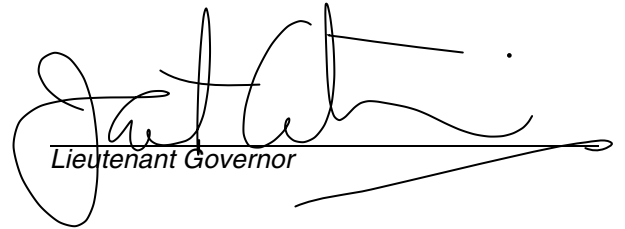


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 85

, Approved and Ordered February 26, 2024

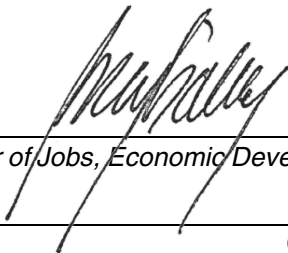


Lieutenant Governor

**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 March 6, 2024,

- (a) the Supreme Court Civil Rules, B.C. Reg. 168/2009, are amended as set out in Schedule A,
- (b) the Supreme Court Family Rules, B.C. Reg. B.C. Reg. 169/2009, are amended as set out in Schedule B, and
- (c) the Provincial Sales Tax Exemption and Refund Regulation, B.C. Reg. 97/2013, is amended as set out in Schedule C.



Minister of Jobs, Economic Development and Innovation



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: *Court Rules Act, R.S.B.C. 1996, c. 80, s. 1; Provincial Sales Tax Act, S.B.C. 2012, c. 35, s. 241*

Other: *OIC 168/2009; OIC 303/2009; OIC 130/2013*

R10727077

## SCHEDULE A

- 1** *Rules 3-3 (7) and 3-5 (1.1) of the Supreme Court Civil Rules, B.C. Reg. 168/2009, are amended by striking out “his or her” and substituting “the plaintiff’s”.*
- 2** *Rule 4-3 is amended*
  - (a) in subrule (2) (a) by striking out “him or her” and substituting “the individual”, and*
  - (b) in subrule (2) (f) (i) by striking out “he or she” and substituting “the mentally incompetent person”.*
- 3** *Rule 4-6 (3) is amended by striking out “his or her” and substituting “the officer’s”.*
- 4** *Rule 4-7 (1) (a) and (b) is amended by striking out “his or her” and substituting “the person’s”.*
- 5** *Rule 6-1 is amended*
  - (a) in subrule (5) (a) by striking out “he or she” and substituting “that party”, and*
  - (b) in subrule (6) (a) by striking out “he or she” wherever it appears and substituting “the party”.*
- 6** *Rule 7-2 is amended*
  - (a) in subrule (1) (a) by striking out “make himself or herself” and substituting “be”,*
  - (b) in subrule (8) by striking out “his or her” wherever it appears and substituting “the infant’s”,*
  - (c) in subrule (9) by striking out “his or her” wherever it appears and substituting “the party’s” and by striking out “but the mentally incompetent person” and substituting “but the party”,*
  - (d) in subrule (16) by striking out “his or her” and substituting “the person’s”,*
  - (e) in subrule (17) by striking out “his or her” and substituting “the person’s”, by striking out “him or her” and substituting “that person” and by striking out “he or she” and substituting “that person”,*
  - (f) in subrules (18) (a) and (19) by striking out “his or her” and substituting “the person’s”,*
  - (g) in subrules (22) and (23) by striking out “inform himself or herself” and substituting “inform themselves”, and*
  - (h) in subrule (25) by striking out “him or her” and substituting “the person”.*
- 7** *Rule 7-5 (4) is amended by striking out “he or she” and substituting “the witness”.*
- 8** *Rule 8-2 (5) is amended by striking out “he or she” and substituting “the registrar”.*

