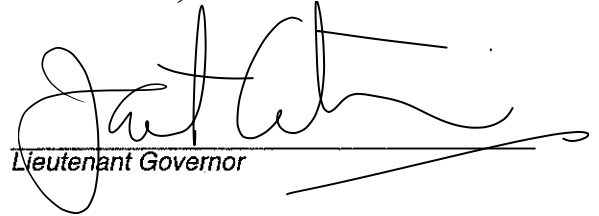


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 659

, Approved and Ordered November 29, 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 January 1, 2022, the attached Information Management Systems (Digital Evidence Management System) Regulation is made.



Minister of Public Safety and Solicitor General
and Deputy Premier



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: *Police Act, R.S.B.C. 1996, c. 367, s. 74 (2) (v) and (x)*

Other:

R20545917

INFORMATION MANAGEMENT SYSTEMS (DIGITAL EVIDENCE MANAGEMENT SYSTEM) REGULATION

Definitions

1 In this regulation:

“Act” means the *Police Act*;

“DEMS” means the information management system approved by Ministerial Order 389/2021;

“legacy system”, in relation to a law enforcement service, means a system other than DEMS that the law enforcement service uses to manage digital evidence immediately before January 1, 2022;

“responsible person” means the following person:

(a) in relation to the provincial police force, the commissioner;

(b) in relation to a municipal police department, its chief constable;

(c) in relation to any other law enforcement service, its chief officer;

“use” means to implement, use, maintain, repair and upgrade.

Application

2 This regulation applies for the purposes of section 68.1 (3) [*requirement to use information management system*] of the Act in relation to DEMS.

Requirement to use DEMS

3 A law enforcement service

(a) must use DEMS on and after September 30, 2027, and

(b) if specified in the Schedule, must begin to phase in the use of DEMS by January 1, 2022.

Alternative systems

4 A law enforcement service that uses a system other than DEMS or a legacy system to manage digital evidence on or after January 1, 2022 is immediately required to use DEMS.

Exception for major cases

5 Despite sections 3 and 4, a law enforcement service is not required to use DEMS in relation to a matter if the responsible person for the law enforcement service, or a person designated by that responsible person, determines, having regard to the director’s standards, that the matter is a major case.

SCHEDULE

Law enforcement service
Abbotsford Police Department
New Westminster Police Department
South Coast British Columbia Transportation Authority Police Service
Vancouver Police Department
Victoria Police Department