criminal record check	103
17.3	Effect of finding of risk	103
17.3.1	Effect of finding of risk — working with vulnerable adults	103
17.4	New convictions or outstanding charges	104
	PART 4.2 — DIRECTOR OF CERTIFICATION	
17.4.1	Definitions	104
17.5	Duty of director of certification	104
17.6	Applications for certificates and letters of permission	104
17.7	Existing certification holders	105
17.7.1	No portable criminal record check	105
17.8	Effect of finding of risk	105
17.9	New convictions or outstanding charges	105
	PART 5 — UNLICENSED FAMILY CHILD CARE PROVIDERS	
18	Definitions	106
19	General duty of minister	106
20	Applicants for registration	106
21	Existing child care providers	106
21.1	No portable criminal record check	107
22	Effect of finding of risk	107
23	New convictions or outstanding charges	107
24	Other persons at facility	108
	PART 5.1 — SPECIFIED ORGANIZATIONS AND VOLUNTEERS	
24.1	Registration of specified organizations	108
24.2	Deregistration of specified organizations	108

Table of Contents

24.3	General duty of registered specified organizations	108
24.4	Applicants for volunteering	109
24.5	Existing volunteers	109
24.6	No portable criminal record check	109
24.7	Effect of finding of risk — working with children	110
24.8	Effect of finding of risk — working with vulnerable adults	110
24.9	New convictions or outstanding charges	110
PART 6 — GENERAL		
25-26	[Repealed 2002, c. 52, s. 34.]	111
27	Criminal record check authorization	111
27.01	Criminal record check verification authorization	111
27.1	Waiver of fees	111
27.2	Delegation	112
28	Offences	112
28.1	Request for records or information	112
29	Power to make regulations	112
Schedule		
Schedule 1	Relevant Offences	113
Schedule		
Schedule 2	. . . . .	115
Schedule		
Schedule 3	Specified Offences	116
 B.C. REG. 386/2007 — CRIMINAL RECORD CHECK AUTHORIZATIONS REGULATION		
		117
 B.C. REG. 238/2002 — CRIMINAL RECORD CHECK FEE REGULATION		
		121
 B.C. REG. 173/2002 — PRESCRIBED PROGRAMS REGULATION		
		122
 EDUCATION SERVICES COLLECTIVE AGREEMENT ACT		
1	Definitions	125
2	Constitution of teachers' collective agreement	125
3	Resolution of disputes regarding agreed provisions	126
4	Amalgamation	126
5	Review of collective bargaining structures, practices and procedures	127
6	Application of <i>Labour Relations Code</i>	128
7	Repeal	128

Table of Contents

	SCHEDULE	
Schedule	Article A.1: Term, Continuation and Renegotiation	128
	EMPLOYEE INVESTMENT ACT	
1	Definitions and interpretation	131
	PART 1 — EMPLOYEE SHARE OWNERSHIP PLANS	
2	Registration	135
3	Criteria for corporation eligibility	136
4	Conditions for plan	136
5	Additional equity capital	138
6	Use of funds	138
7	Tax credit	139
	PART 2 — EMPLOYEE VENTURE CAPITAL PLANS	
8	Registration	140
9	Criteria for corporation eligibility	140
10	Conditions for plan	141
11	Permanent establishment	143
12	Limits on equity capital	143
13	Minimum investment requirements	143
14	Additional equity capital	144
15	Eligible investments	144
16	Investment for certain purposes prohibited	145
17	Control of eligible business	146
18	Non-arm's length investments prohibited	146
19	Aggregate investment	147
20	Action to be taken if investment becomes prohibited	147
21	[Repealed 1997, c. 27 s. 19]	147
22	Permitted investments and authorized expenses	147
23	Investment protection account	148
24	Tax credit	149
25	Fractional shares	150
26	Paid up capital accounts	150
	PART 3 — GENERAL	
27	Certification of employee group	151
28	Cost sharing	151
29	The register	152
30	Annual maximum tax credit	152
31	Repayment of tax credit — sale of shares	153
32	Third party liability	154
33	Reporting requirements	154
34	Keeping of records	154
35	Revocation and suspension of plans	155
36	Examination of records	155
37	Investigation	156
38	Investigator's power at hearing	156
39	Report to administrator	156
40	General provisions	157

Table of Contents

41	Extension of time	158
41.1	Liability protection	158
42	Offences	158
43	Limitation period	159
44	Regulations and orders	159

EMPLOYMENT STANDARDS ACT

PART 1 — INTRODUCTORY PROVISIONS

1	Definitions	161
2	Purposes of this Act	164
3	Scope of this Act	165
4	Requirements of this Act cannot be waived	166
5	Promoting awareness of employment standards	166
6	[Repealed 2002, c. 42, s. 3.]	166
7	[Repealed 2003, c. 65, s. 2.]	166

PART 2 — HIRING EMPLOYEES

8	No false representations	167
9	Hiring children	167
10	No charge for hiring or providing information	167
11	No fees to other persons	167
12	Employment agencies must be licensed	167
12.1	[Proposed] Silviculture contractors must be licensed	168
13	Farm labour contractors must be licensed	168
14	Written employment contract required for domestics	168
15	Register of employees working in residences	168

PART 3 — WAGES, SPECIAL CLOTHING AND RECORDS

16	Employers required to pay minimum wage	168
17	Paydays	168
18	If employment is terminated	169
19	If employee cannot be located	169
20	How wages are paid	169
21	Deductions	169
22	Assignments	169
23	Employer's duty to make assigned payments	170
24	How an assignment is cancelled	170
25	Special clothing	170
26	Payments by employer to funds, insurers or others	171
27	Wage statements	171
28	Payroll records	171
29	[Repealed 2002, c. 42, s. 10.]	172
30	Producer and farm labour contractor are liable for unpaid wages	172
30.1	Liability of farm labour contractor for transportation costs	172
30.2	Enforcement of administrative fee	173

PART 4 — HOURS OF WORK AND OVERTIME

31	[Repealed 2002, c. 42, s. 12.]	173
32	Meal breaks	173

Table of Contents

33	Split shifts	173
34	Minimum daily hours	173
35	Maximum hours of work before overtime applies	174
36	Hours free from work	174
37	Agreements to average hours of work	174
38	[Repealed 2002, c. 42, s. 18.]	176
39	No excessive hours	176
40	Overtime wages for employees not on a flexible work schedule	176
41	[Repealed 2002, c. 42, s. 20.]	177
42	Banking of overtime wages	177
43	[Repealed 2002, c. 42, s. 22.]	177
	PART 5 — STATUTORY HOLIDAYS	
44	Entitlement to statutory holiday	178
45	Statutory holiday pay	178
46	If employee is required to work on statutory holiday	178
47	[Repealed 2002, c. 42, s. 23.]	178
48	Substituting another day for a statutory holiday	178
49	[Repealed 2002, c. 42, s. 25.]	179
	PART 6 — LEAVES AND JURY DUTY	
50	Pregnancy leave	179
51	Parental leave	179
52	Family responsibility leave	180
52.1	Compassionate care leave	180
52.2	Reservists' leave	181
52.3	Leave respecting disappearance of child	182
52.4	Leave respecting death of child	183
53	Bereavement leave	183
54	Duties of employer	183
55	Jury duty	184
56	Employment deemed continuous while employee on leave or jury duty	184
	PART 7 — ANNUAL VACATION	
57	Entitlement to annual vacation	184
58	Vacation pay	185
59	Other payments or benefits do not affect vacation rights	185
60	Common date for calculating vacation entitlement	185
61	[Repealed 2002, c. 42, s. 29.]	185
	PART 8 — TERMINATION OF EMPLOYMENT	
62	Definition	185
63	Liability resulting from length of service	185
64	Group terminations	186
65	Exceptions	187
66	Director may determine employment has been terminated	188
67	Rules about notice	188
68	Rules about payments	188
69	[Repealed 2002, c. 42, s. 34.]	188
70	[Repealed 2002, c. 42, s. 35.]	188

Table of Contents

71	Adjustment committee	188
	PART 9 — VARIANCES	
72	Application for variance	189
73	Power to grant variance	189
	PART 10 — COMPLAINTS, INVESTIGATIONS AND DETERMINATIONS	
74	Complaint and time limit	190
75	If complainant requests identity be kept confidential	190
76	Investigations	190
77	Opportunity to respond	191
78	Settlement agreements	191
79	Determinations and consequences	191
80	Limit on amount of wages required to be paid	192
81	Notifying others of determination	193
82	No other proceedings	193
83	Employee not to be mistreated because of complaint or investigation	194
84	Power to compel persons to answer questions and order disclosure	194
84.1	Maintenance of order at hearings	194
84.2	Contempt proceeding for uncooperative person	194
84.3	Immunity protection	195
85	Entry and inspection powers	195
86	Power to reconsider	195
86.1	No jurisdiction to determine constitutional question	196
86.2	Director without jurisdiction to apply the <i>Human Rights Code</i>	196
	PART 11 — ENFORCEMENT	
87	Lien for unpaid wages	196
88	Payment of interest	197
89	Demand on third party	198
90	Failure to comply with demand	198
91	Determination or order may be filed and enforced as judgment	198
92	Seizure of assets	199
93	Release of assets	199
94	Wrongful removal of seized assets	199
95	Associated corporations	200
96	Corporate officer's liability for unpaid wages	200
97	Sale of business or assets	200
98	Monetary penalties	200
99	If money is paid to director	201
100	Security to ensure compliance	202
101	Publication of violators' names	202
101.1	Searching of records	202
	PART 12 — EMPLOYMENT STANDARDS TRIBUNAL	
102	Employment Standards Tribunal continued	203
103	Application of <i>Administrative Tribunals Act</i>	203
104	Chair may delegate authority	204
105	Employees	204
106	Organization of tribunal	204