- 9 **Rule 9-6 (3) (b) is amended by striking out “his or her” and substituting “the answering party’s”.**
- 10 **Rule 9-8 is amended**
- (a) **in subrules (3) and (7) by striking out “his or her” and substituting “the defendant’s”, and**
- (b) **in subrule (4) by striking out “his or her” and substituting “the person’s”.**
- 11 **Rule 10-2 (4) is amended by striking out “his or her” and substituting “the receiver’s”.**
- 12 **Rule 11-2 (2) is amended by striking out “he or she” wherever it appears and substituting “the expert”.**
- 13 **Rule 11-3 is amended**
- (a) **in subrule (4) (a) by striking out “his or her” and substituting “that party’s”, and**
- (b) **in subrule (6) (b) by striking out “he or she” and substituting “the expert”.**
- 14 **Rule 11-5 is amended**
- (a) **in subrule (4) striking out “he or she” and substituting “the expert”, and**
- (b) **in subrule (8) by striking out “him or her” and substituting “the expert”.**
- 15 **Rule 11-6 is amended**
- (a) **in subrules (1) (b) and (f) and (8) (a) (iv) by striking out “his or her” wherever it appears and substituting “the expert’s”, and**
- (b) **in subrule (1) (f) (ii) by striking out “him or her” and substituting “the expert”.**
- 16 **Rule 12-5 is amended**
- (a) **in subrule (38) by striking out “his or her” and substituting “that witness’s”,**
- (b) **in subrule (47) by striking out “his or her” and substituting “the person’s”,**
- (c) **in subrule (54) by striking out “his or her” and substituting “the witness’s”,**
- (d) **in subrule (63) by striking out “he or she” and substituting “the person”, and**
- (e) **in subrule (72) (a) and (b) by striking out “his or her” wherever it appears and substituting “that party’s”.**
- 17 **Rule 13-2 is amended**
- (a) **in subrule (6) by striking out “he or she” and substituting “that person”,**
- (b) **by repealing subrule (8) and substituting the following:**

**Issue of execution on conditional order**

- (8) If an order is to the effect that a person (the “entitled person”) is entitled to relief subject to or on compliance with a condition or the happening of a contingency, the entitled person, after compliance with the condition or the happening of the contingency, and after demand is made on the person against whom the entitled person is entitled to relief, may apply to the court for leave to issue execution. , **and**

