

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF  
PUBLIC SAFETY AND SOLICITOR GENERAL

*Emergency Program Act*

Ministerial Order No. M098

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020 because of the COVID-19 pandemic;

AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

AND WHEREAS, as a result of the pandemic and necessary public health measures to be taken in response to it, it may not be possible for a person involved in legal or administrative proceedings to take steps required by legislation;

AND WHEREAS I have considered the problems that delay of proceedings may cause to persons seeking to enforce their legal rights and I have determined that this order is a necessary and proportionate response to the state of emergency;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that, effective April 15, 2020,

- (a) the Limitation Periods (COVID-19) Order made by MO 86/2020 is repealed, and
- (b) the attached Limitation Periods (COVID-19) Order No. 2 is made.

April 08, 2020

Date



Minister of Public Safety and Solicitor General

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Emergency Program Act*, R.S.B.C. 1996, c. 1996, c. 111, s. 10

Other: MO 73/2020; MO 86/2020; OIC 155/2020

## LIMITATION PERIODS (COVID-19) ORDER NO. 2

### Application

- 1 (1) This order applies during the period that starts on the date this order is made and ends on the date on which the last extension of the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* expires or is cancelled.
- (2) This order replaces the Limitation Periods (COVID-19) Order made by MO 86/2020.

### Limitation periods in court proceedings

- 2 (1) Subject to subsection (2), every mandatory limitation period and any other mandatory time period that is established in an enactment or law of British Columbia within which a civil or family action, proceeding, claim or appeal must be commenced in the Provincial Court, Supreme Court or Court of Appeal is suspended.
- (2) Subsection (1) does not apply to a mandatory limitation period and any other mandatory time period established under the following enactments:
  - (a) the *Builders Lien Act*;
  - (b) Division 5 [*Builders Liens and Other Charges*] of Part 5 [*Property*] of the *Strata Property Act*.

### Statutory decisions

- 3 A person, tribunal or other body that has a statutory power of decision may waive, suspend or extend a mandatory time period relating to the exercise of that power.