Table of Contents

107-108	[Repealed 2004, c. 45, s. 91.]	204
109	Other powers of tribunal	205
110	Exclusive jurisdiction of tribunal	205
111	[Repealed 2004, c. 45, s. 91.]	205
PART 13 — APPEALS		
112	Appeal of director’s determination	205
113	Director’s determination may be suspended	206
114	After an appeal is requested	206
115	Tribunal’s orders	207
116	Reconsideration of orders and decisions	207
PART 14 — GENERAL PROVISIONS		
117	Director’s power to delegate	208
118	Right to sue preserved	208
119	Extraprovincial certificates	208
120	Warrant to carry out inspection powers	209
121	Director cannot be required to give evidence in other proceedings	209
122	Service of determinations and demands	209
123	Irregularities	209
124	Limitation period	210
125	Offences	210
126	Evidence and burden of proof	210
127	Power to make regulations	210
PART 15 — TRANSITIONAL AND CONSEQUENTIAL PROVISIONS		
128	Transition from former Act	212
129	Transitional regulations	213
B.C. REG. 281/2006 — COMPASSIONATE CARE LEAVE REGULATION		
		216
B.C. REG. 396/95 — EMPLOYMENT STANDARDS REGULATION		
		218
B.C. REG. 254/2016 — RESERVISTS’ LEAVE REGULATION		
		265
RULES OF PRACTICE AND PROCEDURE		
		267
FIRE AND POLICE SERVICES COLLECTIVE BARGAINING ACT		
1	Definitions	307

Table of Contents

2	Application of <i>Labour Relations Code</i>	307
3	Settlement of dispute by arbitration	307
4	Settlement by arbitration	308
5	Referral of questions to the Labour Relations Board	309

FISHING COLLECTIVE BARGAINING ACT

1	Definitions	311
2	Application of Act	311
3	Application of <i>Labour Relations Code</i>	311
4	Voluntary recognition	311
5	Unfair labour practices	312
6	Successor rights	312
7	Strike or lockout	312
8	Dismissal provision in collective agreement	312
9	Determination of appropriate unit	312
10	First collective agreement	312
11	Change during certification or bargaining	312
12	Effect of certification	313
13	Refusal to purchase fish	313
14	Jurisdiction of Labour Relations Board	313

FORESTRY SERVICE PROVIDERS PROTECTION ACT

1	Definitions and application	315
---	---------------------------------------	-----

PART 1 — LIENS AND CHARGES

2	Contractor's lien	316
3	Discharge of contractor's lien	316
4	Registration of contractor's lien	316
5	Priority of contractor's lien	317
6	Contractor's charge	317
7	Discharge of contractor's charge	317
8	Registration of contractor's charge	317
9	Priority of contractor's charge	317
10	Payment by account debtor of forest products owner	318
11	Subcontractor's charge	318
12	Discharge of subcontractor's charge	318
13	Registration of subcontractor's charge	318
14	Priority of subcontractor's charge	319
15	Payment by account debtor of contractor	319
16	Discharge of invalid registration	319
17	Seizure and sale of forest products	320
18	Distribution of lien fund	320
19	Distribution of charge fund	321
20	Registration	322
21	Court orders	322
22	Certain agreements or undertakings void	323
23	Notice of lien or charge	323
24	Service of notices and demands	323

Table of Contents

PART 2 — FORESTRY SERVICE PROVIDERS COMPENSATION FUND	
25	Definitions 324
26	Forestry Service Providers Compensation Fund 324
27	Payments to fund 324
28	Applications for compensation 325
29	Payments from fund 325
30	Decision is final 325
31	Designation of authority 325
32	Administrative agreement 325
33	Authority not an agent of government 326
PART 3 — GENERAL	
33.1	<i>Personal Property Security Act</i> 326
34	Section 5 of <i>Offence Act</i> 326
35	Regulations 326
Consequential Amendment	
Tugboat Worker Lien Act	
36	[Repealed 2012, c. 14, s. 8.] 327
37	Commencement 327
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT	
PART 1 — INTRODUCTORY PROVISIONS	
1	Definitions 330
2	Purposes of this Act 330
3	Scope of this Act 330
PART 2 — FREEDOM OF INFORMATION	
DIVISION 1 — INFORMATION RIGHTS AND HOW TO EXERCISE THEM	
4	Information rights 332
5	How to make a request 332
6	Duty to assist applicants 332
7	Time limit for responding 332
8	Contents of response 333
9	How access will be given 334
10	Extending the time limit for responding 334
11	Transferring a request 335
DIVISION 2 — EXCEPTIONS	
12	Cabinet and local public body confidences 335
13	Policy advice, recommendations or draft regulations 336
14	Legal advice 337
15	Disclosure harmful to law enforcement 337
16	Disclosure harmful to intergovernmental relations or negotiations 338
17	Disclosure harmful to the financial or economic interests of a public body 338
18	Disclosure harmful to the conservation of heritage sites, etc. 339
19	Disclosure harmful to individual or public safety 339
20	Information that will be published or released within 60 days 339

Table of Contents

21	Disclosure harmful to business interests of a third party	340
22	Disclosure harmful to personal privacy	340
22.1	Disclosure of information relating to abortion services	342
	DIVISION 3 — NOTICE TO THIRD PARTIES	
23	Notifying the third party	343
24	Time limit and notice of decision	344
	DIVISION 4 — PUBLIC INTEREST PARAMOUNT	
25	Information must be disclosed if in the public interest	344
	PART 3 — PROTECTION OF PRIVACY	
	DIVISION 1 — COLLECTION, PROTECTION AND RETENTION OF PERSONAL INFORMATION BY PUBLIC BODIES	
26	Purpose for which personal information may be collected	344
27	How personal information is to be collected	345
27.1	When personal information is not collected	347
28	Accuracy of personal information	347
29	Right to request correction of personal information	347
30	Protection of personal information	347
30.1	Storage and access must be in Canada	348
30.2	Obligation to report foreign demand for disclosure	348
30.3	Whistle-blower protection	349
30.4	Unauthorized disclosure prohibited	349
30.5	Notification of unauthorized disclosure	349
31	Retention of personal information	349
31.1	Application to employees and others	349
	DIVISION 2 — USE AND DISCLOSURE OF PERSONAL INFORMATION BY PUBLIC BODIES	
32	Use of personal information	350
33	Disclosure of personal information	350
33.1	Disclosure inside or outside Canada	350
33.2	Disclosure inside Canada only	353
33.3	Disclosure of personal information in records available to public without request	354
34	Definition of consistent purposes	354
35	Disclosure for research or statistical purposes	354
36	Disclosure for archival or historical purposes	355
	DIVISION 3 — DATA-LINKING INITIATIVES	
36.1	Data-linking initiatives	356
	PART 4 — OFFICE AND POWERS OF INFORMATION AND PRIVACY COMMISSIONER	
37	Appointment of commissioner	356
38	Resignation, removal or suspension of commissioner	357
39	Acting commissioner	357
40	Salary, expenses and benefits of commissioner	357
41	Staff of commissioner	358
42	General powers of commissioner	358
43	Power to authorize a public body to disregard requests	359
44	Powers of commissioner in conducting investigations, audits or inquiries	359
44.1	Maintenance of order at hearings	360

Table of Contents

44.2	Contempt proceeding for uncooperative person	360
45	Statements made to the commissioner not admissible in evidence	360
46	Protection against libel or slander actions	361
47	Restrictions on disclosure of information by the commissioner and staff	361
48	Protection of commissioner and staff	362
49	Delegation by commissioner	362
50	Role of Ombudsperson	362
51	Annual report of commissioner	362
PART 5 — REVIEWS AND COMPLAINTS		
DIVISION 1 — REVIEWS BY THE COMMISSIONER		
52	Right to ask for a review	363
53	How to ask for a review	363
54	Notifying others of review	363
54.1	Order for severing of records	364
55	Mediation may be authorized	364
56	Inquiry by commissioner	364
57	Burden of proof	364
58	Commissioner's orders	365
59	Duty to comply with orders	366
59.01	Enforcement of orders of commissioner	366
DIVISION 2 — INVESTIGATIONS AND REVIEWS BY ADJUDICATOR		
59.1	References to commissioner	366
60	Adjudicator to investigate complaints and review decisions	367
60.1	Disregard of request under section 5 or 29	367
61	Powers, duties and protections of adjudicator	367
62	Right to ask for a review	367
63	How to ask for a review	368
64	Notifying others of review	368
65	Conduct and outcome of the review	368
PART 6 — GENERAL PROVISIONS		
66	Delegation by the head of a public body	368
67	Consultative committee	369
68	Annual report of minister	369
69	Personal information directory	369
69.1	Public information regarding health information banks	371
69.2	Provincial identity information services provider	372
70	Policy manuals available without request	373
71	Records available without request	373
71.1	Records that ministries must disclose	373
72	[Repealed 2002, c. 13, s. 14.]	374
73	Protection of public body from legal suit	374
73.1	Recovery of personal information	374
73.2	Court order for return of personal information	375
74	Offences and penalties	375
74.1	Privacy protection offences	375
75	Fees	376
76	Power to make regulations	377