**(c) in subrule (24) by striking out “he or she” and substituting “the judgment debtor”.**

**18 Rule 13-3 is amended**

**(a) in subrule (3) by striking out “he or she” and substituting “the person”,**

**(b) in subrule (13) (b) and (c) by striking out “the person” and substituting “the debtor”,**

**(c) in subrule (13) (c) by striking out “him or her” and substituting “the debtor”, and**

**(d) in subrule (21) by striking out “he or she” and substituting “the person”.**

**19 Rule 13-4 (11) is amended by striking out “his or her” and substituting “the person’s”.**

**20 Rule 14-1 (33) (b) and (c) and (36) is amended by striking out “his or her” and substituting “the lawyer’s”.**

**21 Rule 20-2 is amended**

**(a) in subrules (2) and (7) by striking out “his or her” and substituting “the person’s”,**

**(b) in subrule (3) (a) by striking out “his or her” and substituting “the party’s”,**

**(c) in subrule (8) by striking out “he or she” and substituting “the lawyer”, and**

**(d) in subrule (10) by striking out “him or her” and substituting “the party”.**

**22 Rule 20-3 is amended**

**(a) in subrule (4) by striking out “him or her” and substituting “the person”, and**

**(b) in subrules (8) and (14) (a) by striking out “his or her” and substituting “the person’s”.**

**23 Rule 21-1 (32) (g) and (i) is amended by striking out “her” and substituting “the other ship’s”.**

**24 Rule 21-6 (3) is amended by striking out “his or her” and substituting “the defendant’s”.**

**25 Rule 21-7 (5) (b) is amended by striking out “his or her” and substituting “the respondent’s”.**

**26 Rule 22-2 is amended**

- (a) *in subrule (4) (b) (ii) by striking out “his or her” and substituting “the person’s”,*
- (b) *in subrule (6) by striking out “read in his or her presence to the person swearing or affirming the affidavit who seemed to understand it” and substituting “read in that person’s presence to the person swearing or affirming the affidavit who appeared to understand it”, and*
- (c) *in subrule (7) by striking out “he or she” and substituting “the interpreter”.*
- 27 *Rule 22-6 (1) (b) and (c) is amended by striking out “his or her” and substituting “the party’s”.*
- 28 *Rule 22-7 is amended*
- (a) *in subrule (5) (a) by striking out “his or her” and substituting “the person’s”, and*
- (b) *in subrule (5) (b) by striking out “him or her” and substituting “the person”.*
- 29 *Rule 25-2 (15) is amended by striking out “he or she” and substituting “the Public Guardian and Trustee”.*
- 30 *Rule 25-3 (6) (b) (i) and (14) (a) (i) is amended by striking out “his or her” and substituting “the deceased’s”.*
- 31 *Rule 25-4 (4) (c) is amended by striking out “he or she” and substituting “the registrar”.*
- 32 *Rule 25-6 (4) is amended by striking out “his or her” and substituting “the deceased’s”.*
- 33 *Rule 25-7 (4) (c) is amended by striking out “he or she” and substituting “the registrar”.*
- 34 *Rule 25-11 (5) (a) and (b) is amended by striking out “he or she” wherever it appears and substituting “the cited person”.*
- 35 *Rule 25-12 (6) is amended by striking out “his or her” and substituting “the served person’s”.*
- 36 *Rule 25-13 (6) (a) and (b) is amended by striking out “he or she” and substituting “the applicant”.*
- 37 *Form 12 in Appendix A is amended*
- (a) *by striking out “he or she” and substituting “the addressee”, and*
- (b) *by striking out “[dd/mmm/yyyy]” and substituting “[date]”.*
- 38 *Forms 23 and 25 in Appendix A are amended*
- (a) *by striking out “[dd/mmm/yyyy]” wherever it appears, and*
- (b) *by striking out “his or her” and substituting “the person’s”.*
- 39 *Form 26 in Appendix A is amended*

- (a) *by striking out* “him or her” *and substituting* “that party”, *and*  
 (b) *by striking out* “[dd/mmm/yyyy]”.
- 40 Form 28 in Appendix A is amended**
- (a) *by striking out* “.....[him/her].....” *and substituting* “that person”,  
 (b) *by striking out* “his or her” *and substituting* “the witness’s”, *and*  
 (c) *by striking out* “[dd/mmm/yyyy]”.
- 41 Form 30.01 in Appendix A is amended by striking out** “(to be completed by a judge, associate judge or registrar)” *and substituting* “(to be completed by a judge or associate judge)”.
- 42 Form 38 in Appendix A is amended**
- (a) *by striking out* “the registrar may give his or her approval in writing to the reduction” *and substituting* “the registrar may approve, in writing, the reduction”, *and*  
 (b) *by striking out* “set his or her hand” *and substituting* “set the receiver’s hand”.
- 43 Form 46 in Appendix A is amended**
- (a) *by striking out* “him or her” *wherever it appears and substituting* “that person”, *and*  
 (b) *by striking out* “[dd/mmm/yyyy]”.
- 44 Form 50 in Appendix A is amended**
- (a) *by striking out* “him or her” *and substituting* “that person”, *and*  
 (b) *by striking out* “[dd/mmm/yyyy]”.
- 45 Form 51 in Appendix A is amended**
- (a) *by striking out* “the real and personal estate of .....” *and substituting* “the real and personal estate of .....[name of person]...”,  
 (b) *by striking out* “his or her” *and substituting* “that person’s”, *and*  
 (c) *by striking out* “[dd/mmm/yyyy]”.
- 46 Form 59 in Appendix A is amended**
- (a) *by striking out* “[dd/mmm/yyyy]” *and substituting* “[date]”,  
 (b) *by striking out* “him or her” *wherever it appears and substituting* “that person”,  
 (c) *by striking out* “his or her arrest” *and substituting* “the date of that person’s arrest”,  
 (d) *by striking out* “he or she” *and substituting* “the person”, *and*

(e) *by striking out* “in his or her custody” *and substituting* “in custody”.

**47 Form 84 in Appendix A is amended**

(a) *by striking out* “her cargo” *and substituting* “its cargo”,

(b) *by striking out* “[dd/mmm/yyyy]”, *and*

(c) *by striking out* “his or her” *and substituting* “the person’s”.

