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Researching Provincial Legislation: British Columbia

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Researching Provincial Legislation: British Columbia



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LEARNING OUTCOMES

By the end of this chapter, you should be able to:

- Explain how a British Columbia bill becomes a statute
- Track a bill through the legislative process
- Understand how British Columbia regulations are created
- Understand how British Columbia statutes and regulations come into force
- Understand the term “official” as it applies to legislative materials in British Columbia
- Find official print versions of British Columbia statutes and regulations, and find unofficial online versions
- Understand how legislation is enacted, amended, consolidated, and revised
- Locate enacted and amended British Columbia legislation
- Understand how to complete point-in-time research and locate prior versions of British Columbia legislation

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I. Law-Making Process: How a Bill Becomes a British Columbia Statute

A. Legislative Assembly of British Columbia

The authority to create provincial legislation is vested in the British Columbia Legislative Assembly, or legislature, pursuant to the *Constitution Act, 1867*¹ and the *Constitution Act*² of British Columbia. A member of the Legislative Assembly (MLA) introduces a proposed statute as a bill. The bill passes through first, second, and third reading in the legislature and becomes an act.³ After it receives royal assent and comes into force, the new legislation takes effect and is enforceable as British Columbia law.

A new parliament is formed after each election. The parliament of elected representatives, also called the Legislative Assembly, sits during legislative sessions that are identified by both the parliament ordinal number and a session ordinal number, which refers to a set of sittings for that assembly. Constitutionally, a session must take place at least once in a 12-month period. Each session can consist of several sittings. For example, the Legislative Assembly of British Columbia considered eight government bills in the 3rd Session of the 40th Parliament. A session concludes by prorogation, usually just prior to the start of the subsequent session. The exception is the last session before an election writ is dropped, as the writ has the effect of bringing the session and parliament to a close by dissolution.⁴

B. Bill Passage Process

1. Tracking the Progress of a Bill

A proposed statute, introduced to the Legislative Assembly as a bill,⁵ may serve varied purposes, such as to reform an element of the law, address a gap in the law, respond to a constitutional or legislative need identified by a court decision, amend existing legislation, or implement a policy of an elected government. A bill may

1 *Constitution Act, 1867* (UK), 30 & 31 Vict, c 3, reprinted in RSC 1985, Appendix II, No 5, s 92.

2 RSBC 1996, c 66, s 17.

3 *Ibid*, s 45. Rules and procedures of the Legislative Assembly are provided in the Standing Orders of the Legislative Assembly of BC, at <<https://www.leg.bc.ca>>. Choose “Parliamentary Business” at the bottom of the page (or navigate directly to <<https://www.leg.bc.ca/parliamentary-business>>) and then, under Parliamentary Procedure, select “Standing Orders”. The process to create regulations differs from that for statutes, and is described later in this chapter.

4 *Supra* note 2, ss 21-23.

5 See Standing Orders, rr 74-88 and 97-115, for rules on the bill passage process.

be classified as either a government bill, a member's bill—both of which are public bills—or, less commonly, a private bill.

- A government bill is introduced by a minister in the Cabinet, also known as the Executive Council. Government bills are created to enact or amend legislation to further government policy. They are numbered from 1 to 200.
- A member's bill is introduced by any other MLA, whether a member of the opposition or a government member who is not a Cabinet member. Member's bills may propose new legislation or amendments to existing legislation for a purpose other than one that furthers the government's platform. They, too, can address perceived gaps in the law, propose reform of the law, or call for new or amended laws. Members' bills are numbered from M201 to M400.
- A private bill is introduced to the Legislative Assembly by petition. It must state the applicant's name, and the nature and objects of the proposed legislation. A private bill is received by Legislative Counsel and, after first reading, must be reported on favourably by a standing committee of the Legislative Assembly before it can proceed further. Private bills are numbered from Pr401.

