
MISCELLANEOUS STATUTES AMENDMENT ACT, 2000**CHAPTER 9***Assented to June 12, 2000*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

College and Institute Act

- 1 ***Section 1 of the College and Institute Act, R.S.B.C. 1996, c. 52, is amended by adding the following definition:***

“British Columbia Adult Graduation Diploma” means the diploma that may be provided to a person who is enrolled at an institution and who has met the requirements for obtaining the British Columbia Adult Graduation Diploma; .

- 2 ***Section 3 is amended by adding the following paragraph:***

(c.1) with the minister responsible for the administration of the *School Act*, establish the requirements for obtaining the British Columbia Adult Graduation Diploma; .

- 3 ***Sections 6 and 7 are amended by striking out “and” at the end of paragraph (b) and by adding the following paragraph:***

(b.1) adult basic education, and .

Commercial River Rafting Safety Act

- 4 ***Section 8 (1) of the Commercial River Rafting Safety Act, R.S.B.C. 1996, c. 56, is amended by striking out “the section” and substituting “section”.***

Coroners Act

- 5 ***Section 7 of the Coroners Act, R.S.B.C. 1996, c. 72, is repealed and the following substituted:***

Pension plan

- 7 The Public Service Pension Plan, continued under the *Public Sector Pension Plans Act*, applies to every coroner to whom a salary is paid under section 6.

- 6 ***Section 1 of the Supplement to the Coroners Act is repealed.***

Credit Union Incorporation Act

- 7 ***Section 35 (4) of the Credit Union Incorporation Act, R.S.B.C. 1996, c. 82, is repealed and the following substituted:***

(4) The Minister of Finance and Corporate Relations, in respect of assets paid or delivered to the minister under this section, may realize any assets, and any money received or realized under this section is deemed to be unclaimed money deposits under the *Unclaimed Property Act*.

Employee Investment Act

- 8 ***Section 19 of the Employee Investment Act, R.S.B.C. 1996, c. 112, is amended by renumbering the section as section 19 (1) and by adding the following subsection:***

(2) Subsection (1) does not apply if the amount that the eligible business receives in excess of \$5 million within a 2 year period is an investment made or held by an employee venture capital corporation that

(a) is invested in accordance with section 22 (1)(c), and

(b) does not have to be invested in eligible investments under the terms of the corporation's employee venture capital plan.

- 9 ***Section 24 (3) (e) is repealed.***

- 10 ***Section 40 (6) (b) is amended by striking out "and \$10 000 in aggregate".***

Estate Administration Act

- 11 ***Section 67.1 (3) of the Estate Administration Act, R.S.B.C. 1996, c. 122, is repealed and the following substituted:***

(3) Section 27.1 of the *Public Guardian and Trustee Act* applies to net proceeds under subsection (2) that are held in trust by the Public Guardian and Trustee and are not claimed by a beneficiary within the applicable period prescribed under that Act.

Financial Institutions Act

- 12 ***Section 37 (4) of the Financial Institutions Act, R.S.B.C. 1996, c. 141, is repealed and the following substituted:***

(4) The Minister of Finance and Corporate Relations, in respect of assets paid or delivered to the minister under this section, may realize any assets, and any money received or realized under this section is deemed to be unclaimed money deposits under the *Unclaimed Property Act*.

Forest Land Reserve Act

13 *Section 26 of the Forest Land Reserve Act, R.S.B.C. 1996, c. 158, is amended by adding the following subsections:*

- (4) The commission may waive the fees referred to in subsection (3) if
 - (a) the commission considers that a case of hardship exists, or
 - (b) the application is for
 - (i) the removal of land from the forest land reserve and for inclusion in the agricultural land reserve, or
 - (ii) a prescribed purpose or circumstance.
- (5) If the commission refers the application to a local government, the commission must remit a prescribed portion of the application fee to the local government, unless the fee is waived under subsection (4).
- (6) This section applies despite the *Financial Administration Act*.

14 *The following section is added:*

Reconsideration of decisions

- 28.1** (1) If the commission determines, on the written request of a person affected or on the commission's own initiative, that
- (a) evidence not available at the time of a decision of the commission under this Act has become available, or
 - (b) a decision of the commission under this Act was based, in whole or in part, on evidence that was in error or was false,
- the commission may reconsider that decision and may confirm, reverse or vary it.
- (2) The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.

