

MISCELLANEOUS STATUTES AMENDMENT ACT, 2019**CHAPTER 11***Assented to May 16, 2019*

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

**PART 1 – ADVANCED EDUCATION, SKILLS AND
TRAINING AMENDMENTS****Transitional Provision****Transition – World Trade University Canada**

- 1** Despite the repeal of the *World Trade University Canada Establishment Act*, the following sections of the *Business Corporations Act* apply to the World Trade University Canada as if the World Trade University Canada had been incorporated under the *Business Corporations Act* and dissolved under that Act on the date of the repeal of the *World Trade University Canada Establishment Act*:
- (a) section 344 (2) [*effect of dissolution*];
 - (b) section 346 [*dissolved companies deemed to continue for litigation purposes*];
 - (c) section 347 [*liabilities survive*];
 - (d) section 349 [*dissolved company's assets available to judgment creditors*];
 - (e) section 351 [*custody of records*];
 - (f) section 352 [*entitlement to inspect records of dissolved companies*];
 - (g) section 353 [*remedies on denial of access to or copies of records of dissolved companies*].

Repeals

- 2** *The Christ College of Canada Society Act, S.B.C. 2006, c. 20, is repealed.*
- 3** *The World Trade University Canada Establishment Act, S.B.C. 2005, c. 42, is repealed.*

Consequential Amendments*Advanced Education Statutes Amendment Act, 2011*

- 4 *Sections 15 and 53 of the Advanced Education Statutes Amendment Act, 2011, S.B.C. 2012, c. 7, are repealed.*

School Act

- 5 *Section 168 (7) of the School Act, R.S.B.C. 1996, c. 412, as enacted by section 88 of the Private Training Act, S.B.C. 2015, c. 5, is amended by repealing paragraph (a) (iii) and (xvi).*
- 6 *Section 170.3, as enacted by section 89 of the Private Training Act, is amended by repealing subsections (4) (c) and (r) and (5) (c) and (r).*

**PART 2 – ENVIRONMENT AND CLIMATE CHANGE
STRATEGY AMENDMENTS***Integrated Pest Management Act*

- 7 *Section 11 (3) of the Integrated Pest Management Act, S.B.C. 2003, c. 58, is repealed and the following substituted:*
- (3) On the request of an inspector for the purpose of auditing compliance with this Act and the regulations, any person who is subject to a requirement under this Act must provide to the inspector the following:
- (a) a copy of a pest management plan or any other record or information required to be kept under this Act;
 - (b) any other information about the person's intended use of a pesticide, including
 - (i) the date, time and location of the intended use,
 - (ii) the type and amount of pesticide intended to be used, and
 - (iii) the manner in which the pesticide is intended to be used.
- (4) If anything referred to in subsection (3) changes after it has been provided to an inspector, the person referred to in that subsection must provide to the inspector the following, as applicable, unless the inspector states otherwise:
- (a) an updated copy of the pest management plan, record or information referred to in subsection (3) (a);
 - (b) any changes to information referred to in subsection (3) (b).

(5) A person who is required to provide anything under subsection (3) or (4) must do so without charge or unreasonable delay.

8 *Section 23 is amended*

(a) *in subsection (6) by striking out “notice” and substituting “determination”, and*

(b) *in subsection (8) by striking out “issues an administrative penalty notice to a person” and substituting “makes a determination requiring a person to pay an administrative penalty”.*

9 *Section 26 (1) (b), (c) and (e) is amended by striking out “intentionally”.*

10 *Section 37 (2) (a) is amended*

(a) *in subparagraph (i) (A) and (B) by striking out “an administrative penalty notice” and substituting “a notice of intent to make a determination”,*

(b) *in subparagraphs (i) (C) and (v) by striking out “a notice of an administrative penalty” and substituting “a notice of intent to make a determination”, and*

(c) *in subparagraph (x) by striking out “an officer’s” and substituting “the administrator’s”.*

11 *Section 38 (2) (m) is repealed and the following substituted:*

(m) prescribing requirements for records or information to be prepared or kept by a person or class of persons who use, store, transport, sell or dispose of a pesticide, including records or information respecting intended pest management activities; .

12 *Section 39 (h) (i), (j) (iii) and (l) (i) is amended by striking out “must be maintained” and substituting “must be kept”.*

PART 3 – FINANCE AMENDMENTS

Finance Statutes Amendment Act, 2010

13 *Section 45 of the Finance Statutes Amendment Act, 2010, S.B.C. 2010, c. 4, is amended by repealing section 7.4 (2) of the Personal Property Security Act, R.S.B.C. 1996, c. 359, as enacted by that section 45, and substituting the following:*

(2) A prior security interest that is a perfected security interest under prior law immediately before the effective date, but is not a perfected security interest under the applicable law as determined by this Act on or after the effective date, continues perfected until the beginning of the earlier of the following dates:

(a) the date perfection ceases under prior law;

(b) the date that is the 5th anniversary of the effective date.

Section 14

14 *Section 45, as it enacts section 7.4 (3) of the Personal Property Security Act, is amended by striking out “days” and substituting “dates” and by striking out “day” and substituting “date”.*

15 *Section 45 is amended by repealing section 7.6 (5) of the Personal Property Security Act, as enacted by that section 45, and substituting the following:*

(5) A prior security interest that is perfected by registration and that is a perfected security interest under prior law immediately before the effective date, but is not a perfected security interest under the applicable law as determined by this Act on or after the effective date, continues perfected until the beginning of the earlier of the following dates:

- (a) the date perfection ceases under prior law;
- (b) the date that is the 5th anniversary of the effective date.