A bill must pass three readings in the Legislative Assembly before it becomes law. At first reading a public bill is introduced to the Legislative Assembly (and a private bill is received by Legislative Counsel and reported on by a standing committee). No debate on the bill takes place. The BC Queen's Printer prints and distributes it, and the bill is included in the agenda of proceedings for the next day for its second reading. This agenda, or order paper, is formally known as *Orders of the Day*.⁶ First reading bills contain explanatory notes that draw attention to key features; however, these notes do not appear in subsequent versions of the bill. The Queen's Printer's printed version of any first reading bill is the official version. For convenience and research purposes, unofficial versions of first reading (and third reading) bills are also available at the Legislative Assembly website. At present, this collection extends from the current session back to 1992 and can be accessed via "Bills and Legislation" at the bottom of the page, and then "Bills".

At second reading the sponsor of the bill explains the bill's purpose and general principles. This discussion is recorded in a daily printed record called *Votes and Proceedings*. This printed edition is the official version; however, an unofficial version dating from the most recent sitting back to 1992 is available at <<https://www.leg.bc.ca>> under Parliamentary Business. Select "Votes and Proceedings" on the main page, and then choose the relevant parliament and session.

⁶ The official version of the order paper is the printed version, but it is also available dating back to 1992 on the Legislative Assembly's website at <<https://www.leg.bc.ca>>. Under Parliamentary Business at the bottom of the page, choose "Orders of the Day". Select the relevant session to view a list of orders by date.

An edited version of the minutes that constitute *Votes and Proceedings* is produced in the *Journals of the Legislative Assembly of British Columbia*. The *Journals* are bound and published at the end of the session. These bound print volumes are the official version. However, the *Journals* are also available in an unofficial electronic format on the Legislative Assembly website.

Debate may occur at second reading. Each day's debates are reported verbatim in the *Debates of the Legislative Assembly (Hansard)*, which was initiated in 1970. Though only the print version of *Hansard* is considered official, the entirety of the resource is available electronically on the Legislative Assembly website in HTML format or PDF, through either "Debates and Proceedings (Hansard)" or "Parliamentary Debates and Transcripts". On the *Hansard* page, you will find links to the debates of the current session organized by date. You will also find drop-down menus for previous parliaments.

Second and third readings are separated by a committee stage and a report stage. If a public bill passes second reading, it is sent to the committee of the whole, consisting of all MLAs. A bill may also be sent to a select standing committee. In committee, members will engage in detailed clause-by-clause study of the bill. Amendments may be moved at this stage. If proposed amendments are accepted, the bill will be reprinted to incorporate the amendments. Members may also unanimously consent to proceed without reprinting the bill.

The outcome of committee debate is reported back to the Legislative Assembly. However, if there were no amendments made at the committee stage, the bill can proceed directly to third reading.

At third reading, debate is not customary. The Legislative Assembly votes on the bill. If a majority of MLAs vote in favour of the bill, it is enacted. However, it is not law until it receives royal assent, which is the formal approval of the Lieutenant Governor. The new statute receives a chapter number, which is assigned sequentially, according to the type of bill that originated it.

Unofficial versions of third reading bills are available on the Legislative Assembly website at <<https://www.leg.bc.ca/parliamentary-business/bills-and-legislation>> for legislative sessions dating back to the 1st Session, 35th Parliament (1992). Select "Bills," then the appropriate parliament and session, and finally "Third Reading". (An overview of all third reading bills in a particular legislative session is available via "Progress of Bills" on the main Bills and Legislation page.) After third reading, change to the text of the statute is exceptional. For this reason, researchers often consult the text of third reading bills as a convenient reference to the text of the statute as enacted.⁷ However, only the printed version of a third reading bill is the official version.

⁷ However, the researcher must consult the statute's Historical Table to locate the chapter number as enacted. Historical Tables are discussed in Section III.C of this chapter.

A statute comes into force either on royal assent or through other legislative provisions (the ways statutes come into force in BC are discussed in Section I.D, below).

