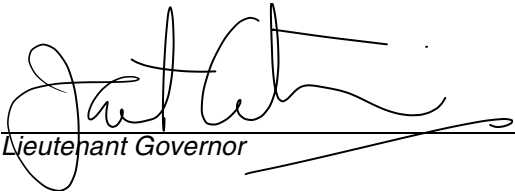


**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 453

, Approved and Ordered July 8, 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 the Employment Standards Regulation, B.C. Reg. 396/95, is amended as set out in the attached Schedule.



Minister of Labour



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: *Employment Standards Act, R.S.B.C. 1996, c. 113, s. 127 (2)*

Other: *OIC 1155/95*

R10793211

## SCHEDULE

- 1 Section 45.14 of the Employment Standards Regulation, B.C. Reg. 396/95, is amended by adding “, unless section 45.141 applies” after “to hold in trust for the child”.*
- 2 The following section is added after section 45.14:*

### **Income protection when choice may be made under collective agreement**

- 45.141** (1) In this section, “ACTRA” means the ACTRA Performers’ Rights Society.
- (2) This section applies if
    - (a) a child is employed in the recorded entertainment industry,
    - (b) the child is an employee covered by a collective agreement,
    - (c) the collective agreement allows an employee covered by the agreement to make a choice in relation to the remittance described in subsection (3), and
    - (d) the choices available to the employee include at least the following:
      - (i) to have the employer make the remittance to ACTRA;
      - (ii) to have the employer make the remittance to the Public Guardian and Trustee.
  - (3) The employer of a child employed in the recorded entertainment industry must, if the child earns more than \$2 000 on a production, remit 25% of any earnings over \$2 000 to be held in trust for the child
    - (a) by ACTRA, if that is the choice made by a person who acts on behalf of the child, or
    - (b) by the Public Guardian and Trustee, if
      - (i) that is the choice made by a person who acts on behalf of the child,
      - (ii) a person who acts on behalf of the child makes a choice other than a choice described in subsection (2) (d) (i) or (ii), or
      - (iii) no choice is made on behalf of the child.