**48 Form 85 in Appendix A is amended**

(a) *by striking out* “Caveat filed .....[dd/mmm/yyyy]” *and substituting* “Caveat filed.....[date]”,

(b) *by striking out* “her cargo” *wherever it appears and substituting* “its cargo”, *and*

(c) *by striking out* “Date: .....[dd/mmm/yyyy]” *and substituting* “Date: .....”.

**49 Form 89 in Appendix A is amended**

(a) *by striking out* “in this action on .....[dd/mmm/yyyy]” *and substituting* “in this action on .....[date]”,

(b) *by striking out* “her cargo” *wherever it appears and substituting* “its cargo”, *and*

(c) *by striking out* “Date: .....[dd/mmm/yyyy]” *and substituting* “Date: .....”.

**50 Form 115 in Appendix A is amended**

(a) *by striking out* “him or her” *wherever it appears and substituting* “that person”, *and*

(b) *by striking out* “[dd/mmm/yyyy]”.

**51 Forms P5, P6 and P7 in Appendix A.1 are amended**

(a) *by striking out* “[dd/mmm/yyyy]” *wherever it appears and substituting* “[date]”, *and*

(b) *by striking out* “his or her” *and substituting* “the deceased’s”.

**52 Form P9 in Appendix A.1 is amended**

(a) *by striking out* “[dd/mmm/yyyy]” *wherever it appears and substituting* “[date]”,

(b) *by striking out* “[date of delivery – dd/mmm/yyyy]” *wherever it appears and substituting* “[date of delivery]”, *and*

(c) *by striking out* “he or she” *and substituting* “the person”.

**53 Form P36 in Appendix A.1 is amended**

(a) *by striking out* “[dd/mmm/yyyy]”, *and*

*(b) by striking out “him or her” wherever it appears and substituting “that person”.*

## **SCHEDULE B**

- 1** *Rule 1-1 (1) of the Supreme Court Family Rules, B.C. Reg. 169/2009, is amended in paragraph (f) of the definition of “party” by striking out “him or her” and substituting “the FMEP Director”.*
- 2** *Rule 2-2.1 (1) is amended in paragraph (a) of the definition of “court order” by striking out “his or her” and substituting “the other spouse’s own”.*
- 3** *Rule 5-1 (11) (a) is amended by striking out “he or she” wherever it appears and substituting “the disclosing party”.*
- 4** *Rule 6-3 (2) (g) (i) is amended by striking out “he or she” and substituting “the mentally incompetent person”.*
- 5** *Rule 6-6 (3) is amended by striking out “his or her” and substituting “the officer’s”.*
- 6** *Rules 6-7 (1) and 9-1 (1) (b) are amended by striking out “his or her” wherever it appears and substituting “the person’s”.*
- 7** *Rule 8-1 is amended*
  - (a) in subrule (5) (a) by striking out “he or she” and substituting “that party”, and*
  - (b) in subrule (6) by striking out “he or she” wherever it appears and substituting “the party”.*
- 8** *Rule 9-2 is amended*
  - (a) in subrule (1) (a) by striking out “make himself or herself” and substituting “be”,*
  - (b) in subrule (7) by striking out “his or her” wherever it appears and substituting “the infant’s”,*
  - (c) in subrule (8) by striking out “his or her” wherever it appears and substituting “the party’s” and by striking out “but the mentally incompetent person” and substituting “but the party”,*
  - (d) in subrule (15) by striking out “his or her” and substituting “the person’s”,*
  - (e) in subrule (16) by striking out “his or her” and substituting “the person’s”, by striking out “him or her” and substituting “that person” and by striking out “he or she” and substituting “that person”,*
  - (f) in subrule (17) (a) by striking out “his or her” and substituting “the person’s”,*
  - (g) in subrules (18) and (19) by striking out “inform himself or herself” and substituting “inform themselves”, and*



