



Body Armour Control Act

**BODY ARMOUR CONTROL
REGULATION**

B.C. Reg. 203/2010

Deposited June 25, 2010 and effective July 1, 2010
Last amended March 11, 2021 by B.C. Reg. 64/2021

Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 203/2010 (O.C. 466/2010), deposited June 25, 2010 and effective July 1, 2010, is made under the *Body Armour Control Act*, S.B.C. 2009, c. 24, s. 22.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at www.bclaws.ca.

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Contents

- 1 Definition and interpretation
- 2 Exemptions
- 3 Discretionary exemptions
- 4 Exemption conditions
- 5 Applying for a body armour permit
- 6 Prescribed checks
- 7 Maximum term
- 8 Identification requirements
- 9 Fees
- 10 Offences
- 11 Administrative penalties

Definition and interpretation

- 1** (1) In this regulation, “**Act**” means the *Body Armour Control Act*.
- (2) For the purposes of paragraph (b) of the definition of “body armour” in section 1 of the Act, the following garments and items are prescribed as body armour:
 - (a) a garment or item designed, intended or adapted for the purpose of protecting the body from puncture or stab wounds intended to be inflicted by another person;
 - (b) panels or plates that
 - (i) protect the body from projectiles discharged from a firearm or puncture or stab wounds, and
 - (ii) are designed to be inserted into pockets of vests, jackets or other garments to create or enhance body armour.

Exemptions

- 2** (1) Section 2 (2) of the Act does not apply to a person described in section 2 (3) (a) or (b) of the Act when the person is not in the course of employment for the period during which the person holds a licence referred to, and is employed to perform work described, in section 2 (3) (a) or (b) of the Act.
- (2) For the purposes of section 2 (3) (c) of the Act, section 2 (2) of the Act does not apply to a person for the period during which the person
 - (a) is employed as a peace officer,
 - (b) is employed by the government, a government corporation, as defined in the *Financial Administration Act*, the government of Canada or a local authority, if wearing body armour is required or allowed in the course of the person’s employment,
 - (c) is employed as a security guard at a gaming facility, as defined in the *Gaming Control Act*, and registered as a gaming worker under that Act, or

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- (d) is an individual who holds a valid licence issued under the *Firearms Act* (Canada) authorizing the individual to acquire or possess a firearm.

Discretionary exemptions

- 3 (1) Despite any provision of the Act but subject to subsection (5) of this section, the registrar may exempt a person from section 2 (2) of the Act for a period not exceeding 90 days if the registrar is satisfied that
- (a) the person does not reside in British Columbia, and
 - (b) the nature of the person's proposed activities in British Columbia make it desirable that the person possess body armour.
- (2) Despite any provision of the Act, but subject to subsection (5), the registrar may exempt a person from section 2 (2) of the Act for a period not exceeding 90 days if the registrar is satisfied that because of an imminent risk to the person's safety, it is desirable that the person be authorized to possess body armour.
- (3) A person may request an exemption under subsection (1) by providing the following information in the form specified by the registrar:
- (a) particulars respecting the person's identity, including name, date and place of birth, gender and citizenship or residence status and the person's permanent residence address, telephone number and email address, if any;
 - (b) temporary address in British Columbia;
 - (c) proposed activities in British Columbia in relation to which the person requests the exemption.
- (4) A person may request an exemption under subsection (2) by providing the following information in the form specified by the registrar:
- (a) particulars respecting the person's identity, including name, date and place of birth, gender and citizenship or residence status and the person's permanent residence address, telephone number and email address, if any;
 - (b) documented evidence, satisfactory to the registrar, of the imminent risk to the person's safety.
- (5) The registrar must hold a hearing before refusing to grant an exemption under subsection (1) or (2) and must provide written reasons for the refusal.
- (6) The registrar must provide a person granted an exemption under subsection (1) or (2) with written evidence of the exemption setting out the period of the exemption.
- (7) On application, the registrar may extend an exemption under this section for additional periods not exceeding 90 days each.

Exemption conditions

- 4** (1) A person who is exempt from the requirement to hold a body armour permit must provide to a vendor from which the person is purchasing body armour, and allow the vendor to retain, the following information:
- (a) the full name, residential address and telephone number of the exempt person;
 - (b) if exempt under section 2 (1), the exempt person's security worker licence or security business licence, as applicable;
 - (c) if exempt under section 2 (2) (a), the name and address of the peace officer's employer and the peace officer's badge;
 - (d) if exempt under section 2 (2) (b), the name and address of the employer and the signed statement of the employer, or a person on behalf of the employer, that the exempt person is required or authorized to wear body armour in the course of their employment, or a copy of that signed statement;
 - (e) if exempt under section 2 (2) (c), the name and address of the employer and the card number of the gaming worker's official identification card;
 - (f) if exempt under section 2 (2) (d), the licence number of the licence issued to the person under the *Firearms Act* (Canada);
 - (g) if exempt under section 3, a copy of the written evidence referred to in section 3 (6).
- (2) A person who is exempt from the requirement to hold a body armour permit must provide to a vendor from which the person is purchasing body armour a piece of identification that displays a photograph of the exempt person.
- (3) On the request of a peace officer or inspector, a person who is exempt from the requirement to hold a body armour permit and has body armour in the person's possession must give the peace officer or inspector the information, and show the peace officer or inspector the documents, referred to in subsection (1) (b), (c), (d), (e), or (f) in respect of the person's exemption.

[am. B.C. Reg. 64/2021, s. 3.]

Applying for a body armour permit

- 5** An applicant for a body armour permit must provide the registrar with all the following information or records, as applicable:
- (a) particulars respecting the applicant's identity and location, including name, date and place of birth, gender, citizenship or residence status, address, telephone number and email address, if any;
 - (b) particulars respecting the applicant's physical appearance, including hair colour, eye colour, weight and height;
 - (c) a recent photograph of the applicant;
 - (d) particulars respecting any unresolved charge, or conviction entered, against the applicant for a crime;

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- (e) whether the applicant holds or has previously held a body armour permit;
 - (f) particulars of the reason the applicant needs to possess body armour and, if the reasons relate to the applicant's employment, the name of the employer, the employer's address and the applicant's position with the employer.

Prescribed checks

- 6** For the purposes of section 4 (2) (b) of the Act, the registrar must carry out the following checks in respect of an applicant for a new body armour permit or the renewal of a body armour permit:
 - (a) a criminal record check;
 - (b) a police information check;
 - (c) a correctional service information check.

Maximum term

- 7** For the purposes of section 6 (1) of the Act, the registrar may issue or renew a body armour permit for a term not exceeding 5 years.

Identification requirements

- 8** A person who purchases body armour must show the security business licensee or security worker licensee from whom the purchase is made current identification that displays a photograph of the purchaser.

Fees

- 9** For the purposes of section 4 (2) (c) of the Act, the fee
 - (a) for a body armour permit for a term of up to 5 years is \$90, and
 - (b) for the renewal of a body armour permit for a term of up to 5 years is \$45.

Offences

- 10** (1) A person who contravenes section 4 (2) commits an offence.
(2) A person who commits an offence under subsection (1) is liable on conviction to the penalties set out in section 14 (1) of the Act.

Administrative penalties

- 11** Section 8 (3) of the Act is prescribed for the purposes of section 12 (4) of the Act.