15 *Section 29.1 (2) is repealed and the following substituted:*

- (2) An official who enters on land or premises under this section
 - (a) may inspect any thing or activity that is reasonably related to the purpose for which the official entered the identified land or premises,
 - (b) may require production for inspecting or copying either or both of the following:
 - (i) a plan or authorization that is required for the activity;
 - (ii) a record required to be kept in relation to a requirement of this Act or the regulations, and

Section 16

- (c) on the request of the person who has apparent custody or control of the property or activity being inspected, must provide proof of identity to that person.

16. **Section 29.3 (2) is amended by striking out “chief officer’s” and substituting “chief executive officer’s”.**

17. **Section 29.97 is amended by adding the following subsections:**

- (1.1) For any purpose related to carrying out an audit to determine compliance with this Act and the regulations, and at any reasonable time and on reasonable notice, an auditor may enter on
 - (a) identified land to which the audit pertains, and
 - (b) the business premises of the owner of identified land, unless the business premises constitute a private residence, for the purpose of inspecting or copying records that are relevant to the audit.
- (1.2) An auditor who enters on land or premises under this section
 - (a) may inspect any thing or activity that is reasonably related to the purpose of the audit,
 - (b) may require production for inspecting or copying either or both of the following:
 - (i) a plan or authorization that is required for the activity that is the subject of the audit;
 - (ii) a record required to be kept in relation to the audit, and
 - (c) on the request of the person who has apparent custody or control of the property or activity being audited, must provide proof of identity to that person.

18. **Section 34.2 is amended**

(a) in subsection (1) by adding the following paragraph:

- (b.1) a specialist or consultant retained by the government for a purpose under this Act or the regulations; ,

(b) by repealing subsection (2) and substituting the following:

- (2) A person referred to in subsection (1) must not disclose any information or record created or obtained in exercising or performing a power, duty or function under this Act or the regulations, except
 - (a) as required under the *Freedom of Information and Protection of Privacy Act* and the regulations under that Act,
 - (b) as required for the performance of the person’s powers, duties or functions under this Act or the regulations,
 - (c) in any of the following proceedings:

- (i) a trial of a person for perjury;
 - (ii) a proceeding to enforce powers of investigation under this Act or the regulations;
 - (iii) a prosecution for an offence under section 29.91;
 - (iv) a review or appeal under this Act, or
- (d) in accordance with subsection (3). , *and*

(c) by adding the following subsections:

- (3) A person referred to in subsection (1) may disclose to the agent of a property owner confidential information relating to the property, if the disclosure has been authorized in writing by the owner.
- (4) An agent must not use information disclosed under subsection (3) except for the purposes authorized by the owner referred to in that subsection.

19 Section 37 (2) (m) (iii) (I) is repealed and the following substituted:

- (I) the costs of reviews and appeals and the apportionment of those costs among the parties and the intervenors; .

Heritage Conservation Act

20 Section 35 (3) of the Heritage Conservation Act, R.S.B.C. 1996, c. 187, is amended by striking out “for which an act or omission the government” and substituting “for which act or omission the government”.

21 Section 36 is amended by adding the following subsections:

- (6) The time limit for laying an information respecting an offence under this Act or the regulations is 2 years after the facts on which the information is based first came to the knowledge of
 - (a) a police officer, police constable, constable or other person employed for the preservation and maintenance of the public peace, or
 - (b) an official designated in writing by the minister.
- (7) A document purporting to have been issued by the official designated under subsection (6) (b) certifying the day on which he or she became aware of the facts on which an information is based, is admissible without proof of the signature of the official appearing to have signed the document, and in the absence of evidence to the contrary, is proof of the matter certified.

Highway Act

22 Section 2 of the Highway Act, R.S.B.C. 1996, c. 188, is amended by striking out “All” and substituting “Subject to section 4 (3), all”.

23 Section 4 is amended

- (a) *in subsection (2) by striking out* “This section” *and substituting* “Subsection (1)”, *and*
(b) *by adding the following subsections:*

- (3) Section 2 and subsection (1) of this section do not apply to the Trans Canada Trail, whether or not public money is spent on that trail before or after the coming into force of this subsection.
- (4) Nothing in subsection (3) is to be read as including recreational trails within the meaning of roads or travelled roads.