The record of debates and discussion of proposed legislation is valuable for researching legislative purpose and interpretation. Explanations offered by the sponsoring MLA can help to elucidate the stated intention of a law or the situation it is proposed to resolve. Similarly, debate discussion by other MLAs can reveal competing interpretations of the proposed legislation (see Chapter 10, Foundations of Statutory and Case Analysis, Section II, “Analysis of Legislation”). For this reason researchers should understand the various resources that contain information that precedes the enactment of legislation. To locate a member’s speech in *Hansard*, the researcher must determine the date of the sitting at which a bill was discussed. This can be done with the aid of an online index: Subject, Members, and Business indexes are provided in the Indexes box on the *Hansard* page. Also available is a helpful “User Guide for Hansard Indexes”.

To research bills debated prior to 1970, use the *Journals* and *Votes and Proceedings*. Along with the *Votes and Proceedings* available in electronic format on the Legislative Assembly website, a searchable database of the archived *Journals of the Legislative Assembly* from pre-Confederation 1851 to the most recent session is available at <<http://archives.leg.bc.ca>>. Or, from the Legislative Assembly website, choose “Parliamentary Business”, then “Archived Journals” in the left-hand column, and proceed to the Journals database and access the contents either by search or by date range. These contain the text of the *Journals* along with their indexes as searchable PDFs.

While BC *Hansard* from its inception is available on the Legislative Assembly website, since 1991, the Assembly’s proceedings are also telecast. Archived webcasts of all House sittings from October 2003 to the present are also available. In 2005, webcasting was expanded to include committee meetings. Podcasting commenced in 2006, and live streaming and download to mobile devices were initiated in 2011.⁸ Though less likely to be used for historical research, these latter two services can be used to monitor current legislative proceedings.

The steps that follow explain how to track the progress of a bill as it becomes a statute. The information obtained can be compiled in a legislative history, as described in the following section.

8 Archived webcast video may also be accessed by parliament and session from the *Hansard* page. From <<https://www.leg.bc.ca/parliamentary-business>>, select “Debates of the Legislative Assembly (Hansard)” and then look for a link to “Chamber Video” or “Question Period Video” for the relevant session and date.

TASK BC.1

Tracking the Progress of a Bill

Track the history of the *Museum Act*, enacted as a statute in 2003, during the bill passage process.

Tracking a Bill from 1992 Onward (Online)

- Go to the Legislative Assembly website at <<https://www.leg.bc.ca>>. Under Parliamentary Business at the bottom of the page, choose “Bills and Legislation”, then “Bills”.
- Locate the relevant session, whether current or previous. In this case, for a 2003 statute, choose “4th Session (2003)” from the 37th Parliament drop-down menu, and then select “Bills”. Choose “Progress of Bills”.
- The Progress of Bills table lists bills in order of bill number, along with the name of the sponsoring MLA, and separately indexes them as government, members’, and private bills.
- The table provides links for first and third reading bills, and for second reading bills if there have been amendments. It also includes dates of readings, report, and royal assent, along with the chapter number of the *Statutes of British Columbia* that was assigned when the bill received royal assent.