- (h) in subrule (21) by striking out “him or her” and substituting “the person”.*
- 9** *Rule 9-4 (4) is amended by striking out “he or she” and substituting “the witness”.*
- 10** *Rule 10-2 (5) is amended by striking out “he or she” and substituting “the registrar”.*
- 11** *Rule 10-4 is amended*
- (a) in subrule (4) (b) (ii) by striking out “his or her” and substituting “the person’s”,*
- (b) in subrule (6) by striking out “read in his or her presence to the person swearing or affirming the affidavit who seemed to understand it” and substituting “read in that person’s presence to the person swearing or affirming the affidavit, who appeared to understand it”, and*
- (c) in subrule (7) by striking out “he or she” and substituting “the interpreter”.*
- 12** *Rule 11-4 is amended*
- (a) in subrule (3) by striking out “his or her” and substituting “the respondent’s”,*
- (b) in subrule (4) by striking out “his or her” and substituting “the person’s”, and*
- (c) in subrule (6) by striking out “his or her” and substituting “the respondent’s”.*
- 13** *Rule 12-2 (4) is amended by striking out “his or her” and substituting “the receiver’s”.*
- 14** *Rule 13-2 (2) is amended by striking out “he or she” wherever it appears and substituting “the expert”.*
- 15** *Rule 13-3 (3) (b) is amended by striking out “his or her” and substituting “the party’s”.*
- 16** *Rule 13-4 (2) (b) is amended by striking out “he or she” and substituting “the expert”.*
- 17** *Rule 13-5 is amended*
- (a) in subrule (4) by striking out “he or she” and substituting “the expert”, and*
- (b) in subrule (9) by striking out “him or her” and substituting “the expert”.*
- 18** *Rule 13-6 is amended*
- (a) in subrule (1) (b) and (f) by striking out “his or her” and substituting “the expert’s”,*
- (b) in subrule (1) (f) (ii) by striking out “him or her” and substituting “the expert”, and*
- (c) in subrule (8) (a) (iv) by striking out “his or her” and substituting “the expert’s”.*
- 19** *Rule 13-7 (5) is amended by striking out “his or her” and substituting “the party’s”.*
- 20** *Rule 14-7 is amended*
- (a) in subrule (38) by striking out “his or her” and substituting “that witness’s”,*

- (b) in subrule (47) by striking out “his or her” and substituting “the person’s”,*
- (c) in subrule (54) by striking out “his or her” and substituting “the witness’s”,*
- (d) in subrule (63) by striking out “he or she” and substituting “the person”, and*
- (e) in subrule (72) (a) and (b) by striking out “his or her” wherever it appears and substituting “that party’s”.*

**21 Rule 15-4 is amended**

- (a) in subrule (6) by striking out “he or she” and substituting “that person”,*
- (b) by repealing subrule (8) and substituting the following:*

**Issue of execution on conditional order**

- (8) If an order is to the effect that a person (the “entitled person”) is entitled to relief subject to or on compliance with a condition or the happening of a contingency, the entitled person, after compliance with the condition or the happening of the contingency, and after demand is made on the person against whom the entitled person is entitled to relief, may apply to the court for leave to issue execution. , and*

- (c) in subrule (24) by striking out “he or she” and substituting “the judgment debtor”.*

**22 Rule 15-6 is amended**

- (a) in subrule (3) by striking out “he or she” and substituting “the person”,*
- (b) in subrule (13) (b) and (c) by striking out “the person” and substituting “the debtor”,*
- (c) in subrule (13) (c) by striking out “him or her” and substituting “the debtor”, and*
- (d) in subrule (21) by striking out “he or she” and substituting “the person”.*

**23 Rule 16-1 (30) (b) and (c) and (33) is amended by striking out “his or her” and substituting “the lawyer’s”.**

**24 Rule 20-3 is amended**

- (a) in subrule (2) by striking out “his or her” and substituting “the person’s”,*
- (b) in subrule (3) (a) by striking out “his or her” and substituting “the party’s”,*
- (c) in subrule (7) by striking out “his or her” and substituting “the person’s”,*
- (d) in subrule (8) by striking out “he or she” and substituting “the lawyer”, and*
- (e) in subrule (10) by striking out “him or her” and substituting “the party”.*