Independent School Act**24 Section 7 of the Independent School Act, R.S.B.C. 1996, c. 216, is amended**

- (a) *in subsections (1) and (2) by striking out* “or letter of permission” *wherever it appears,*
(b) *in subsection (3) by striking out* “or a letter of permission”, *and*
(c) *in subsection (3) (b) by striking out* “or letter of permission”.

25 Section 11 (1) (b) is amended by striking out “issue the British Columbia certificate of graduation” *and substituting* “issue a British Columbia graduation diploma”.***Institute of Technology Act*****26 Section 1 of the Institute of Technology Act, R.S.B.C. 1996, c. 225, is amended by adding the following definition:**

“**British Columbia Adult Graduation Diploma**” means the diploma that may be provided to a person who is enrolled at the institute and who has met the requirements for obtaining the British Columbia Adult Graduation Diploma; .

27 The following section is added:**Power of the minister**

- 13.1** The minister may, with the minister responsible for the administration of the *School Act*, establish the requirements for obtaining the British Columbia Adult Graduation Diploma.

Islands Trust Act**28 Section 9 (1) of the Islands Trust Act, R.S.B.C. 1996, c. 239, is amended by adding the following paragraph:**

- (e) a first nation.

Miscellaneous Statutes Amendment Act, 1999

- 29 *Sections 2 (c) and 3 of the Miscellaneous Statutes Amendment Act, 1999, S.B.C. 1999, c. 15, are repealed.*

Motor Vehicle Act

- 30 *Section 34 of the Motor Vehicle Act, R.S.B.C. 1996, c. 318, is amended*

(a) by repealing subsection (1) and substituting the following:

- (1) The exemptions provided by this section apply only while a person is driving or operating any of the following vehicles in British Columbia:
 - (a) a motor vehicle registered under section 3;
 - (b) a motor vehicle registered under section 21 during the period named in the certificate of registration issued under that section;
 - (c) a motor vehicle operated under a permit issued under section 6 (7) of the *Commercial Transport Act*;
 - (d) a motor vehicle operated under a reciprocal arrangement or agreement made under section 10 of the *Commercial Transport Act*;
 - (e) a commercial vehicle registered and licensed under the *Commercial Transport Act*;
 - (f) a motor vehicle or trailer in respect of which the owner is exempted under section 21 (1), but only for the period limited by that subsection.
- (1.1) Subject to subsection (1.2), the following persons are exempt, for the period specified, from the requirements respecting the holding of a driver's licence issued to him or her under this Act:
 - (a) a person who has a validly issued and subsisting driver's or operator's licence or permit issued according to the laws where he or she is ordinarily resident, for 6 months from the date he or she last entered British Columbia;
 - (b) a person who has become ordinarily resident in British Columbia and who has a validly issued and subsisting driver's or operator's licence or permit issued according to the laws of the jurisdiction where he or she was most recently ordinarily resident, for 90 days after he or she became ordinarily resident in British Columbia;
 - (c) a person who has a validly issued and subsisting driver's or operator's licence or permit issued according to the laws where he or she is ordinarily resident, for the period that the person is registered as a student at and attends any of the following educational institutions:
 - (i) a university, as defined in the *University Act*;
 - (ii) an institution, as defined in the *College and Institute Act*;
 - (iii) the British Columbia Institute of Technology;

Section 31

- (iv) the University of Northern British Columbia;
- (v) the Technical University of British Columbia;
- (vi) Royal Roads University;
- (vii) the Open Learning Agency;
- (viii) any other educational institution authorized under an Act to grant degrees.

(1.2) A person claiming an exemption under subsection (1.1) must carry a valid and subsisting driver's or operator's licence or permit on his or her person while operating a motor vehicle referred to in subsection (1) and must produce that driver's or operator's licence or permit to a peace officer on demand, *and*

(b) in subsection (2) by striking out "A person exempt under subsection (1)" and substituting "A person exempt under subsection (1.1)".