2003 Legislative Session: 4th Session, 37th Parliament										
<small>The following electronic version is for informational purposes only. The printed version remains the official version.</small>										
Progress of Bills										
GOVERNMENT BILLS <i>(Listing printed for convenience only)</i>										
Bill No.	Title	Member	First Reading	Second Reading	Committee	Report	Amended	Third Reading	Royal Assent	S.B.C. Chap. No.
1	An Act to Ensure the Supremacy of Parliament	Hon. G. Plant	Feb. 11	Mar. 24	Mar. 25	Mar. 25	Mar. 25	Mar. 25	Mar. 25	12
2	Museum Act	Hon. G. Abbott	Feb. 17	Mar. 24	Mar. 25	Mar. 25	Mar. 25	Mar. 25	Mar. 25	8
3	Small Business Venture Capital Amendment Act, 2003	Hon. R. Thorpe	Feb. 18	Mar. 4	Mar. 6	Mar. 6	Mar. 6	Mar. 6	Mar. 12	8
4	Agriculture Act	Hon. S. Vagen	Feb. 24	Mar. 25	Mar. 27	Mar. 27	Mar. 27	Mar. 27	Mar. 27	13
5	Foresters Act	Hon. M. de Jong	Feb. 22	Mar. 27	Apr. 1	Apr. 1	Apr. 1	Apr. 1	Apr. 10	19
6	Budget Measures Implementation Act, 2003	Hon. G. Collins	Feb. 18	Mar. 5	Mar. 11	Mar. 11	Mar. 11	Mar. 11	Mar. 12	3
7	Income Tax Amendment Act, 2003	Hon. G. Collins	Feb. 18	Mar. 5	Mar. 11	Mar. 11	Mar. 11	Mar. 11	Mar. 12	6
8	Employee Investment Amendment Act, 2003	Hon. R. Thorpe	Feb. 19	Mar. 4	Mar. 6	Mar. 6	Mar. 6	Mar. 6	Mar. 12	4
9	Auditor General Act	Hon. G. Collins	Feb. 24	Mar. 5	Mar. 11	Mar. 11	Mar. 11	Mar. 11	Mar. 12	2
10	Energy and Mines Statutes Amendment Act, 2003	Hon. R. Newfield	Feb. 24	Feb. 25	Feb. 27	Feb. 27	Feb. 27	Feb. 27	Feb. 27	1
Bill No.	Title	Member	First Reading	Second Reading	Committee	Report	Amended	Third Reading	Royal Assent	S.B.C. Chap. No.
11	Miscellaneous Statutes Amendment Act, 2003	Hon. G. Plant	Feb. 25	Mar. 4	Mar. 11	Mar. 11	Mar. 11	Mar. 11	Mar. 12	7
12	Police Amendment Act, 2003	Hon. R. Coleman	Feb. 27	Apr. 1	Apr. 3	Apr. 3	Apr. 3	Apr. 3	Apr. 10	21
13	Freedom of Information and Protection of Privacy Amendment Act, 2003	Hon. S. Santoro	Feb. 26	Mar. 4	Mar. 6	Mar. 6	Mar. 6	Mar. 6	Mar. 12	5
14	Community Charter	Hon. T. Nebbeling	Mar. 11	Apr. 29	May 7	May 7	May 7	May 8	May 29	26
15	Unclaimed Property Amendment Act, 2003	Hon. G. Collins	Mar. 5	Mar. 11	Mar. 12	Mar. 12	Mar. 12	Mar. 12	Mar. 12	9
16	Coalbed Gas Act	Hon. R. Newfield	Mar. 25	Apr. 7	Apr. 10	Apr. 10	Apr. 10	Apr. 10	Apr. 10	18
17	Motor Vehicle Amendment Act, 2003	Hon. R. Coleman	Mar. 11	Mar. 24	Mar. 25	Mar. 25	Mar. 25	Mar. 25	Mar. 25	11
18	Coastal Ferry Act	Hon. S. Reid	Mar. 12	Mar. 24	Mar. 26	Mar. 26	Mar. 26	Mar. 26	Mar. 27	14
19	Safety Standards Act	Hon. G. Abbott	Mar. 24	Apr. 1	May 8	May 8	May 8	May 8	May 29	39
20	Safety Authority Act	Hon. G. Abbott	Mar. 24	Apr. 1	May 8	May 8	May 8	May 8	May 29	38
Bill No.	Title	Member	First Reading	Second Reading	Committee	Report	Amended	Third Reading	Royal Assent	S.B.C. Chap. No.

