

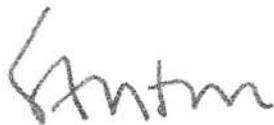
PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 824 , Approved and Ordered December 17, 2015


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 the attached Security for Costs (Administrative Tribunals) Regulation is made.



Attorney General and Minister of Justice



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: *Administrative Tribunals Act*, S.B.C. 2004, c. 45, s. 60 (1) (e), (e.1) and (f)

Other: _____

November 19, 2015

R/893/2015/97

SECURITY FOR COSTS (ADMINISTRATIVE TRIBUNALS) REGULATION

Definitions

1 In this regulation:

“**Act**” means the *Administrative Tribunals Act*;

“**intervener**” includes a person or body to which both of the following apply:

- (a) the Environmental Appeal Board has given the person or body the right to appear before it;
- (b) the person or body does not have full party status;

“**tribunal**” means a tribunal or other body to which section 47.1 [*security for costs*] of the Act applies.

When tribunal may order security for costs

2 A tribunal must not require an applicant or intervener to make a deposit under section 47.1 of the Act, unless one or both of the following apply:

- (a) the application or intervention, or the conduct of the applicant or intervener, amounts to an abuse of process, including because
 - (i) the applicant or intervener has initiated the application or intervention for an improper purpose,
 - (ii) the applicant or intervener has engaged in unreasonable delay, or
 - (iii) the application or intervention has no reasonable prospect of success;
- (b) the applicant or intervener fails to attend, either in person or by representative, at a hearing, without reasonable excuse.

Instalments

3 A tribunal may order that a deposit under section 47.1 of the Act be paid in instalments.