Table of Contents

76.1	Ministerial regulation making power	378
77	Power to make bylaws	379
78	Appropriation	379
79	Relationship of Act to other Acts	379
80	Review of Act	379
81	Right to disclose preserved	379
	Schedule	
Schedule 1	Definitions	380
	Schedule	
Schedule 2	Public Bodies	385
	Schedule	
Schedule 3	Governing Bodies of Professions or Occupations	397

B.C. REG. 155/2012 — FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY REGULATION

.....	401
-------	-----

B.C. REG. 156/2017 — COMMITTEES OF THE EXECUTIVE COUNCIL REGULATION

.....	411
-------	-----

HEALTH AUTHORITIES ACT

PART 1 — INTERPRETATION AND PROVINCIAL STANDARDS

1	Definitions	413
2	[Repealed 1997, c. 23, s. 3.]	414
3	Provincial standards	414

PART 2 — REGIONAL HEALTH BOARDS

4	Regional health boards	414
5	Purposes of a board	415
5.1	Cross-regional operations	416
6-7	[Repealed 2002, c. 61, s. 5.]	416
7.1	General or special direction	416
7.2	Reporting requirements	416
8	Powers and procedures of a board	416
9	Resolving differences over priorities	417
10	Financial administration	417
11	Staff and benefits	417
12-13	[Repealed 1997, c. 23, s. 12.]	418
14	Liability of members	418
15	Exemption from fees and taxes	418
15.01	Other property tax exemptions	418
15.1	Definitions	420
15.2	Effect of amalgamation of 2 or more old boards	420

Table of Contents

15.3-15.4	[Repealed 2002, c. 61, s. 11.]	420
15.5	Directions from the Senior Financial Officer	420
16	Amalgamation with a designated corporation	421
16.1	[Repealed 2001, c. 41, s. 1.]	422
16.2	Gift survives on amalgamation	422
17	Transfer of facilities from the Provincial government	422
18	Appointment of a public administrator	423
19	Application of other Acts	423
PART 3 — HEALTH SECTOR LABOUR RELATIONS		
19.1	Definitions	423
19.11	Exclusion of nurse practitioners	424
19.2	Application of <i>Labour Relations Code</i>	424
19.3	<i>Health Sector Labour Relations Regulation</i> repealed	425
19.4	Appropriate bargaining units	425
19.5	Review of appropriate bargaining units	425
19.6	Review of certifications	425
19.7-19.8	[Repealed 2002, c. 2, s. 24.]	426
19.9	Associations of bargaining agents	426
19.91	Existing collective agreement applies	427
19.911	[Repealed 2002, c. 2, s. 24.]	427
19.92	Seniority and service recognition	427
19.921	Transitional — associations of trade unions	428
19.93	Transitional — regulations	428
PART 4 — MISCELLANEOUS PROVISIONS		
20	<i>Offence Act</i>	429
21	Power to make regulations and orders	429
HUMAN RIGHTS CODE		
1	Definitions	431
2	Discrimination and intent	432
3	Purposes	432
4	Code prevails	432
5-6	[Repealed 2018, c. 48, s. 3.]	432
PART 1		
7	Discriminatory publication	433
8	Discrimination in accommodation, service and facility	433
9	Discrimination in purchase of property	433
10	Discrimination in tenancy premises	434
11	Discrimination in employment advertisements	434
12	Discrimination in wages	434
13	Discrimination in employment	435
14	Discrimination by unions and associations	435
PART 2		
15-20	[Repealed 2002, c. 62, s. 5.]	436
PART 3		
21	Complaints	436

Table of Contents

22	Time limit for filing a complaint	437
22.1	Intervenors	437
23-24	[Repealed 2002, c. 62, s. 10.]	437
25	Deferral of a complaint	437
26	[Repealed 2002, c. 62, s. 12.]	437
27	Dismissal of a complaint	438
27.1	Assignment of complaints	438
27.2	Evidence	438
27.3	Powers to make rules and orders respecting practice and procedure	439
27.4	[Repealed 2004, c. 45, s. 104.]	439
27.5	Dismissal for failure to pursue complaint	440
27.6	Assisting parties to settle	440
28-29	[Repealed 2002, c. 62, s. 12.]	440
30	Enforcement of settlement agreements	440
	PART 4	
31	Human Rights Tribunal	440
31.1	[Repealed 2003, c. 47, s. 35.]	440
32	Application of <i>Administrative Tribunals Act</i>	440
33	Staff of the tribunal	441
34	[Repealed 2002, c. 62, s. 17.]	441
34.1	[Repealed 2004, c. 45, s. 106.]	441
35-36	[Repealed 2002, c. 62, s. 17.]	441
37	Remedies	441
38	Modification of orders	442
38.1	[Repealed 2002, c. 62, s. 20.]	443
39	Enforcement of remedies	443
39.1	Annual report	443
	PART 5	
40	Disclosure	443
41	Exemptions	443
42	Special programs	444
43	Protection	444
44	Style of cause for proceedings	444
45	Technical defects	444
46	Delegation of powers	444
47	Time limits	445
47.01	Human Rights Commissioner	445
47.02	Resignation, suspension or removal of commissioner	445
47.03	Acting commissioner	446
47.04	Salary, expenses and benefits of commissioner	446
47.05	Oath of commissioner	446
47.06	Staff of commissioner	447
47.07	Delegation by commissioner	447
47.08	Advisory council	447
47.09	Restrictions on disclosure by commissioner and staff	447
47.10	Non-compellability of commissioner and staff	447
47.11	Personal liability protection of commissioner and staff	448
47.12	Powers of commissioner	448

Table of Contents

47.13	[Proposed] Provision of tribunal records to commissioner	448
47.14	[Proposed] Referrals	449
47.15	[Proposed] Commissioner’s inquiry	449
47.16	[Proposed] Commissioner’s order powers for inquiries	449
47.17	[Proposed] Expenses reimbursement	450
47.18	[Proposed] Cabinet information protected	450
47.19	[Proposed] Enforcement of commissioner’s orders	450
47.20	[Proposed] Commissioner’s inquiry reports	450
47.21	[Proposed] Protection	451
47.22	[Proposed] Offences	451
47.23	Annual report of commissioner	451
47.24	Special reports of commissioner	451
48	<i>Offence Act</i>	452
49	Power to make regulations	452
50	[Repealed 2002, c. 62, s. 26.]	452
50.1	[Proposed] Review of sections 47.01 to 47.24	453

B.C. REG. 373/96 — HUMAN RIGHTS CODE REGULATION [REPEALED]

.....	454
-------	-----

BC HUMAN RIGHTS TRIBUNAL RULES OF PRACTICE AND PROCEDURE

.....	455
-------	-----

HUMAN RIGHTS TRIBUNAL RULES OF PRACTICE AND PROCEDURE — FORMS

.....	483
-------	-----

LABOUR MOBILITY ACT

1	Definitions	615
2	Approved measures	616
3	Application of Agreement	616
4	Reviews	617
5	Mobility provisions	618
6	Conflicts	619
6.1	Application of this Act to nurse practitioners	619
7	Agreement does not become law	620
8	Prohibition on private cause of action	620
9	Power to make regulations	620

CONSEQUENTIAL AMENDMENTS

Accountants (Certified General) Act

10	621
----	-------	-----

Table of Contents

	Accountants (Chartered) Act	
11	.....	621
	Applied Science Technologists and Technicians Act	
12	.....	621
13	.....	621
	Engineers and Geoscientists Act	
14	.....	622
	Environmental (Species and Public Protection) Statutes Amendment Act, 2008	
15	.....	623
	Foresters Act	
16	.....	623
	Health Professions Act	
17	.....	623
18	.....	624
	Industry Training Authority Act	
19	.....	624
	Land Surveyors Act	
20	.....	625
	Podiatrists Act	
21	.....	625
	Wildlife Act	
22	.....	626
23	.....	626
24	Commencement	626