**25 Rule 21-4 (1) (b) and (c) is amended by striking out “his or her” and substituting “the party’s”.**

- 26 **Rule 22-5 (10) (a) is amended by striking out “he or she” and substituting “the minister”.**
- 27 **Schedule 1 of Form F3 in Appendix A is amended by striking out “his or her” wherever it appears and substituting “the claimant’s”.**
- 28 **Schedule 1 of Form F5 in Appendix A is amended**
- (a) **by striking out “[dd/mmm/yyyy]” wherever it appears and substituting “[date]”, and**
  - (b) **by striking out “his or her” and substituting “the respondent’s”.**
- 29 **Form F8 in Appendix A is amended**
- (a) **by striking out “[dd/mmm/yyyy]” wherever it appears and substituting “[date]”, and**
  - (b) **in Items 4 and 5 of Part 5 by striking out “support himself or herself” and substituting “be self-supported”.**
- 30 **Form F9 in Appendix A is amended**
- (a) **by striking out “[dd/mmm/yyyy]” wherever it appears, and**
  - (b) **by striking out “he or she” and substituting “the payor”.**
- 31 **Form F12 in Appendix A is amended**
- (a) **by striking out “he or she” and substituting “the addressee”, and**
  - (b) **by striking out “[dd/mmm/yyyy]” and substituting “[date]”.**
- 32 **Form F23 in Appendix A is amended**
- (a) **by striking out “[dd/mmm/yyyy]” wherever it appears, and**
  - (b) **by striking out “his or her” and substituting “the witness’s”.**
- 33 **Form F24 in Appendix A is amended**
- (a) **by striking out “him or her” and substituting “that party”, and**
  - (b) **by striking out “[dd/mmm/yyyy]”.**
- 34 **Form F26 in Appendix A is amended**
- (a) **by striking out “before you is required to serve .....[him/her].....” and substituting “before you is required to serve that person”,**
  - (b) **by striking out “his or her” and substituting “the witness’s”, and**
  - (c) **by striking out “[dd/mmm/yyyy]”.**

- 35 **Forms F32.001 and F94.1 are amended by striking out “Rule 22-3 of the Supreme Court Civil Rules” and substituting “Rule 21-1 of the Supreme Court Family Rules”.**
- 36 **Form F41 in Appendix A is amended**
- (a) **by striking out “the registrar may give his or her approval in writing to the reduction” and substituting “the registrar may approve, in writing, the reduction”, and**
  - (b) **by striking out “set his or her hand” and substituting “set the receiver’s hand”.**
- 37 **Forms F50 and F57 in Appendix A are amended**
- (a) **by striking out “him or her” wherever it appears and substituting “that person”, and**
  - (b) **by striking out “[dd/mmm/yyyy]”.**
- 38 **Form F58 in Appendix A is amended**
- (a) **by striking out “[name]” and substituting “[name of person]”,**
  - (b) **by striking out “his or her” and substituting “that person’s”, and**
  - (c) **by striking out “[dd/mmm/yyyy]”.**
- 39 **Form F65 in Appendix A is amended**
- (a) **by striking out “him or her” wherever it appears and substituting “that person”, and**
  - (b) **by striking out “[dd/mmm/yyyy]”.**
- 40 **Form F69 in Appendix A is amended**
- (a) **by striking out “[dd/mmm/yyyy]” and substituting “[date]”,**
  - (b) **by striking out “him or her” wherever it appears and substituting “that person”,**
  - (c) **by striking out “his or her arrest” and substituting “the date of that person’s arrest”,**
  - (d) **by striking out “he or she” and substituting “that person”, and**
  - (e) **by striking out “in his or her custody” and substituting “in custody”.**
- 41 **Form F92 in Appendix A is amended**
- (a) **by striking out “him or her” wherever it appears and substituting “that person”, and**
  - (b) **by striking out “[dd/mmm/yyyy]”.**
- 42 **Form F101 in Appendix A is amended in section 3 by striking out “aunt, uncle” and substituting “parent’s sibling”.**

## **SCHEDULE C**

- 1** *Section 3 (1) (k) of the Provincial Sales Tax Exemption and Refund Regulation, B.C. Reg. 97/2013, is repealed and the following substituted:*
  - (k) sanitary napkins or pads, tampons, sanitary belts, underwear, menstrual cups or other similar products, advertised or marketed substantially for menstrual or postpartum purposes.
  
- 2** *Item 5 of Schedule 1 is amended by striking out “manhole” and substituting “maintenance hole”.*