31 *Section 56 (1) is amended by striking out "referred to in section 34 (1)" and substituting "referred to in section 34 (1.1)".*

32 *Section 94.1 (1) (a) is amended by striking out "exceeded 80 milligrams of alcohol in 100 millilitres of blood, or" and substituting "exceeded 80 milligrams of alcohol in 100 millilitres of blood at any time within 3 hours after operating or having care or control of the motor vehicle, or".*

33 *Section 94.6 is amended*

(a) in subsection (1) (a) by striking out "exceeded 80 milligrams of alcohol in 100 millilitres of blood, or" and substituting "exceeded 80 milligrams of alcohol in 100 millilitres of blood at any time within 3 hours after operating or having care or control of the motor vehicle, or", and

(b) by repealing subsection (2) (a) and substituting the following:

- (a) the person did not, because of alcohol consumed prior to or while operating or having care or control of a motor vehicle, have a concentration of alcohol in his or her blood that exceeded 80 milligrams of alcohol in 100 millilitres of blood at any time within 3 hours after operating or having care or control of the motor vehicle, or.

34 *Section 117 (1) (a) is amended by striking out "in accordance with section 118 (4)" and substituting "in accordance with section 118 (2)".*

35 *Section 118 is repealed and the following substituted:*

Appointment of superintendent and staff

- 118 (1) An individual must be appointed as the Superintendent of Motor Vehicles under subsection (2).

- (2) The superintendent, a deputy superintendent and other officers, clerks and employees necessary to carry out the powers, duties and functions of the superintendent are to be appointed in accordance with the *Public Service Act*.
- (3) Officers and employees necessary to carry out the powers, duties and functions of the Insurance Corporation of British Columbia are to be appointed in accordance with section 4 of the *Insurance Corporation Act*.

36 *Section 206 is amended*

- (a) *by repealing subsections (1) and (3), and*
(b) *by repealing subsection (2).*

37 *Section 234 (1) is amended by striking out “exempted under section 34 (1)” and substituting “exempted under section 34 (1.1)”.*

Notaries Act

38 *Section 5 (3) of the Notaries Act, R.S.B.C. 1996, c. 334, is amended by striking out “secretary of the Law Society of British Columbia” and substituting “executive director of the Law Society of British Columbia”.*

Open Learning Agency Act

39 *Section 1 of the Open Learning Agency Act, R.S.B.C. 1996, c. 341, is amended by adding the following definition:*

“**British Columbia Adult Graduation Diploma**” means the diploma that may be provided to a person who is enrolled at the agency and who has met the requirements for obtaining the British Columbia Adult Graduation Diploma; .

40 *Section 16 is amended by striking out “and” at the end of paragraph (a), by adding “, and” at the end of paragraph (b) and by adding the following paragraph:*

- (c) with the minister responsible for the administration of the *School Act*, establish the requirements for obtaining the British Columbia Adult Graduation Diploma.

Pension Benefits Standards Act

41 *Section 42 (1) (b.1) of the Pension Benefits Standards Act, R.S.B.C. 1996, c. 352, is repealed and the following substituted:*

- (b.1) the British Columbia Pension Corporation established under the *Public Sector Pension Plans Act*, .

*Petroleum and Natural Gas Act***42 Section 1 of the Petroleum and Natural Gas Act, R.S.B.C. 1996, c. 361, is amended by repealing the definition of "division" and substituting the following:**

"division" means the administrative unit, within the ministry, that the minister by order may designate as the division for the purpose of this definition; .

43 Section 58 is amended**(a) by adding the following subsection:**

(2.1) Despite subsection (2), to take into account a delay referred to in paragraph (c) of this subsection, the director may continue a lease described in subsection (2), during its initial term, for the number of full years nearest to the period of the delay, if

- (a) an application for a geophysical survey or the drilling of a well has been submitted to the commission,
- (b) the director considers that the geophysical survey or the well will provide data relevant to evaluation of the lease, and
- (c) approval of the application is delayed for more than 6 months pending completion of consultations or of an environmental or other evaluation. ,

(b) by repealing subsection (3) (c) and substituting the following:

- (c) continue the lease for one year for all or part of its location, if
 - (i) the division head approves, for all or part of the location of the lease, as the case may be, a program of work that meets requirements prescribed by the Lieutenant Governor in Council, and
 - (ii) the lessee undertakes to complete, in a manner satisfactory to the division head, the program of work, as it pertains to the lessee's lease, or , **and**

(c) by adding the following subsection:

- (4) A lease may not be continued under subsection (3) (c) more than the prescribed number of times.