LABOUR RELATIONS CODE

	PART 1 — INTRODUCTORY PROVISIONS	
1	Definitions	627
2	Duties under this Code	629
3	Continuing review of the Code	629
	PART 2 — RIGHTS, DUTIES AND UNFAIR LABOUR PRACTICES	
4	Rights of employers and employees	630
5	Prohibition against dismissals, etc., for exercising employee rights	630
6	Unfair labour practices	630
7	Limitation on activities of trade unions	631
8	Right to communicate	632
9	Coercion and intimidation prohibited	632
10	Internal union affairs	632
11	Requirement to bargain in good faith	632
12	Duty of fair representation	632
13	Procedure for fair representation complaint	633
14	Inquiry into unfair labour practice	633
15	Collective agreement may provide for union membership	634

Table of Contents

16	Assignment of fees and dues	634
17	Religious objections	635
PART 3 — ACQUISITION AND TERMINATION OF BARGAINING RIGHTS		
DIVISION 1 — ACQUISITION OF BARGAINING RIGHTS		
18	Acquisition of bargaining rights	635
19	Change in union representation	636
20	Joint application	636
21	Craft unions	636
22	Determination of appropriate unit	636
23	[Repealed 2001, c. 33, s. 3.]	637
24	Representation vote required	637
25	Outcome of representation vote	637
26	[Repealed 2001, c. 33, s. 5.]	637
27	Effect of certification	637
28	Dependent contractors	638
29	Unit partly supervisory	638
30	Repeated applications for certification	638
31	Prohibited employee associations	639
32	No change during certification	639
DIVISION 2 — REVOCATION OF BARGAINING RIGHTS		
33	Revocation of bargaining rights	639
34	Revocation of voluntarily recognized bargaining rights	640
DIVISION 3 — SUCCESSOR RIGHTS AND OBLIGATIONS		
35	Successor rights and obligations	640
36	Federal-Provincial successorship	641
37	Merger or amalgamation	641
38	Several businesses treated as one employer	641
DIVISION 4 — VOTING		
39	Voting requirements	641
40	Additional voting requirements	642
DIVISION 5 — COUNCILS OF TRADE UNIONS		
41	Certification of councils of trade unions	642
41.1	Bargaining council	643
42	Dissolution of councils of trade unions	643
DIVISION 6 — EMPLOYERS' ORGANIZATIONS		
43	Accreditation of employers' organization	644
44	Employers' organization membership and fees	645
PART 4 — COLLECTIVE BARGAINING PROCEDURES		
DIVISION 1 — GENERAL		
45	Notice to bargain collectively	645
46	Notice before expiry of agreement	646
47	Collective bargaining	646
48	Parties bound by collective agreement	646
49	Terms of collective agreement to be carried out	646
50	Agreement for less than one year	646
51	Copies of collective agreements to be filed	647
52	Extraprovincial companies	647

Table of Contents

	DIVISION 2 — JOINT CONSULTATION AND ADJUSTMENT PLANS	
53	Joint consultation	647
54	Adjustment plan	648
	DIVISION 3 — FIRST COLLECTIVE AGREEMENT	
55	First collective agreement	648
	PART 4.1	
55.1–55.26	[Repealed 2001, c. 33, s. 10.]	649
	PART 5 — STRIKES, LOCKOUTS AND PICKETING	
56	Definition	650
57	Strikes and lockouts prohibited during term of collective agreement	650
58	Honouring of agreement	650
59	Strikes and lockouts prohibited before bargaining and vote	650
60	Pre-strike vote and notice	651
61	Pre-lockout vote and notice	652
62	Continuation of benefits	653
63	Rights preserved	653
64	Information	653
65	Picketing	653
66	Actions	654
67	Picketing restricted	655
68	Replacement workers	655
69	Other acts not actionable	655
70	Declaratory opinion	655
71	Refusal of order	656
	PART 6 — ESSENTIAL SERVICES	
72	Essential services	656
73	Return to work	657
	PART 7 — MEDIATION AND DISPUTES RESOLUTION	
	DIVISION 1 — MEDIATION AND FACT FINDING	
74	Mediation officer and services	658
75	Notice of strike or lockout	658
76	Special mediator	658
77	Fact finding	659
78	Last offer votes	659
	DIVISION 2 — COMMISSIONS AND COUNCILS	
79	Industrial inquiry commission	660
80	Industry advisory councils	660
	PART 8 — ARBITRATION PROCEDURES	
	DIVISION 1 — DEFINITIONS AND PURPOSE	
81	Definitions	661
82	Purpose of Part	661
	DIVISION 2 — COLLECTIVE AGREEMENT ARBITRATION BUREAU	
83	Collective Agreement Arbitration Bureau	661

Table of Contents

	DIVISION 3 — COLLECTIVE AGREEMENT PROVISIONS	
84	Dismissal or arbitration provision	662
85	Unworkable provision	662
86	Failure to appoint arbitration board	662
87	Settlement officer	663
88	Action by Labour Relations Board	663
89	Authority of arbitration board	663
90	Fees and costs	664
91	Delay by arbitration board	664
92	Powers of arbitration board	664
93	Summons to testify	665
94	Decision of arbitration board	665
95	Effect of decision	665
96	Filing decision	665
97	Act not to apply	665
98	Reference to Labour Relations Board	665
99	Appeal jurisdiction of Labour Relations Board	665
100	Appeal jurisdiction of Court of Appeal	666
101	Decision final	666
102	Enforcement	666
103	[Repealed 1997, c. 27, s. 24.]	666
	DIVISION 4 — EXPEDITED ARBITRATION	
104	Expedited arbitration	667
105	Consensual mediation-arbitration	668
	DIVISION 5 — SPECIAL OFFICER	
106	Special officer	668
107	Effect of order	668
108	Interim order	668
109	Powers	668
110	Evidence	669
111	Frequency of appointment	669
112	Form of order	669
113	Notice of appointment to be sent to board	669
114	Other provisions to apply	669
	PART 9 — LABOUR RELATIONS BOARD	
115	Labour Relations Board	669
115.1	Application of <i>Administrative Tribunals Act</i>	670
116	Divisions and officers of the Labour Relations Board	670
117	Panels	670
118	Quorum	671
119	Proceedings	671
120	Question of law	671
121	Delegation	671
122	Employees of the board	671
123	[Repealed 2004, c. 45, s. 110.]	672
124	Evidence	672
125	Summons and discovery of documents	672
126	Practice and procedure	672
127	Offices of the board	672

Table of Contents

128	Timing and publication of decisions	672
129	Oath of office	673
130-131	[Repealed 2003, c. 47, s. 38.]	673
132	General guidelines	673
133	Hearing of complaint	673
134	Conditions and undertakings	674
135	Filing order in Supreme Court	674
136	Jurisdiction of board	674
137	Jurisdiction of court	675
138	Finality of decisions and orders	675
139	Jurisdiction of board to decide certain questions	675
140	General powers of board	676
141	Reconsideration of decisions	677
142	Variation and continuation of certification or accreditation	677
143	Declaratory opinion	678
	PART 10 — MISCELLANEOUS	
144	Powers of minister	678
145	Power to enter and inspect	678
145.1	Power to compel persons to answer questions and order disclosure	678
145.2	Maintenance of order at hearings	678
145.3	Contempt proceeding for uncooperative person	679
145.4	Immunity protection	679
146	Information confidential	679
147	Payment of members of tribunals	680
148	Execution of documents	680
149	Board may require returns	680
150	Trusteeship over local unions	681
151	Financial statements	681
152	Mailed notice presumed received	681
153	Service of documents	681
154	Legal entity	682
155	Evidentiary effect of documents	682
156	Technicalities not to invalidate proceedings	682
157	Reports	682
158	Penalty	682
158.1	Offence	682
159	Power to make regulations	682
159.1	Minister's power to make regulations	683
	PART 11 — TRANSITIONAL PROVISION	
160	Transitional	683
	B.C. REG. 395/2003 — LABOUR RELATIONS BOARD FEES REGULATION	
	.....	684

Table of Contents

B.C. REG. 7/93 — LABOUR RELATIONS REGULATION		688
B.C. REG. 49/2012 — PRESCRIBED TIME PERIODS FOR DECISIONS REGULATION		694
BRITISH COLUMBIA LABOUR RELATIONS BOARD RULES		696
LABOUR RELATIONS BOARD — FORMS		
Form 5	Unfair Labour Practice Complaint	711
Form 10	Internal Union Affairs Complaint	716
Form 17	Application for Religious Exemption	725
Form 18	Application for Certification	729
Form 33	Employee Application for Revocation of Bargaining Rights	741
Form 35	Application for Employer Successorship	746
Form 37	Application for Trade Union Successorship	753
Form 38	Application for Common Employer Declaration	757
Form 43	Application for Accreditation	764
Form 72	Application for the Designation of Essential Services	767
Form 74	Application for a Mediator	771
Form 78	Application for the Board to Conduct a Last Offer Vote	774
Form 125	Summons Before the British Columbia Labour Relations Board	778
Form 142	Employee Application for Partial Decertification	779
Form 142 (Admin)	Application to Vary a Certification	788
Form 142 (EBU)	Application for an Expanded Bargaining Unit	793
Form 150	Statement of Trusteeship Over Local Union	798
Schedule 2	Return of Poll (Strike or Lockout Vote)	807
PENSION BENEFITS STANDARDS ACT		
PART 1 — INTERPRETATION AND APPLICATION		
1	Interpretation	809
2	Application to public sector pension plans	817
3	Application to plans for connected persons	817
PART 2 — SUPERINTENDENT OF PENSIONS		
4	Appointment and duties of Superintendent of Pensions	818
5	Superintendent's authority to extend time limits	818
6	Terms and conditions	818
7	Personal liability protection	818

