

December 2009 Legislative Update

JURISDICTION	PARLIAMENT	BILL #	TITLE	GOVERNMENT/MEMBERS BILL	STATUS	EXPLANATORY NOTE
<u>British Columbia</u>	39 th Parliament – 1 st session					
		<u>11</u>	<u><i>Labour Mobility Act, 2009</i></u>	<u>Stilwell</u>	<u>R.A - October 29, 2009</u>	<u>This Bill allows certified workers from other Canadian jurisdictions to practice their occupations in British Columbia in accordance with Chapter Seven of the Agreement on Internal Trade, and, in particular, provides that British Columbia regulators must consider and apply Chapter Seven when workers who are certified for an occupation in a signatory jurisdiction apply to obtain British Columbia certification for that occupation. It allows the Supreme Court to consider whether Chapter Seven has been correctly applied and to make directions where that has not been the case, and allows the minister, and ultimately the Lieutenant Governor in Council, to ensure that provisions that may affect the ability of a certified worker from another Canadian jurisdiction to practice his or her occupation in British Columbia accord with this Act.</u>
		<u>15</u>	<u><i>Motor Vehicle Amendment Act</i></u>	<u>Heed</u>	<u>R.A. October 29, 2009</u>	<u>This Bill allows the Lieutenant Governor in Council to make regulations adding restrictions or conditions to classes of driver's licences concerning the use of electronic devices. It also enacts rules about the use of electronic devices while driving.</u>
		<u>16</u>	<u><i>Body Armour Control Act</i></u>	<u>Heed</u>	<u>R.A. - October 29, 2009</u>	<u>This Bill establishes the requirements that an individual who possesses body armour hold a body armour permit authorizing the possession of body armour and that a person that sells, gives, transfers or otherwise disposes of body armour in any manner hold a security business licence or security worker licence under the Security Services Act.</u>
		<u>18</u>	<u><i>Assistance to Shelter Act</i></u>	<u>Coleman</u>	<u>Royal Assent – November 26, 2009</u>	<u>This Bill establishes a scheme for issuing and cancelling extreme weather alerts and enables police officers to transport persons at risk to emergency shelters when extreme weather alerts are in effect.</u>

19	<u>Lobbyists Registration Amendment Act</u>	<u>De Jong</u>	<u>Royal Assent – November 26, 2009</u>	<p><u>This Bill substitutes the definition of "in-house lobbyist" to include officers and directors of organizations and to include a time frame or other criteria set by regulation; expands the definition of "lobby"; excludes expenses from the definition of "payment"; adds persons, sole proprietors and partners in a partnership to the definition of "organization"; repeals the definition of "senior officer"; adds definition of "affiliate", "designated filer", "lobbyist", "Provincial entity" and "registry".</u></p> <p><u>It also expands the list of persons not considered to be in-house lobbyists, and clarifies that the exclusion applies only when those persons are acting in their official capacities and expands the list of persons to whom the Act does not apply.</u></p> <p><u>The Bill prohibits lobbying and holding contracts for providing paid advice in relation to the same matter, and provides for exemptions from the prohibition. It amends the time periods in which returns must be filed and expands the list of requirements for the content of returns, and harmonizes the requirements between classes of lobbyists.</u></p> <p><u>The Bill prohibits lobbying and holding contracts for providing paid advice in relation to the same matter, and provides for exemptions from the prohibition. It amends the time periods in which returns must be filed and expands the list of requirements for the content of returns, and harmonizes the requirements between classes of lobbyists.</u></p> <p><u>The Bill clarifies that the registrar may delegate the powers and duties of the registrar to any person appointed or retained under the Freedom of Information and Protection of Privacy Act. It also empowers the registrar to conduct investigations; requires the registrar to give notice and a reasonable opportunity to be heard to a person whom the registrar believes has not complied with a provision of the Act or the regulations;</u></p> <p><u>empowers the registrar to impose administrative penalties for contraventions of prescribed provisions of the Act and the regulations, and to reconsider a decision that a contravention occurred or a penalty that has been imposed;</u></p> <p><u>empowers the registrar to compel persons, for the purposes of investigations and hearings, to attend to answer questions and to provide records;</u></p> <p><u>provides that the registrar may receive information and records in confidence;</u></p> <p><u>provides for reports of findings and conclusions in respect of investigations and for making reports public;</u></p> <p><u>restricts the use and disclosure of information and records received during an investigation or hearing;</u></p> <p><u>requires the return of records no longer required for the purposes of the Act;</u></p>
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excludes the application of sections 5 and 6 to documents submitted under section 7.1, 7.2, 7.3 or 7.5.

The Bill clarifies that registration and completion or termination dates must be made publicly available and that public office holders are not required to inspect the registry. It also requires the registrar to make an annual report; provides protection to the registrar and his or her staff for actions done in good faith; limits the time in which an application for judicial review may be commenced; authorizes the registrar to carry out public education concerning the Act.

It also

empowers the registrar to prohibit a person convicted of an offence under the Act from lobbying or filing returns;

makes it an offence to lobby in relation to matters for which one holds a contract for providing paid advice, to wilfully interfere with or obstruct the registrar or a person acting under his or her direction, and to lobby or file returns while prohibited from doing so; increases the maximum fine for a second or subsequent offence from \$25 000 to \$100 000; increases the time in which to initiate proceedings in respect of an alleged offence from 6 months to 2 years.

Finally, the Bill prohibits a person from being liable for both an administrative penalty and prosecution for an offence in respect of the same incident.

21 *Ambulance Services* *Falcon*
Collective Agreement Act

Royal Assent -
November 7, 2009

This Bill settles the labour dispute between the Emergency and Health Services Commission and its ambulance paramedics and dispatchers, and provides for the constitution of a collective agreement between the parties.

M 202 *Lobbyist Registry Reform* *James*
Act, 2009

First Reading -
October 6, 2009

This Act makes amendments to the *Lobbyists Registration Act* that establish clear rules to ensure that lobbying is done ethically and transparently. It amends the definition of "lobby" to remove restrictions on recognized lobbying activities, establishes clear reporting responsibilities, and protects the public interest by ensuring that British Columbians have access to adequate information about lobbyists.