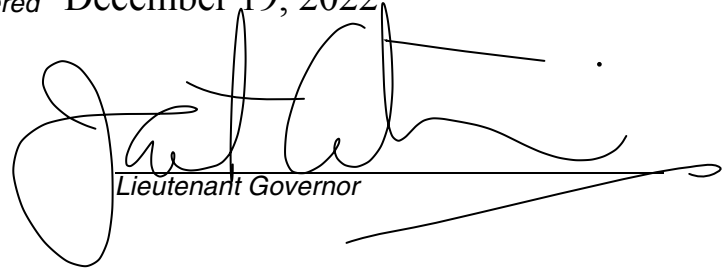


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 679

, Approved and Ordered December 19, 2022



Lieutenant Governor

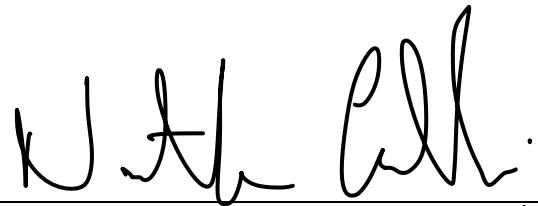
**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 1, 2023,

- (a) sections 16 to 18 of the *Attorney General Statutes Amendment Act (No. 2, 2022)*, S.B.C. 2022, c. 31, are brought into force, and
- (b) the Representation Agreement Regulation, B.C. Reg. 199/2001, is amended as set out in the attached Schedule.



Attorney General



Presiding Member of the Executive Council

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

**Authority under which Order is made:**

Act and section: *Representation Agreement Act*, R.S.B.C. 1996, c. 405, s. 42.1  
*Attorney General Statutes Amendment Act (No. 2), 2022*, S.B.C. 2022, c. 31, s. 20

Other: O.C. 783/2001

R20640533

## SCHEDULE

- 1 The Representation Agreement Regulation, B.C. Reg. 199/2001, is amended by adding the following section:*

### **Alternative process for witnessing signing**

- 3.2** (1) In this section:
- “**communicate**” means communicate using audiovisual communication technology, including assistive technology for individuals who are hearing impaired or visually impaired, that enables individuals to communicate with each other by hearing and seeing each other;
  - “**electronic presence**” or “**electronically present**” means the circumstances in which 2 or more individuals in different locations communicate simultaneously to an extent that is similar to communication that would occur if all the individuals were physically present in the same location.
- (2) For the purposes of section 13 (8) [*signing agreements – alternative process*] of the Act, a representation agreement may be signed while the following are in each other’s electronic presence:
- (a) the adult who makes the representation agreement, and, if applicable, the person signing the representation agreement on behalf of the adult who makes the representation agreement;
  - (b) the witness.
- (3) For certainty, in the case of a person signing the representation agreement on behalf of the adult who makes the representation agreement,
- (a) the adult who makes the representation agreement and the person signing on behalf of that adult must be in each other’s physical presence, and
  - (b) the person signing on behalf of the adult who makes the representation agreement and the witness may be in each other’s electronic presence.
- (4) The witness referred to in subsections (2) and (3) must be a lawyer or a member in good standing of the Society of Notaries Public of British Columbia.
- (5) A representation agreement may be signed by signing complete and identical copies of the representation agreement in counterpart.
- (6) Copies of a representation agreement are identical even if there are nonsubstantive differences in the format between the copies.
- (7) A representation agreement signed in accordance with the alternative process established in this section must include a statement that it was signed and witnessed in accordance with the alternative process.