Table of Contents

	PART 3 — PENSION PLAN REQUIREMENTS	
8	General requirements of plan text documents	819
9	Plan text documents to reflect Act provisions	819
10	Provisions relating to gender	820
11	Fiscal year of plan	821
	PART 4 — REGISTRATION AND AMENDMENT OF PENSION PLANS	
	DIVISION 1 — REGISTRATION OF PENSION PLANS	
12	Restrictions on administration of plans	821
13	Restrictions on administration of plans	821
14	Superintendent must register plan in appropriate circumstances . . .	822
15	If application refused or withdrawn	822
16	Superintendent may cancel plan registration	822
	DIVISION 2 — AMENDMENT OF PLAN TEXT DOCUMENTS	
17	Restrictions on administration of plan if plan text document amended	822
18	Filings required for registration of amendment to plan text documents	822
19	Restrictions on administration of plan if amendments severed	823
20	Restrictions on amendments to reduce benefits	823
21	Amendment to temporarily improve benefits under target benefit provision	823
22	Superintendent must register amendment to plan text document in appropriate circumstances	824
23	Revocation of registration of amendment	824
24	Transactions may be reversed	824
	DIVISION 3 — AMENDMENT OF SUPPORTING PLAN DOCUMENTS	
25	Restrictions on administration of plan if supporting plan document amended	825
26	Amendment to supporting plan documents	825
	DIVISION 4 — REGISTRATION OF PLAN OR AMENDMENT	
27	Effective date of plan or amendment	825
28	Designation of plan	825
	PART 5 — MEMBERSHIP IN PENSION PLANS	
29	Entitlement of employees to join plan	825
30	Dispute as to member of class of employees	826
31	Suspension of membership	826
32	Vesting of pension	827
	PART 6 — ADMINISTRATION OF PENSION PLANS	
	DIVISION 1 — PLAN REQUIREMENTS	
33	Plan requirements	827
34	Retention of records	827
	DIVISION 2 — ADMINISTRATOR	
35	Responsibilities of administrator	827
36	Administrator must enter into participation agreement	828
37	Administrator must disclose information and records	829
38	Administrator must file reports and returns	830
39	Administrator must disclose insolvency proceedings	831

Table of Contents

40	Repayment of contributions or transfer of benefits	831
41	Review of plan	831
	DIVISION 3 — ADMINISTRATOR MUST ENSURE POLICIES ESTABLISHED	
42	Administrator must ensure governance policy established	831
43	Administrator must ensure statement of investment policies and procedures established	832
44	Administrator must ensure funding policy established	832
	DIVISION 4 — PARTICIPATING EMPLOYERS	
45	Funding responsibilities of participating employer	832
46	Participating employer must provide information and records to administrator	832
47	Trust agreement applies to all participating employers	833
48	Participating employer must enter into participation agreement . . .	833
49	Compelling compliance	833
	DIVISION 5 — FUNDHOLDERS	
50	Who may act as fundholder	833
51	Responsibilities of fundholders	834
	PART 7 — FUNDING, CONTRIBUTIONS AND ASSETS	
	DIVISION 1 — FUNDING OF A PLAN	
52	Funding requirements for benefit formula provisions	834
53	Funding requirements for defined contribution provisions	834
54	Solvency reserve account	835
55	Letters of credit	835
	DIVISION 2 — CONTRIBUTIONS TO A PLAN	
56	Remitting of contributions	835
57	Maximum employee contributions for funding pension under benefit formula provision	836
58	Deemed trust	837
59	Refund of contributions to avoid revocation	838
	DIVISION 3 — INVESTING PLAN ASSETS	
60	Investment requirements	838
61	Interest, gains and losses on contributions and benefits	839
	DIVISION 4 — USE OF ACTUARIAL EXCESS AND SURPLUS	
62	Transfer of actuarial excess or surplus	839
63	Use of actuarial excess	840
	PART 8 — BENEFITS AND TRANSFERS	
	DIVISION 1 — PENSION ELIGIBILITY DATE	
64	Age requirements of plan text document	840
65	Pension may start before pension eligibility date	841
66	If employment continues after pension eligibility date	841
	DIVISION 2 — RESTRICTIONS ON ACCESS TO BENEFITS	
67	Evidence of entitlement to benefit	841
68	Locking in commuted value of benefits	841
69	Exceptions to locking in commuted value of benefits	842
70	No disposition or attachment of benefits and money	843
71	Income and asset testing	844
72	Restrictions on transfer of assets	845

Table of Contents

	DIVISION 3 — BENEFITS MAY BE AFFECTED	
73	Maximum years and amounts	845
74	Adjustments in pension for CPP Act, QPP Act and OAS Act	845
75	Flexibility for life income type benefits	846
76	Lump-sum payments	846
77	Division of benefits under orders or agreements	846
	DIVISION 4 — DEATH BENEFITS	
78	Definition	846
79	Survivor's benefits if member dies before pension commencement	846
80	Survivor's benefits if retired member dies after pension commencement	848
81	Spouse's change in status	849
	DIVISION 5 — ANCILLARY AND PHASED RETIREMENT BENEFITS	
82	Ancillary benefits	849
83	Phased retirement benefit	849
	DIVISION 6 — ADDITIONAL VOLUNTARY CONTRIBUTIONS AND OPTIONAL ANCILLARY CONTRIBUTIONS	
84	Payment out of additional voluntary contributions and optional ancillary contributions	850
	DIVISION 7 — TRANSFER OF COMMUTED VALUE BY MEMBERS	
85	When transfer may be made under this Division	850
86	What may be transferred	851
87	Transfer may be restricted or postponed	851
88	How transfer may be made	852
89	When plan can require transfer to be made	852
	DIVISION 8 — TRANSFER OF ASSETS BY ADMINISTRATOR FOR PURCHASE OF ANNUITY	
89.1	Annuity purchases	853
	PART 9 — CHANGES IN PLAN BENEFIT TYPE OR PLAN STRUCTURE	
90	Prescribed rules apply to predecessor and successor plans	853
91	Rights of members on transfer of membership to another plan	854
92	Prescribed rules apply when benefits converted from one type to another	854
93	Participating employer's withdrawal from a collectively bargained multi-employer plan	854
94	Participating employer's withdrawal from a non-collectively bargained multi-employer plan	854
95	Continuation of pension plan despite cessation of benefit accrual	854
	PART 10 — TERMINATION AND WINDING-UP OF PLAN	
	DIVISION 1 — DEFINITION	
96	Definition	855
	DIVISION 2 — TERMINATING PENSION PLANS	
97	Voluntary termination	855
98	Termination by direction of superintendent	856

Table of Contents

	DIVISION 3 — AFTER EFFECTIVE DATE OF TERMINATION	
99	Benefits cease to accrue	856
100	Required amounts must be remitted	856
101	Solvency deficiency must be eliminated	856
102	Termination report required	857
103	Limitations on payments of pension or benefits	857
	DIVISION 4 — WINDING-UP	
104	When plan must be wound up	857
105	Transfer rights on winding-up	858
106	Allocation and distribution of assets if insufficient to satisfy benefits	858
107	Surplus on winding-up	858
	DIVISION 5 — APPOINTMENT OF ADMINISTRATOR	
108	Superintendent’s authority to appoint administrator on plan termination or winding-up	858
109	Expense of termination and winding-up	859
	PART 11 — MONITORING AND ENFORCEMENT	
110	Inspection and production of documents	859
111	Superintendent may request documents	860
112	Superintendent may apply for order	860
113	Directions for compliance	861
114	Superintendent’s authority to appoint administrator	861
115	Designation of actuary	862
116	Administrative penalties	863
117	Enforcement of administrative penalty	865
118	Expenses of inspections	865
119	Remedies preserved	866
120	Limitation on proceedings	866
121	Failure to pay administrative penalty	866
122	Remedies preserved	866
123	Offences and penalties	866
124	Limitation period for prosecution	867
	PART 12 — RECONSIDERATIONS AND APPEALS	
125	Superintendent must provide notice of decision	867
126	Notice of objection	867
127	Appeal to tribunal	868
	PART 13 — RELATIONSHIPS WITH OTHER CANADIAN JURISDICTIONS	
128	Reciprocal powers and agreements with other governments	868
129	Agreements respecting multi-jurisdictional plans	869
130	Transitional regulation	871
	PART 14 — MISCELLANEOUS	
131	Service of documents	872
132	Proof of date of service	873
133	Power to make regulations	873
134	Repeal	875
	Consequential amendments	876