44 Section 62 (2) is repealed and the following substituted:

(2) If a 10 year lease has not been continued under section 58 or 61 and was or is issued before the date this subsection comes into force, the director may continue the 10 year lease, for all or part of its location and for a maximum of 3 years, on payment by the lessee to the government of

- (a) the rental in accordance with the regulations, and
- (b) an additional amount of \$15 for the first year, \$25 for the second year and \$25 for the third year, multiplied in each case by the number of hectares in

the lease location or, if the lease is continued for only part of its location, by the number of hectares in that part.

45 The following section is added:

Saving

63.1 If a lease expires because of a lessee's failure described in section 63, the division head, within one year after the date of expiry, may reinstate the lease, for the balance of the term that was in effect immediately before its expiry, if

- (a) the division head is satisfied that the failure was due to inadvertence or circumstances beyond the lessee's control, other than financial circumstances,
- (b) there has been no disposition under section 71 of any of the petroleum or natural gas that was subject to the lease immediately before its expiry,
- (c) the lessee pays the rental and does the work, and
- (d) the lessee pays a fee of \$500.

46 Section 133 (2) is amended by adding the following paragraph:

- (d.1) make regulations prescribing requirements for section 58 (3) (c), including but not limited to regulations
 - (i) prescribing guidelines for use by the division head in exercising his or her discretion under section 58 (3) (c),
 - (ii) prescribing limits on the division head's discretion under section 58 (3) (c),
 - (iii) defining, by type, intended outcome or on any other basis the Lieutenant Governor in Council considers appropriate the work required or permitted to be included as part of a program of work,
 - (iv) defining categories of leases, by size of leased area, by size, depth or extent of a pool or field of petroleum or natural gas that pertains in whole or in part to the lease, by geographic location of the petroleum or natural gas leased, by the extent of development of the property leased or on any other basis the Lieutenant Governor in Council considers appropriate, and
 - (v) prescribing differently for the different categories defined under subparagraph (iv); .

Provincial Court Act

47 Section 21 (2) (c) of the Provincial Court Act, R.S.B.C. 1996, c. 379, is repealed and the following substituted:

- (c) the president of the Law Society of British Columbia or a person nominated by the president; .

Public Guardian and Trustee Act

48 ***The Public Guardian and Trustee Act, R.S.B.C. 1996, c. 383, is amended by adding the following section:***

Unclaimed money

- 27.1 (1) If a person who has a legal or equitable interest in all or part of money held by the Public Guardian and Trustee on behalf of a person or estate does not claim the money within the applicable period prescribed for the purposes of this section, the Public Guardian and Trustee must pay the money to the Minister of Finance and Corporate Relations.
- (2) Money paid to the Minister of Finance and Corporate Relations under subsection (1) is deemed to be an unclaimed money deposit under the *Unclaimed Property Act*.

49 ***Section 28 is amended***

(a) in subsection (2) by adding the following paragraph:

- (e.1) prescribing, by reference to events specified by the Public Guardian and Trustee or otherwise, time periods for the purposes of section 27.1; , ***and***

(b) by adding the following subsection:

- (3) A regulation under subsection (2) (e.1) may provide differently for money held by the Public Guardian and Trustee under different authorities.

Public Sector Pension Plans Act

50 ***Section 11 (4) of the Public Sector Pension Plans Act, S.B.C. 1999, c. 44, is repealed and the following substituted:***

- (4) For the purpose of the application of the *Public Service Act* to subsection (1), the chief executive officer is deemed to be a deputy minister.

51 ***Section 19 is amended by adding the following subsections:***

- (11.1) The Deputy Minister of Finance and Corporate Relations may appoint one of the other directors to act, in the Deputy Minister's absence, as chair of the investment management board, but the appointment may be made only if
- (a) a quorum has been established under subsection (11) consisting of fewer than the number of directors required under subsection (10), and
- (b) the Deputy Minister's presence is not necessary for constituting the quorum.

(11.2) A director appointed under subsection (11.1) to act as chair is not entitled to vote on behalf of the Deputy Minister of Finance and Corporate Relations on any matter before the investment management board.