- Explanations provided by MLAs may help the researcher to discern the law’s purpose or stated justification. Each day’s debates are recorded in *Hansard*, organized by parliament and session number, and then by date. Unofficial HTML or PDF copies dating back to 1970, the year BC *Hansard* was initiated,

are available on the Legislative Assembly website via “Debates and Proceedings (Hansard)” at the bottom of the main page.

- *Hansard* transcripts and indexes can also be searched electronically from the *Hansard* website via “Debates of the Legislative Assembly (Hansard)” at <<https://www.leg.bc.ca/documents-data/debate-transcripts/40th-parliament/4th-session>>. To find discussion about the bill resulting in the *Museum Act*, select the 37th Parliament, 4th Session from the drop-down menu. Use the Search box to find discussion about the bill that resulted in the *Museum Act*, use the indexes in the Indexes box, or target the dates in the Progress of Bills table.

The screenshot shows the website interface for "Debates of the Legislative Assembly (Hansard)". At the top, there is a breadcrumb trail: Home > Documents & Data > Debate Transcripts > 37th Parliament > 4th Session. The main heading is "Debates of the Legislative Assembly (Hansard)". Below this, there are navigation links for various parliaments: 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, and 40th. The 37th Parliament is highlighted with a blue box and a right-pointing arrow. To the right of these links is a search bar with the text "Search...". Below the navigation links, there is a section titled "37th Parliament, 4th Session". On the right side of this section, there is a "Page 1 2" indicator and a "Next >" button. Below the "37th Parliament, 4th Session" section, there is a list of transcripts with the following entries: "Tuesday, February 10, 2004, Morning (Vol. 19, No. 9)", "Tuesday, December 16, 2003, Afternoon (Vol. 19, No. 8)", "Tuesday, December 2, 2003, Afternoon (Vol. 19, No. 7)", and "Tuesday, December 2, 2003, Morning (Vol. 19, No. 6)". Each entry has links for "HTML", "PDF", and "Chamber Video". On the right side of the page, there is a green box labeled "INDEXES" with a sub-link "Indexes and associated files".

Tracking a Bill Before 1992 (Online)

Limited tracking of the progress of a bill that pre-dates 1992 is possible online. You can use Historical Tables to find the year of passage of a statute (as discussed later in this chapter). When the year is found, you can search for *Hansard* discussion of the bill in the corresponding parliament and session. Verbatim records of laws debated prior to 1970 do not exist. Instead, you can research bill discussion using the *Journals of the Legislative Assembly of British Columbia*, which are edited summaries of *Votes and Proceedings* (the assembly’s minutes) and date from 1851 to the most recent session, at <<http://archives.leg.bc.ca>>.

The screenshot shows the website for the Legislative Assembly of British Columbia. The header features the coat of arms and the text "Legislative Assembly of BRITISH COLUMBIA". Below the header, there is a search bar and a navigation menu. The main content area is titled "Journals from 1851 to 2013" and includes a table of contents with links to various years: 1851-1871, 1872-1879, 1880-1889, 1890-1899, 1900-1909, 1910-1919, 1920-1929, 1930-1939, 1940-1949, 1950-1959, 1960-1969, 1970-1980, 1980-1990, 1990-2000, 2001-2011, and 2011-2014. There are also links for "Title Page", "Foreword", "Introduction", and "Abbreviations". A "Home" link is visible in the left sidebar.

Tracking a Bill Before 1992 (Print)

To track the progress of a bill that pre-dates 1992, consult print resources such as *Canadian Current Law: Legislation*, published by Carswell, which provides the dates of a bill's passage.