Table of Contents

B.C. REG. 71/2015 — PENSION BENEFITS STANDARDS REGULATION

887

PERSONAL INFORMATION PROTECTION ACT

PART 1 — INTRODUCTORY PROVISIONS

1	Definitions	1057
2	Purpose	1058
3	Application	1059

PART 2 — GENERAL RULES RESPECTING PROTECTION OF PERSONAL INFORMATION BY ORGANIZATIONS

4	Compliance with Act	1060
5	Policies and practices	1060

PART 3 — CONSENT

6	Consent required	1060
7	Provision of consent	1061
8	Implicit consent	1061
9	Withdrawal of consent	1062

PART 4 — COLLECTION OF PERSONAL INFORMATION

10	Required notification for collection of personal information	1062
11	Limitations on collection of personal information	1062
12	Collection of personal information without consent	1062
13	Collection of employee personal information	1064

PART 5 — USE OF PERSONAL INFORMATION

14	Limitations on use of personal information	1064
15	Use of personal information without consent	1064
16	Use of employee personal information	1065

PART 6 — DISCLOSURE OF PERSONAL INFORMATION

17	Limitations on disclosure of personal information	1066
18	Disclosure of personal information without consent	1066
19	Disclosure of employee personal information	1067
20	Transfer of personal information in the sale of an organization or its business assets	1068
21	Disclosure for research or statistical purposes	1069
22	Disclosure for archival or historical purposes	1069

PART 7 — ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

23	Access to personal information	1070
24	Right to request correction of personal information	1071

PART 8 — ADMINISTRATION

25	Definition	1071
26	Circumstances in which request may be made	1071
27	How to make a request	1071
28	Duty to assist individual	1071
29	Time limit for response	1072
30	Content of response	1072

Table of Contents

31	Extending the time limit for response	1072
32	Fees	1073
	PART 9 — CARE OF PERSONAL INFORMATION	
33	Accuracy of personal information	1073
34	Protection of personal information	1073
35	Retention of personal information	1073
	PART 10 — ROLE OF COMMISSIONER	
36	General powers of commissioner	1073
37	Power to authorize organization to disregard requests	1074
38	Powers of commissioner in conducting investigations, audits or inquiries	1075
38.1	Maintenance of order at hearings	1076
38.2	Contempt proceeding for uncooperative person	1076
39	Evidence in proceedings	1076
40	Protection against libel or slander actions	1077
41	Restrictions on disclosure of information by commissioner and staff	1077
42	Protection of commissioner and staff	1077
43	Delegation by commissioner	1077
44	Annual report of commissioner	1078
	PART 11 — REVIEWS AND ORDERS	
45	Definitions	1078
46	Asking for a review	1078
47	How to ask for a review or make a complaint	1078
48	Notifying others of review	1078
49	Mediation may be authorized	1079
50	Inquiry by commissioner	1079
51	Burden of proof	1079
52	Commissioner's orders	1080
53	Duty to comply with orders	1081
	PART 12 — GENERAL PROVISIONS	
54	Protection	1081
55	Non-retaliation	1081
56	Offences and penalties	1081
57	Damages for breach of Act	1082
58	Power to make regulations	1082
59	Review of Act	1083
60	Commencement	1083

**B.C. REG. 473/2003 — PERSONAL INFORMATION PROTECTION ACT
REGULATIONS**

.....	1084
-------	------

PUBLIC EDUCATION COLLECTIVE AGREEMENT ACT

1	Definitions	1087
---	-----------------------	------

Table of Contents

2	Constitution of collective agreement	1087
3	Commencement	1087

PUBLIC EDUCATION LABOUR RELATIONS ACT

PART 1 — INTRODUCTORY PROVISIONS

1	Definitions	1089
2	Purpose	1089
3	Application of <i>Labour Relations Code</i>	1090

PART 2 — BARGAINING STRUCTURE

4	Employer bargaining agent	1090
5	Bargaining unit	1090
6	Employee bargaining agent	1090

PART 3 — COLLECTIVE BARGAINING

7	Content of collective agreement	1090
8	Agreements on local matters	1091

PART 4 — REGULATIONS

9	Power to make regulations	1091
---	-------------------------------------	------

PART 5 — TRANSITIONAL

10	Transitional — collective agreements	1092
11	Transitional — accreditations	1092
12	Transitional — regulations	1093
	Schedule 1	1093
	Schedule 2	1093

PUBLIC SECTOR EMPLOYERS ACT

PART 1 — INTRODUCTORY PROVISIONS

1	Definitions	1095
2	Purposes of Act	1095

PART 2 — PUBLIC SECTOR EMPLOYERS' COUNCIL

3	Public Sector Employers' Council	1095
4	Functions of the council	1097
4.1	Council access to employment information	1097
4.2	[Repealed 2002, c. 64, s. 2.]	1097
5	Employees of the council	1097

PART 3 — PUBLIC SECTOR EMPLOYERS' ASSOCIATIONS

DIVISION 1 — FORMATION OF EMPLOYERS' ASSOCIATIONS

6	Public Sector Employers' Associations	1097
7	Requirements	1098
8	[Repealed 2002, c. 48, s. 62.]	1099
8.1	Minister may require that bylaws and constitution be revised . . .	1099
9	Application of the <i>Society Act</i> to employers' associations	1099
9.1	Appointment of public administrator	1100

Table of Contents

	DIVISION 2 — COLLECTIVE BARGAINING	
10	Definitions	1100
11	Accreditation for collective bargaining	1100
12	Direction by minister	1101
13	Collective bargaining by part of employers' association	1101
14	Application of <i>Labour Relations Code</i>	1102
	PART 3.1 — EXEMPT EMPLOYEE COMPENSATION	
	DIVISION 1 — DEFINITIONS	
14.1	Definitions	1102
	DIVISION 2 — EMPLOYMENT COMPENSATION STANDARDS	
14.2	Vacation leave and sick leave standards	1102
14.3	Other compensation standards	1103
	DIVISION 3 — EMPLOYMENT TERMINATION STANDARDS	
14.4	Employment termination standards	1105
	DIVISION 4 — COMPENSATION INFORMATION	
14.5	Definition and application	1106
14.6	Compensation information to be specified and provided	1106
14.7	Filing of contracts of employment and compensation information	1106
14.8	Contracts of employment are public documents	1107
	DIVISION 5 — TRIBUNAL EXCLUSIONS	
14.9	Members of tribunals	1107
	PART 4 — GENERAL	
15	Power to make regulations	1108
15.1	Compliance with Part 3.1	1108
16	Transitional — regulations	1109
Schedule	Designated Tribunals	1109

	B.C. REG. 177/2007 — CROWN AGENCY EMPLOYERS EXEMPTION REGULATION	1111
--	---	------

	B.C. REG. 379/97 — EMPLOYMENT TERMINATION STANDARDS	1112
--	--	------

	B.C. REG. 427/94 — HEALTH CARE EMPLOYERS REGULATION	1116
--	--	------

	B.C. REG. 319/2002 — SENIOR EMPLOYEE BASE SALARY REGULATION	1123
--	--	------

Table of Contents

B.C. REG. 84/2003 — SOCIAL SERVICES EMPLOYERS REGULATION

..... 1124

PUBLIC SERVICE ACT

PART 1 — INTRODUCTORY PROVISIONS

1	Definitions	1131
2	Purposes of Act	1131
3	Application of Act	1132
4	Consultation process	1132

PART 2 — AGENCY HEAD AND MERIT COMMISSIONER

5	Public Service Employee Relations Commission continued	1132
5.01	Appointment of merit commissioner	1133
5.1	Merit commissioner	1134
5.11	Merit commissioner — dismissal process review	1134
5.12	Dismissals eligible for review	1135
5.13	Information for merit commissioner	1135
5.14	Scope of reviews by merit commissioner	1135
5.2	Annual report of merit commissioner	1136
5.3	Expenses of merit commissioner	1137
6	Delegation	1137
7	Access to facilities and records	1137

PART 3 — APPOINTMENTS TO THE PUBLIC SERVICE

8	Appointments on merit	1137
9	Probation	1138
10	Exceptions to section 8	1138
11	[Repealed 2003, c. 88, s. 10.]	1138
12	Deputy ministers	1138
13	Deputy ministers' pensions	1139
14	Declaration of deputy minister status	1139
15	Appointment by Lieutenant Governor in Council	1139

PART 4 — REVIEW OF STAFFING DECISIONS

16	Definitions	1139
17	Request for feedback on staffing decision	1139
18	Inquiry into staffing decision	1140
19	Review by merit commissioner	1140
20	Power to compel persons to answer questions and order disclosure	1141
20.01	Contempt proceeding for uncooperative person	1141
20.02	Immunity protection	1141
20.1	Decision final	1141

PART 5 — MISCELLANEOUS

21	Oaths	1141
22	Dismissal and suspension of employees	1141
22.1	Immunity protection	1142
22.2	Inadmissibility	1142
22.3	Merit commissioner not to be compelled	1142

Table of Contents

23	[Repealed 2007, c. 21, s. 6.]	1142
24	Annual report	1142
25	Power to make regulations	1142
25.1	Review of dismissal review process	1143
26	Transitional — deputy ministers’ pensions	1143