52 *Section 91 is repealed.*

School Act

53 *Section 1 (1) of the School Act, R.S.B.C. 1996, c. 412, is amended by adding the following definition:*

“British Columbia Adult Graduation Diploma” means the diploma that may be provided to a person who is enrolled at a school, francophone school or Provincial school and who has met the requirements for obtaining the British Columbia Adult Graduation Diploma; .

54 *Section 14 is amended*

(a) *in subsection (1) by striking out* “superintendent of schools for the district in which that child resides.” *and substituting* “superintendent of schools for the school district in which that child resides.”, *and*

(b) *in subsection (1.1) by repealing paragraphs (a) and (b) and substituting the following:*

- (a) in the case of a child registered under section 13 with a francophone school, to the chief executive officer of the francophone education authority for the francophone school district in which that child resides, and
- (b) in the case of a child registered under section 13 with a school, an independent school or the minister, to the superintendent of schools for the school district in which that child resides.

55 *Sections 75 (8) (b), 82 (1) (a), (2.1) (a) and (2.2) (a) and 166.25 (7) (b) are amended by striking out* “set out in the orders of the minister”.

56 *Section 168 is amended*

(a) *in subsection (2) (b) by adding* “subject to subsection (5),” *at the beginning, and*

(b) *by adding the following subsection:*

- (5) The minister may, with the minister responsible for public post-secondary institutions, establish the requirements for obtaining the British Columbia Adult Graduation Diploma.

South Moresby Implementation Account Act

- 57 *Section 1 of the South Moresby Implementation Account Act, R.S.B.C. 1996, c. 435, is amended by repealing the definition of “agreement” and substituting the following:*

“agreement” means an agreement, dated July 12, 1988, between the Government of British Columbia and the Government of Canada for the establishment of a national park in the South Moresby area of the Queen Charlotte Islands, and includes amendments made to that agreement on or before March 31, 2000; .

Teaching Profession Act

- 58 *Section 19 of the Teaching Profession Act, R.S.B.C. 1996, c. 449, is amended by striking out “a council member and any member of a committee appointed by the council” and substituting “a council member, any member of a committee appointed by the council and any member of a subcommittee appointed under sections 26 (1.1), 27 (1.1) and 28 (1.1)”.*

- 59 *Section 21 (e) is amended by striking out “except those concerning” and substituting “except those relating to”.*

- 60 *Section 23 (1) is amended*

(a) in paragraph (n) by striking out “the costs of proceedings before the discipline committee,” and substituting “the costs of proceedings before the discipline committee or a subcommittee of that committee,”, and

(b) by adding the following paragraph:

(o) providing for the delegation of the council’s powers of appointment and delegation under sections 26 (1.1), 27 (1.1) and 28 (1.1) to the chair of the college with the limitations and conditions the council considers appropriate.

- 61 *Section 23 (5) is repealed and the following substituted:*

(5) The fact that a council member is a member of the discipline committee or a subcommittee of the discipline committee does not prevent the member from sitting as a council member on the consideration of a report of that committee or subcommittee.

- 62 *Section 26 is amended*

(a) by repealing subsection (1) and substituting the following:

(1) The council must appoint a qualifications committee and must designate 2 council members as chair and vice chair of the committee. ,

(b) by adding the following subsections:

(1.1) The council may appoint in accordance with the bylaws one or more subcommittees of the qualifications committee and may delegate to a subcommittee so appointed any powers or duties of the committee under the Act or bylaws.

(1.2) A person appointed to a subcommittee under subsection (1.1) may not sit on another subcommittee appointed under subsection (1.1) with respect to the same matter. ,

(c) by repealing subsection (2) and substituting the following:

(2) Each member of the council is eligible to sit on the qualifications committee. ,

(d) in subsection (5) by striking out “, the qualifications committee” and substituting “, the qualifications committee or a subcommittee appointed under subsection (1.1)”,

(e) in subsection (8) by striking out “continue to be a member of the qualifications committee” and substituting “continue to be a member of the qualifications committee or a subcommittee appointed under subsection (1.1)”, and

(f) by repealing subsection (9) and substituting the following:

(9) The fact that a council member is a member of the qualifications committee or a subcommittee appointed under subsection (1.1) does not prevent the member from sitting as a council member on the consideration of a report of that committee or subcommittee.