2. Compiling a Legislative History

Key components of a legislative history for a bill can include the following:

- bill number and bill title
- parliament and session number
- sponsor (MLA who introduced the bill)
- dates of first reading, second reading, and third reading, and the corresponding page number for each in *Hansard* or the *Journals* (if available)
- name of the committee to which the bill was referred, how it disposed of the bill, the citation to the committee report, and the corresponding page numbers in *Hansard* or the *Journals* (if available)
- date of royal assent
- date of coming into force (CIF) and by what authority or process, including, where relevant, the citation to the regulation or proclamation in the *British Columbia Gazette*, Part II
- citation of the act in the *Statutes of British Columbia*
- copies of portions of *Hansard* or the *Journals* and committee reports if relevant

TASK BC.2

Locating Information to Compile a Legislative History

To prepare a legislative history for the *Museum Act*, follow the steps below:

- For bills enacted from 1992 on, use the Legislative Assembly website at <<http://www.leg.bc.ca>>. From the bottom of the main page, choose “Bills and Legislation” and then select “Bills”.
- Choose the appropriate session, in this case, “4th Session (2003)” from the 37th Parliament drop-down menu, choose “Bills”, and, finally, select “List of Bills with Hansard Debates”.
- This table provides most of the necessary information to complete a legislative history. In addition to a list of bills in order by bill number, the table includes the date for each stage of the bill. Select a date to link to the text of the debates. The text includes page numbers, centred and in brackets, as well as time of the speech in five-minute increments, at the right margin and in brackets.

2003 Legislative Session: 4th Session, 37th Parliament						
The following electronic version is for informational purposes only. The printed version remains the official version.						
List of Bills with Hansard Debates						
GOVERNMENT BILLS (Listing printed for convenience only)						
Bill No.	Title	Member	Text of Hansard Debates			
			First Reading	Second Reading	Committee	Third Reading
1	An Act to Ensure the Supremacy of Parliament	Hon. G. Plant	Feb. 11			
2	Museum Act	Hon. G. Abbott	Feb. 17	Mar. 24	Mar. 25	Mar. 25
3	Small Business Venture Capital Amendment Act, 2003	Hon. R. Thorpe	Feb. 18	Mar. 4	Mar. 6	Mar. 6
4	Agrologists Act	Hon. S. Hagen	Feb. 24	Mar. 25	Mar. 27	Mar. 27
5	Foresters Act	Hon. M. de Jong	Feb. 12	Mar. 27	Apr. 1	Apr. 1
6	Budget Measures Implementation Act, 2003	Hon. G. Collins	Feb. 18	Mar. 5	Mar. 11	Mar. 11
7	Income Tax Amendment Act, 2003	Hon. G. Abbott	Feb. 18	Mar. 5	Mar. 11	Mar. 11
8	Employee Investment Amendment Act, 2003	Hon. S. Hagen	Feb. 19	Mar. 4	Mar. 6	Mar. 6
9	Auditor General Act	Hon. G. Collins	Feb. 24	Mar. 5	Mar. 11	Mar. 11
10	Energy and Mines Statutes Amendment Act, 2003	Hon. R. Neufeld	Feb. 24	Feb. 25	Feb. 26	Feb. 27
Bill No.	Title	Member	First Reading	Second Reading	Committee	Third Reading
11	Miscellaneous Statutes Amendment Act, 2003	Hon. G. Plant	Feb. 25	Mar. 4	Mar. 11	Mar. 11
12	Police Amendment Act	Hon. R. Coleman	Feb. 27	Mar. 6 Mar. 12 Apr. 1	Apr. 3	Apr. 3
13	Freedom of Information and Protection of Privacy Amendment Act, 2003	Hon. S. Santori	Feb. 26	Mar. 4	Mar. 6	Mar. 6
14	Community Charter	Hon. T. Nebbeling	Mar. 11	Apr. 29-A April 29-P	May 7	May 8

- After it receives royal assent, a statute is assigned a chapter number and is prepared for publication. An unofficial version of the statute appears online through the BC Laws website, which provides current consolidations of BC laws, regulations, and their historical information: <<http://www.bclaws.ca>>. Official print versions of statutes are published in bound volumes as part of the annual *Statutes of British Columbia* (SBC).
- Once it is passed, a bill becomes a statute and is cited by its year of enactment and chapter number, although its former bill number may be referenced. For example, the *Museum Act*, which had been introduced in 2003 as Bill 2, was assigned to chapter 12 in the SBC 2003. After enactment it is cited as *Museum Act*, SBC 2003, c 12. The statute citation can be used to find the statute in print or online.
- Locating statutes as enacted and regulations that enact statutes is discussed later in this chapter.