B.C. REG. 279/98 — DEFINITION REGULATION

.	1144
-----------	------

B.C. REG. 401/98 — EMPLOYMENT INSURANCE REGULATION

.	1145
-----------	------

B.C. REG. 154/78 — HOURS OF SERVICE REGULATION

.	1146
-----------	------

**B.C. REG. 72/2012 — EXCLUDED EMPLOYEES INDEMNITY
PROTECTION REGULATION**

.	1147
-----------	------

B.C. REG. 66/2014 — POLITICAL STAFF OATH REGULATION

.	1148
-----------	------

B.C. REG. 132/77 — RESIGNATION REGULATION

.	1149
-----------	------

**B.C. REG. 443/2003 — REVIEW OF STAFFING DECISIONS
REGULATION**

.	1150
-----------	------

B.C. REG. 152/2017 — SALARY RANGE REGULATION

.	1151
-----------	------

**B.C. REG. 67/2014 — STANDARDS OF CONDUCT FOR POLITICAL
STAFF REGULATION**

.	1154
-----------	------

Table of Contents

**B.C. REG. 6/2009 — VACATION ENTITLEMENT FOR RE-EMPLOYED
APPOINTEES REGULATION**

..... 1161

PUBLIC SERVICE LABOUR RELATIONS ACT

1	Definitions	1163
2	Effect of <i>Labour Relations Code</i>	1166
3	Bargaining agent for government	1167
4	Bargaining units	1167
5	Certification	1167
6	Unfair labour practices	1168
7	Change of certification	1168
8	Collective bargaining	1168
9	Renewal or revision of collective agreement	1168
10	Form of collective agreements	1169
11	Exclusions from collective agreement	1169
12	Content of collective agreement	1169
13	Union security	1170
14	Settlement of disputes	1170
15	Notice of technological change	1172
16	No notice of future technological change	1172
17	No notice of current technological change	1173
18	Report	1173
19	Power to make regulations	1173
20	Offence and penalty	1173
21	Notices	1173
22	Copies to be filed	1174
23	Other Acts	1174

**B.C. REG. 22/74 — PUBLIC SERVICE LABOUR RELATIONS
REGULATIONS**

..... 1175

TEACHERS' COLLECTIVE AGREEMENT ACT

1	Definitions	1177
2	Constitution of teachers' collective agreement	1177
3	Application of <i>Labour Relations Code</i>	1177
4	Repeal	1177
5	Commencement	1177

WORKERS COMPENSATION ACT

1	Definitions	1179
---	-------------------	------

Table of Contents

PART 1 — COMPENSATION TO WORKERS AND DEPENDANTS

DIVISION 1 — SCOPE OF THIS PART

2	Application	1182
3	Extending application	1183
4	Fishing industry	1184

DIVISION 2 — COMPENSATION

5	Compensation for personal injury	1185
5.1	Mental disorder	1185
6	Occupational disease	1186
6.1	Firefighters' occupational disease presumption	1188
6.2	<i>Emergency Intervention Disclosure Act</i>	1189
7	Loss of hearing	1190
8	Injuries happening out of Province	1190
8.1	Interjurisdictional agreements and arrangements by the Board	1191
9	Election	1191
10	Limitation of actions, election and subrogation	1191
11	[Repealed 2002, c. 66, s. 2.]	1193
12	Worker who is minor is sui juris	1193
13	Compensation cannot be waived	1193
14	No contribution from workers	1193
15	Compensation not assignable or liable to attachment	1194
16	Vocational rehabilitation	1194

DIVISION 3 — SCALE OF COMPENSATION

17	Compensation in fatal cases	1194
18	Addition to payments	1199
19	Surviving spouse of a deceased worker	1199
19.1	Period for making payments under sections 17 to 19	1200
20	Proof of existence of dependants	1200
21	Health care	1200
22	Permanent total disability	1201
23	Permanent partial disability or disfigurement	1202
23.1	Period of payment for total or partial disability	1203
23.2	Retirement benefits	1203
23.3	Payment of retirement benefits	1203
23.4	Handling of money to be paid as retirement benefit	1204
23.5	Retirement services and supports	1204
24	Reconsidering benefits	1204
25	General indexing factor	1205
25.1	[Repealed 2003, c. 65, s. 19.]	1206
25.2	Variation of dollar amounts for other than fatalities	1206
25.3	[Repealed 2003, c. 65, s. 21.]	1206
26	Transitional	1206
27	Transitional	1207
28	Publish in Gazette	1207
29	Temporary total disability	1207
30	Temporary partial disability	1207
31	Maximum compensation	1208
31.1	Termination of periodic payments	1208
32	Recurrence of disability	1208

Table of Contents

33	Average earnings	1208
33.1	General rule for determination of average earnings	1210
33.2	Exception to section 33.1(2) — apprentice or learner	1210
33.3	Exception to section 33.1(2) — employed less than 12 months	1210
33.4	Exception to section 33.1(2) — exceptional circumstances	1211
33.5	Exception to section 33.1 — casual worker	1211
33.6	Exception to section 33.1 — person with coverage under section 2(2)	1211
33.7	Exception to section 33.1 — person without earnings	1211
33.8	Determination of average net earnings — initial period of injury	1211
33.9	Determination of average net earnings — long term injury	1212
33.91	Schedule or procedure for determining average net earnings	1212
34	Deduction from compensation in certain cases	1213
35	Manner of payment of compensation	1213
35.1	Transitional	1214
35.2	Transitional — death of worker	1215
	DIVISION 4 — ACCIDENT FUND AND ASSESSMENTS	
36	Accident fund	1215
37	Classification of industries	1215
38	Employer to furnish estimate of payrolls	1216
39	Assessment for accident fund	1217
40	Assessment by notice	1218
41	[Repealed 1993-34-7.]	1219
42	Classification of rates	1219
43	Power to vary rates	1219
44	Temporary industries	1219
45	Collection of assessments by suit or summarily	1219
46	Power to restrain industry if employer defaults	1220
47	Penalty for default in payment or return	1221
48	Class accounts	1221
49	Adjustment of assessments	1221
50	Collection from contractors	1222
51	Contractor liability	1222
52	Priority as to amounts due Board	1222
	DIVISION 5 — PROCEDURE AND MISCELLANEOUS	
53	Worker's notification of injury	1224
54	Employer's notification of injury	1224
55	Application for compensation	1225
56	Duty of physician or practitioner	1226
57	Worker to submit to examination	1227
57.1	Obligation to provide information	1227
58	. . . . .	1227
59–66	[Repealed 2002, c. 66, s. 6.]	1228
67	Accounting and investment of excess funds	1228
68	Audit	1228
69	Annual report	1229
70–72	[Repealed 1998, c. 50, s. 5.]	1229
73	Levy from employer to cover amount of compensation	1229

Table of Contents

74	[Repealed 1998, c. 50, s. 7.]	1229
75	Orders	1229
76	Effective date of regulations	1230
77	. . . . .	1230
78	Penalties	1230
	DIVISION 6 — WORKERS’ COMPENSATION BOARD	
79	[Repealed 2002, c. 66, s. 8.]	1230
80	Board	1230
81	Board of directors	1230
82	Powers and duties of board of directors	1232
82.1	Service plans	1232
83	Meetings	1233
83.1	[Repealed 2002, c. 56, s. 29.]	1233
84	Standard of care of the directors	1233
84.1	President	1233
85–85.2	[Repealed 2002, c. 66, s. 12.]	1234
86	Staff	1234
87	Witnesses	1235
88	Inquiry	1235
89–91	[Repealed 2002, c. 66, s. 16.]	1235
92-93	[Repealed 2002, c. 66, s. 16.]	1237
94	Workers’ advisers and employers’ advisers	1237
94.1	Lay advocates	1238
95	Secrecy	1239
96	Jurisdiction of Board	1239
96.1	[Repealed 2002, c. 66, s. 20.]	1241
96.2	Request for reviews	1241
96.3	Who may request review	1242
96.4	Conduct of review	1243
96.5	Reconsideration	1244
96.6	Delegation of chief review officer’s powers and duties	1244
97	Statutory powers	1244
98	Discontinuance or suspension of payments	1244
99	Board decision-making	1245
100	Costs	1245
101	[Repealed 2002, c. 66, s. 23.]	1245
	PART 2 — LIABILITY OF EMPLOYERS IN INDUSTRIES NOT WITHIN THE SCOPE OF	
	PART 1	
102	Application	1245
103	Liability of employer	1245
104	Common law rules abrogated	1246
105	Contributory negligence to be considered	1246
	PART 3 — OCCUPATIONAL HEALTH AND SAFETY	
	DIVISION 1 — INTERPRETATION AND PURPOSES	
106	Definitions	1246
107	Purposes of Part	1248
108	Application of Part	1249
109	Review of Part and regulations	1249
110	Relationship with Part 1	1249