63 Section 27 is amended

(a) by repealing subsection (1) and substituting the following:

(1) The council must appoint a teacher education programs committee and must designate 2 council members as chair and vice chair of the committee. ,

(b) by adding the following subsections:

(1.1) The council may appoint in accordance with the bylaws one or more subcommittees of the teacher education programs committee and may delegate to a subcommittee so appointed any powers or duties of the committee under the Act or bylaws.

(1.2) A person appointed to a subcommittee under subsection (1.1) may not sit on another subcommittee appointed under subsection (1.1) with respect to the same matter. , and

(c) by repealing subsection (2) and substituting the following:

(2) Each member of the council is eligible to sit on the teacher education programs committee.

64 Section 28 is amended

(a) by repealing subsection (1) and substituting the following:

Section 65

(1) The council must appoint a discipline committee and must designate 2 council members as chair and vice chair of the committee. ,

(b) by adding the following subsections:

(1.1) The council may appoint in accordance with the bylaws one or more subcommittees of the discipline committee and may delegate to a subcommittee so appointed any powers or duties of the committee under the Act or bylaws.

(1.2) A person appointed to a subcommittee under subsection (1.1) may not sit on another subcommittee appointed under subsection (1.1) with respect to the same matter. ,

(c) by repealing subsection (2) and substituting the following:

(2) Each member of the council is eligible to sit on the discipline committee. , **and**

(d) in subsection (6) by striking out “continue to be a member of the discipline committee” **and substituting** “continue to be a member of the discipline committee or a subcommittee appointed under subsection (1.1)”.

65 **Section 32 (3) is amended by striking out** “the council or discipline committee has the powers,” **and substituting** “the council, discipline committee or subcommittee has the powers.”.

66 **Section 40 is amended by striking out** “determination or order of the qualifications committee, discipline committee or council” **and substituting** “determination or order of the qualifications committee, discipline committee, a subcommittee of either, or the council”.

Traffic Safety Statutes Amendment Act, 1997

67 **Section 15 (b) of the Traffic Safety Statutes Amendment Act, 1997, S.B.C. 1997, c. 43, is repealed.**

Unclaimed Property Act

68 **Section 4 of the Unclaimed Property Act, S.B.C. 1999, c. 48, is amended**

(a) in paragraph (a) by striking out “all unclaimed money deposits” **and substituting** “unclaimed money deposits”, **and**

(b) by repealing paragraph (b) and substituting the following:

(b) include in the electronic or other database the prescribed particulars for each unclaimed money deposit that meets or exceeds the prescribed amount, and .

69 **Section 17 (2) is amended**

- (a) *in paragraph (d) by striking out* “sections 3, 7 (2) (a) and 9 (1) (b);” *and substituting* “sections 3, 4, 7 (2) (a) and 9 (1) (b);”, *and*
- (b) *in paragraph (e) by striking out* “for the purpose of section 3” *and substituting* “for the purposes of sections 3 and 4” *and by striking out* “for the purpose of section 9” *and substituting* “for the purposes of sections 9 and 11”.

University Act

- 70 *Section 57 of the University Act, R.S.B.C. 1996, c. 468, is repealed and the following substituted:*

Investments

- 57 Subject to a contrary intent expressed in a gift, devise, bequest or trust, section 15 of the *Trustee Act* does not apply to investments made by a board of a university and each board
- (a) may invest money belonging to the university and available for investment, and
 - (b) must, when investing under paragraph (a), make investments that a prudent person would make.

Waste Management Act

- 71 *Section 3 (5) (g) of the Waste Management Act, R.S.B.C. 1996, c. 482, is repealed.*
- 72 *Section 24.4 (1) is amended by striking out* “sections 19, 19.1 and 24.2” *and substituting* “sections 19, 19.1, 24 and 24.2”.

Commencement

- 73 (1) Sections 1 to 3, 8 to 10, 11, 13, 18, 19, 25 to 27, 29, 32 to 35, 36 (a), 38 to 40, 42 to 49, 53, 55, 56, 58 to 66, 67 and 70 come into force by regulation of the Lieutenant Governor in Council.
- (2) Sections 41 and 50 are deemed to have come into force on April 1, 2000 and are retroactive to the extent necessary to give them effect on and after that date.
- (3) Section 57 is deemed to have come into force on March 31, 2000 and is retroactive to the extent necessary to give it effect on and after that date.