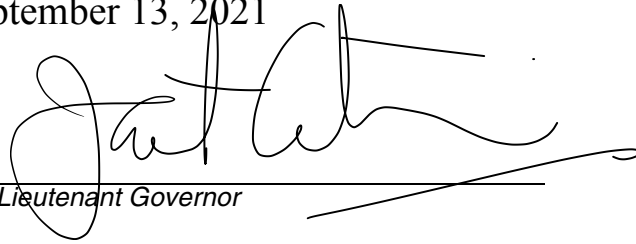


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 521

, Approved and Ordered September 13, 2021



Lieutenant Governor

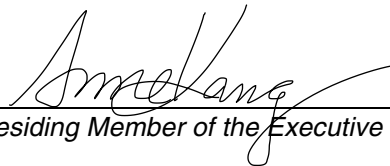
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective September 29, 2021,

- (a) sections 1 to 3, 9 to 13, 25 and 26 of the *Municipal Affairs Statutes Amendment Act, 2021*, S.B.C. 2021, c. 16, are brought into force,
- (b) the Islands Trust Electronic Meetings Regulation, B.C. Reg. 283/2009, is amended as set out in the attached Schedule 1, and
- (c) the Regional District Electronic Meetings Regulation, B.C. Reg. 271/2005, is amended as set out in the attached Schedule 2.



Minister of Municipal Affairs



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: *Municipal Affairs Statutes Amendment Act, 2021*, S.B.C. 2021, c. 16, s. 27;
Islands Trust Act, R.S.B.C. 1996, c. 239, ss. 53 and 54;
Local Government Act, R.S.B.C. 2015, c. 1, s. 221 (3)

Other: OC 620/2009; OC 641/2005

R10537230

SCHEDULE 1

- 1 *The definition of “trust body” in section 1 of the Islands Trust Electronic Meetings Regulation, B.C. Reg. 283/2009, is amended by striking out “trust fund board” and substituting “Islands Trust Conservancy”.*
- 2 *Section 2 is repealed.*
- 3 *The following sections are added:*

Electronic regular meetings of a trust body

- 2 (1) If it is authorized by a procedure bylaw under section 225 (1) (a) and (b) [procedure bylaws] of the *Local Government Act*, as that section applies to a trust body, and the requirements of subsection (2) of this section are met, regular meetings of a trust body may be conducted by means of electronic or other communication facilities.
- (2) The following requirements apply in relation to a regular meeting of a trust body referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) in the procedure bylaw, a trust body must
 - (i) provide for advance public notice of the following:
 - (A) the way in which the meeting is to be conducted by means of electronic or other communication facilities;
 - (B) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and
 - (ii) establish the procedures for giving that notice;
 - (c) the facilities must enable the meeting’s participants to hear, or watch and hear, the meeting;
 - (d) except for any part of the meeting that is closed to the public, the facilities must enable the public
 - (i) to hear, or watch and hear, the meeting, and
 - (ii) to hear, or watch and hear, the meeting at the specified place, and an officer or employee designated by the trust body must be in attendance at the specified place.
- (3) Section 128 (3) [participants deemed present] of the *Community Charter* applies in relation to a trust body.

Electronic special meetings of a trust body

- 3 (1) If it is authorized by a procedure bylaw under section 225 (1) (a) and (b) of the *Local Government Act*, as that section applies to a trust body, and the requirements of subsection (2) of this section are met, special meetings of a trust body may be conducted by means of electronic or other communication facilities.

- (2) The following requirements apply in relation to a special meeting of a trust body referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the notice under section 127 (2) [*notice of council meetings*] of the *Community Charter*, as that section applies to the trust body, must include notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public;
 - (c) the facilities must enable the meeting's participants to hear, or watch and hear, the meeting;
 - (d) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and an officer or employee designated by the trust body must be in attendance at the specified place.
- (3) Section 128.1 (3) [*participants deemed present*] of the *Community Charter* applies in relation to a trust body.

Electronic participation by members in meetings of a trust body

- 4 (1) If it is authorized by a procedure bylaw under section 225 (1) (a) and (b) of the *Local Government Act*, as that section applies to a trust body, and the requirements of subsection (2) of this section are met, a member of a trust body who is unable to attend in person at a regular meeting or a special meeting of the trust body may participate in the meeting by means of electronic or other communication facilities.
- (2) The following requirements apply in relation to a meeting referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the facilities must enable the meeting's participants to hear, or watch and hear, the participation of the member;
 - (c) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.
- (3) Section 128.3 (3) [*participants deemed present*] of the *Community Charter* applies in relation to a trust body.

SCHEDULE 2

- 1 ***Section 2 of the Regional District Electronic Meetings Regulation, B.C. Reg. 271/2005, is repealed.***

2 *The following sections are added:*

Electronic regular board meetings

- 2** (1) If it is authorized by a procedure bylaw under section 225 (1) (a) and (b) [*procedure bylaws*] of the Act and the requirements of subsection (2) of this section are met, regular board meetings may be conducted by means of electronic or other communication facilities.
- (2) The following requirements apply in relation to a regular board meeting referred to in subsection (1):
- (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) in the procedure bylaw, a board must
 - (i) provide for advance public notice of the following:
 - (A) the way in which the meeting is to be conducted by means of electronic or other communication facilities;
 - (B) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and
 - (ii) establish the procedures for giving that notice;
 - (c) the facilities must enable the meeting's participants to hear, or watch and hear, the meeting;
 - (d) except for any part of the meeting that is closed to the public, the facilities must enable the public
 - (i) to hear, or watch and hear, the meeting, and
 - (ii) to hear, or watch and hear, the meeting at the specified place, and a designated regional district officer must be in attendance at the specified place.

Electronic special board meetings

- 3** (1) If it is authorized by a procedure bylaw under section 225 (1) (a) and (b) of the Act and the requirements of subsection (2) of this section are met, special board meetings may be conducted by means of electronic or other communication facilities.
- (2) The following requirements apply in relation to a special board meeting referred to in subsection (1):
- (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the notice under section 220 [*calling of special board meetings*] of the Act must include notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public;
 - (c) the facilities must enable the meeting's participants to hear, or watch and hear, the meeting;

- (d) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and a designated regional district officer must be in attendance at the specified place.

Electronic board committee meetings

- 4 (1) If it is authorized by a procedure bylaw under section 225 (1) (a) and (b) of the Act and the requirements of subsection (2) of this section are met, board committee meetings may be conducted by means of electronic or other communication facilities.
- (2) The following requirements apply in relation to a board committee meeting referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) in the procedure bylaw, a board must
 - (i) provide for advance public notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities, and
 - (ii) establish the procedures for giving that notice;
 - (c) the facilities must enable the meeting's participants to hear, or watch and hear, the meeting;
 - (d) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting.

Electronic participation by members in board and board committee meetings

- 5 (1) If it is authorized by a procedure bylaw under section 225 (1) (a) and (b) of the Act and the requirements of subsection (2) of this section are met, a member of the board or a board committee who is unable to attend in person at a regular board meeting, a special board meeting or a board committee meeting may participate in the meeting by means of electronic or other communication facilities.
- (2) The following requirements apply in relation to a meeting referred to in subsection (1):
 - (a) the meeting must be conducted in accordance with the applicable procedure bylaw;
 - (b) the facilities must enable the meeting's participants to hear, or watch and hear, the participation of the member;
 - (c) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.