Table of Contents

	DIVISION 2 — BOARD MANDATE	
111	Board’s mandate under this Part	1249
112	Annual report	1250
113	Board jurisdiction under this Part	1251
114	Cooperation agreements	1251
	DIVISION 3 — GENERAL DUTIES OF EMPLOYERS, WORKERS AND OTHERS	
115	General duties of employers	1252
116	General duties of workers	1252
117	General duties of supervisors	1253
118	Coordination at multiple-employer workplaces	1253
119	General duties of owner	1254
120	General duties of suppliers	1254
121	Duties of directors and officers of a corporation	1254
122	General obligations are not limited by specific obligations	1255
123	Persons may be subject to obligations in relation to more than one role	1255
124	Responsibility when obligations apply to more than one person	1255
	DIVISION 4 — JOINT COMMITTEES AND WORKER REPRESENTATIVES	
125	When a joint committee is required	1255
126	Variations in committee requirements	1255
127	Membership of joint committee	1256
128	Selection of worker representatives	1256
129	Selection of employer representatives	1256
130	Duties and functions of joint committee	1257
131	Joint committee procedure	1257
132	Assistance in resolving disagreements within committee	1257
133	Employer must respond to committee recommendations	1257
134	Time from work for meetings and other committee functions	1258
135	Educational leave	1258
136	Other employer obligations to support committee	1258
137	Committee reports	1259
138	Employer must post committee information	1259
139	Worker health and safety representative	1259
140	Participation of worker representative in inspections	1260
	DIVISION 5 — [PROPOSED] RIGHT TO REFUSE UNSAFE WORK	
141	[Proposed] Worker may refuse unsafe work	1260
142	[Proposed] Worker must immediately report a refusal	1260
143	[Proposed] Supervisor or employer must respond to report	1260
144	[Proposed] If worker continues to refuse	1261
145	[Proposed] Investigation and determination by officer	1261
146	[Proposed] Employer may reassign worker to other work	1261
147	[Proposed] Effect of refusal on workers exercising right and assisting in investigation	1262
148	[Proposed] Effect of refusal on work of other workers	1262
149	[Proposed] Requirements before another worker is assigned to do refused work	1262
	DIVISION 6 — PROHIBITION AGAINST DISCRIMINATORY ACTION	
150	Actions that are considered discriminatory	1262

Table of Contents

151	Discrimination against workers prohibited	1263
152	Complaint by worker against discriminatory action or failure to pay wages	1263
153	Response to complaint	1264
	DIVISION 7 — INFORMATION AND CONFIDENTIALITY	
154	Posting of information	1264
155	Occupational health and safety information summary	1264
156	Information that must be kept confidential	1265
157	Information that must be provided in a medical emergency	1266
	DIVISION 8 — MISCELLANEOUS AUTHORITY	
158	Regulations in relation to hazardous and other substances	1266
159	Certification and training of first aid attendants and instructors	1267
160	Installation and maintenance of required first aid equipment	1268
161	Medical monitoring programs	1268
162	Medical certification requirements	1268
163	Certification and training of blasters	1269
	DIVISION 9 — VARIANCE ORDERS	
164	Board may authorize variances	1269
165	Effective period for variance order	1269
166	Application for variance	1269
167	Notice of application	1270
168	Consultation on application	1270
169	Decision on application	1270
170	Legal effect of variance	1271
171	Regulations review must consider variance history	1271
	DIVISION 10 — ACCIDENT REPORTING AND INVESTIGATION	
172	Immediate notice of certain accidents	1271
173	Incidents that must be investigated	1271
174	Investigation process	1272
175	Preliminary investigation, report and follow-up action	1272
176	Full investigation, report and follow-up action	1273
177	Employer or supervisor must not attempt to prevent reporting	1273
	DIVISION 11 — INSPECTIONS, INVESTIGATIONS AND INQUIRIES	
178	Application of Division	1274
179	Authority to conduct inspections	1274
180	Officer must produce credentials on request	1275
181	Restrictions on access to private residences	1275
182	Representation on inspection	1275
183	Employer must post inspection reports	1276
184	Person being questioned is entitled to have another person present	1276
185	Limited authority to seize evidence without warrant	1276
186	Assistance on inspection	1277
	DIVISION 12 — ENFORCEMENT	
186.1	Compliance agreements	1277
187	General authority to make orders	1279
188	Contents and process for orders	1279
189	Notice of cancellation	1279

Table of Contents

190	Orders to stop using or supplying unsafe equipment, etc.	1280
191	Orders to stop work	1280
192	Effect of orders on workers	1281
193	Posting of orders by officer	1282
194	Compliance reports	1282
195	Suspension or cancellation of certificates	1282
196	Administrative penalties	1283
196.1	Administrative penalties — lower maximum amount	1284
197	[Repealed 2002, c. 66, s. 29.]	1284
198	Court injunction	1284
	DIVISION 13	
199–206	[Repealed 2002, c. 66, s. 30.]	1285
	DIVISION 14	
207–212	[Repealed 2002, c. 66, s. 30.]	1286
	DIVISION 15 — OFFENCES	
213	Offence to contravene Part, regulation or order	1286
214	Limits on prosecutions	1287
215	Defence of due diligence	1287
216	Additional defence for workers	1287
217	General penalties	1287
218	Additional penalty to reclaim monetary benefit	1287
219	Additional powers on sentencing	1288
220	Penalties to be paid into accident fund	1288
	DIVISION 16 — GENERAL	
221	Service of orders and other documents	1288
222	Court orders for access	1289
223	Collection by assessment or judgment	1289
	DIVISION 17 — REGULATIONS	
224	Cabinet regulations	1290
225	Board regulations	1290
226	Notice and consultation before Board makes regulation	1291
227	When Board regulation comes into force	1292
228	Ongoing review of Board regulations	1292
229	Minister may direct Board to consider amendment	1292
230	Authority and application of regulations generally	1292
	PART 4 — APPEALS	
	DIVISION 1 — APPEAL TRIBUNAL	
231	Definitions	1293
232	Appeal tribunal established	1293
233	End of appointment	1294
234	Role of chair	1294
235	Appeal tribunal staff	1296
236	Compensation and expenses of members	1296
237	Finances	1296
238	Panels	1297
	DIVISION 2 — APPEAL RIGHTS	
239	Appeal of review decisions	1298
240	Appeal of other Board decisions	1298

Table of Contents

241	Who may appeal	1298
242	How to appeal	1298
243	Time limit for appeal	1299
244	No stay of appealed decision	1300
244.1	Appeal rights to workers for decisions pre-dating 2004 amendments	1300
DIVISION 3 — APPEAL PROCEDURE		
245	Board records and policies	1301
245.1	Application of <i>Administrative Tribunals Act</i> to appeal tribunal	1301
246	Proceedings	1302
246.1	Evidence admissible in appeal tribunal proceedings	1303
247	Witnesses	1303
248	Deemed employer	1304
249	Health professional assistance	1304
250	Appeal tribunal decision-making	1305
251	Application of policies of board of directors	1306
252	Suspension of appeal proceedings	1307
253	Decision	1307
253.1	Amendment to final decision	1308
DIVISION 4 — GENERAL		
254	Exclusive jurisdiction	1308
255	Appeal tribunal decision or action final	1308
256	Reconsideration of appeal decision	1309
257	Certification to court	1309
258	Payment of compensation	1310
259	Payment of interest	1310
260	Confidentiality obligation	1310
Schedule A	[Repealed 1993, c. 34, s. 13.]	1311
Schedule B	. . . . .	1311
Schedule C	[Repealed 2003, c. 65, s. 27.]	1317
Schedule D	Non-Traumatic Hearing Loss	1317

B.C. REG. 31/81 — BOARDS OF REVIEW REGULATION

.	1321
-----------	------

**B.C. REG. 125/2009 — FIREFIGHTERS’ OCCUPATIONAL DISEASE
REGULATION**

.	1327
-----------	------

B.C. REG. 674/76 — FISHING INDUSTRY REGULATIONS

.	1329
-----------	------

Table of Contents

B.C. REG. 194/2015 — LOWER MAXIMUM ADMINISTRATIVE PENALTIES REGULATION	1333
B.C. REG. 136/2018 — MENTAL DISORDER PRESUMPTION REGULATION	1335
B.C. REG. 71/99 — OCCUPATIONAL DISEASE RECOGNITION REGULATION	1336
B.C. REG. 296/97 — OCCUPATIONAL HEALTH AND SAFETY REGULATION	1338
B.C. REG. 713/74 — REPORTS OF INJURIES REGULATIONS	1865
B.C. REG. 164/2015 — TIME PERIOD FOR REVIEW REGULATION	1866
B.C. REG. 322/2002 — TRANSITIONAL REVIEW AND APPEAL REGULATION	1867
B.C. REG. 321/2002 — WORKERS COMPENSATION ACT APPEAL REGULATION	1868
B.C. REG. 32/86 — WORKERS' COMPENSATION ACT (REVIEW BOARD) REGULATION	1870

Table of Contents

B.C. REG. 359/2002 — WORKERS COMPENSATION APPEAL TRIBUNAL COMPENSATION REGULATION	1873
INDEX	1877