

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE MINISTER OF
MUNICIPAL AFFAIRS

Local Government Act

Ministerial Order No. M307

I, Josie Osborne, Minister of Municipal Affairs, order that the attached Elections in Special Circumstances (COVID-19) Regulation is made.

July 23, 2021

Date



Minister of Municipal Affairs

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

Authority under which Order is made:

Act and section: *Local Government Act*, R.S.B.C. 2015, c. 1, ss. 167.1 and 783

Other:

R10537117

ELECTIONS IN SPECIAL CIRCUMSTANCES (COVID-19) REGULATION

Definitions

- 1** In this regulation:
- “**Act**” means the *Local Government Act*;
 - “**eligible proceeding**” means
 - (a) an election proceeding, or
 - (b) a proceeding for assent voting.

Advance registration

- 2** (1) This section modifies section 69 [*voting day registration only*] of the Act.
- (2) A local government may, in relation to an eligible proceeding, by resolution, disapply a bylaw under section 69 of the Act.

Provincial list of voters

- 3** (1) This section modifies section 76 [*Provincial list of votes as register of resident electors*] of the Act.
- (2) A local government may, in relation to an eligible proceeding, by resolution, provide that the most current available Provincial list of voters prepared under the *Election Act* is to be the register of resident electors.
- (3) Sections 68 (2) and 76 (3) of the Act apply in relation to a resolution under subsection (2) of this section.

Advance voting opportunities – dates and voting places

- 4** (1) This section modifies section 108 [*additional advanced voting opportunities*] of the Act.
- (2) A local government may, in relation to an eligible proceeding, by resolution,
 - (a) disapply a bylaw under section 108 (1) of the Act, or
 - (b) do anything that may be done by bylaw under that section, other than repeal a bylaw under that section.

Special voting opportunities

- 5** (1) This section modifies section 109 [*special voting opportunities*] of the Act.
- (2) A local government may, in relation to an eligible proceeding, by resolution,
 - (a) disapply a bylaw under section 109 (1) of the Act, or
 - (b) do anything that may be done by bylaw under that section, other than repeal a bylaw under that section.

Mail ballot voting

- 6** (1) This section modifies section 110 [*mail ballot voting*] of the Act.
- (2) A local government may, in relation to an eligible proceeding, by resolution,

- (a) disapply a bylaw under section 110 (1) of the Act, or
 - (b) do anything that may be done by bylaw under that section, other than repeal a bylaw under that section.
- (3) Section 110 (7) (e) of the Act applies in relation to a resolution under subsection (2) of this section.
- (4) A local government may, in relation to an eligible proceeding, by resolution,
- (a) provide that section 110 (7) (b) and (c) of the Act is to be read as though a reference to a secrecy envelope were a reference to a secrecy sleeve, or
 - (b) disapply section 110 (7) (b) of the Act and provide that section 110 (7) (c) is to be read as though a reference to a secrecy envelope were a reference to the ballots.

Requirements before elector may be given a ballot

- 7 (1) This section modifies section 125 [*requirements before elector may be given ballot*] of the Act.
- (2) A local government may, in relation an eligible proceeding, by resolution, do any of the following:
- (a) provide that section 125 (1) (b) of the Act is to be read as though it provided that the person must, as directed by an election official,
 - (i) comply with section 125 (1) (b) as written, or
 - (ii) make an oral declaration of the facts set out in section 125 (1) (b), in which case the election official must make a record that the person made an oral declaration;
 - (b) provide that section 125 (1) (c) of the Act is to be read as though it provided that the person must, as directed by an election official,
 - (i) comply with section 125 (1) (c) as written, or
 - (ii) make an oral declaration of the facts set out in section 125 (1) (c), in which case the election official must make a record that the person made an oral declaration and of the facts declared;
 - (c) provide that section 125 (2) (a) of the Act is to be read as though it provided that the person must, as directed by an election official,
 - (i) comply with section 125 (2) (a) as written, or
 - (ii) make an oral declaration of the facts set out in section 125 (2) (a), in which case the election official must make a record that the person made an oral declaration and of the facts declared.

Repeal of regulation

- 8 This regulation is repealed on March 31, 2022.