16 *Section 45, as it enacts section 7.6 (6) of the Personal Property Security Act, is amended by striking out “days” and substituting “dates” and by striking out “day” and substituting “date”.*

17 *Section 68 is amended in the table by repealing item 21 and substituting the following:*

Item	Column 1 Provisions of Act	Column 2 Commencement
21	Sections 39 to 42	By regulation of the Lieutenant Governor in Council
21.1	Sections 43 to 47	June 1, 2019
21.2	Sections 48 to 55	By regulation of the Lieutenant Governor in Council

Personal Property Security Act

18 *Section 1 (1) of the Personal Property Security Act, R.S.B.C. 1996, c. 359, is amended by repealing the definition of “licence” and substituting the following:*

“**licence**” means a right, whether or not exclusive,

- (a) to manufacture, produce, sell, transport, grow, harvest or otherwise deal with personal property,
- (b) to provide services,
- (c) to acquire personal property,
- (d) to harvest timber, or grow and harvest Christmas trees, under an agreement referred to in section 12 of the *Forest Act*, or

(e) to harvest timber under a pulpwood agreement as defined in section 1 of the *Forest Act*,

that is transferrable by the licensee with or without restriction or the consent of the licensor, and includes a licence that is subject to cancellation and reissuance by the licensor to another party at the request of either the licensee or the secured party; .

19 *Sections 5 (1) and 6 (1) are amended by striking out “validity, perfection and effect of perfection or non-perfection” and substituting “validity, the perfection, the effect of perfection or non-perfection and the priority”.*

20 *Section 7 is amended*

(a) in subsections (2), (6) and (7) by striking out “validity, perfection and effect of perfection or non-perfection” and substituting “validity, the perfection, the effect of perfection or non-perfection and the priority”, and

(b) in subsection (8) by striking out “validity, perfection and effect of perfection and non-perfection” and substituting “validity, the perfection, the effect of perfection or non-perfection and the priority”.

21 *Section 7.1 (2) is amended by striking out “the perfection, effect of perfection or non-perfection and priority” and substituting “the perfection, the effect of perfection or non-perfection and the priority”.*

22 *Section 30 (4) is amended*

(a) in paragraph (a) by striking out “or”, and

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

(b) goods the purchase price of which exceeds the greater of \$1 500 and a prescribed amount, or

(c) a lease of goods the market value of which exceeds the greater of \$1 500 and a prescribed amount.

23 *Section 43 (3) is amended by striking out “any prescribed fees” and substituting “any fees, as set out in the Schedule.”.*

24 *Section 50 (9) and (10) is repealed.*

25 *Section 52 (2) (a) is amended by striking out “did not pay the fee if it was prescribed under section 43 (3),” and substituting “did not pay the fee or make arrangements referred to in section 43 (3),”.*

26 *Section 59 (6) (b) is amended by striking out “whose interest is subordinate to that of the secured party”.*

27 Section 76.1 is amended

(a) by renumbering the section as section 76.1 (1), and

(b) by adding the following subsection:

- (2) Despite subsection (1), for the purposes of section 43 (3), payment of the specified fee or making an arrangement with the registrar under that section is a condition precedent to the registrar registering a financing statement or issuing a search result under Part 4.

PART 4 – PUBLIC SAFETY AND SOLICITOR GENERAL AMENDMENTS***Motor Vehicle Act*****28 Section 94.6 of the Motor Vehicle Act, R.S.B.C. 1996, c. 318, is amended**

(a) in subsection (1) by adding “the person operated a motor vehicle and is satisfied that” after “is satisfied that”,

(b) in subsections (1) (a) and (b) and (2) (a) (i) and (b) (i) by striking out “a motor vehicle” and substituting “the motor vehicle”, and

(c) in subsection (2) by adding “the person did not operate a motor vehicle or is satisfied that” after “is satisfied that”.

29 Section 95 (4) (c) is amended by striking out “94.3 (c)” and substituting “94.3 (a) (iii)”.***Motor Vehicle Amendment Act, 2018*****30 Section 5 (d) of the Motor Vehicle Amendment Act, S.B.C. 2018, c. 18, is amended by striking out “by striking out “or” at the end of paragraph (a) and”.****31 Section 13 (a), as it enacts section 94.6 (1) (a.1) and (a.2) of the Motor Vehicle Act, R.S.B.C. 1996, c. 318, is amended by striking out “a motor vehicle” and substituting “the motor vehicle”.****32 Section 13 (e) is amended by striking out “by striking out “or” at the end of paragraph (a) and”.****33 Section 13 (e), as it enacts section 94.6 (2) (a.1) (i) and (a.2) (i) of the Motor Vehicle Act, is amended by striking out “a motor vehicle” and substituting “the motor vehicle”.**

- 34** *Section 13 (e), as it enacts section 94.6 (2) (a.3) (iv) (A) of the Motor Vehicle Act, is amended by adding “at the time the evaluation of the person was conducted” after “and a drug”.*
- 35** *Section 16 (b), as it enacts section 210 (3.1) (s) of the Motor Vehicle Act, is amended by adding “and (ii) (C)” after “(2) (a.2) (i)”.*

Commencement

- 36** This Act comes into force on the date of Royal Assent.