TASK BC.3

Preparing a Legislative History: Museum Act

SAMPLE LEGISLATIVE HISTORY

The information to complete this table can be obtained by following links in the List of Bills with *Hansard* Debates, and the Progress of Bills table in *Votes and Proceedings*. The chapter number can be found in the List of Bills by Chapter Number on the Bills page for the relevant session. The coming-into-force (CIF) date and authority can be found by using the Table of Legislative Changes on the BC Laws site, as explained later in this chapter.

Bill number: No. 2 of 2003, or Bill 2—2003

Bill title: *Museum Act*

Introducing member: Abbott, Hon George, Minister of Community, Aboriginal and Women's Services

Legislative session: 2003 Legislative Session: 4th Session, 37th Parliament

Progress:

Stage	Date	Location in the Debates
First reading	17 February 2003	Page 4809
Second reading	24 March 2003	Page 5566
Debates on second reading: Committee of the Whole	25 March 2003	Page 5599
Third reading	25 March 2003	Page 5600
Royal assent	25 March 2003	

Enacted as: SBC 2003, c 12

In force: 1 April 2003

By what authority: Section 37—“This Act comes into force by regulation of the Lieutenant Governor in Council”; Regulation BC Reg 151/2003, *British Columbia Gazette*, Part II, vol 46, no 7 (8 April 2003) at 217

C. Locating a Statute as Enacted

To locate a statute as enacted, consult the annual print *Statutes of British Columbia* and not the *Revised Statutes of British Columbia* (RSBC). The SBC are published annually in print volumes and contain the statutes enacted during the specified year. A given year may have several volumes. The RSBC have been published periodically, approximately every 10 to 20 years, to incorporate amendments to statutes, to reorganize the statutes alphabetically rather than by year, to simplify numbering, and to update language.⁹ The most recent RSBC were published for 1996.

TASK BC.4

Locating a Statute as Enacted: Print and Online

Locate the *Museum Act*, SBC 2003, c 12.

Print: Official

- Annual statutes are organized by chapter number, not by name. Although the citation is useful for locating the statute, tables published at the front of each volume also allow access by bill number and alphabetical order.
- Locate chapter 12 in the 2003 SBC volume to find the *Museum Act* in volume 1 of 3. Note the coming-into-force (effective date) information at section 37 of the *Museum Act*, which states: “This Act comes into force by regulation of the Lieutenant Governor in Council”.¹⁰ Locating the relevant regulation to determine the effective date of the statute is discussed later in this chapter.

Online: Unofficial

- At the time of writing, annual statutes as enacted are not available online on BC Laws. Neither are they available on CanLII, Westlaw Canada, or Quickscribe,¹¹ which is a subscription-based product. QP LegalEze,¹² the BC

9 *Statute Revision Act*, RSBC 1996, c 440, ss 2, 4-8. See also explanation of “Revision” in the Glossary on the BC Laws website: <<http://www.bclaws.ca/glossary.html#r>>.

10 In British Columbia, statutes are often brought into force by regulation. This practice is attributable to the *Regulations Act*, RSBC 1996, c 402, s 12, which authorizes the Lieutenant Governor in Council to bring a statute into force by regulation where it may come into force on proclamation.

11 Quickscribe (<<http://www.quickscribe.bc.ca>>) is a subscription database operated by an independent BC-based legal publisher. It offers value-added research features such as annotations, alerts, historical research tools, and a user community discussion and collaboration forum.

12 At the time of writing, QP LegalEze (<<http://www.qplegaleze.ca>>) continues to function and to receive regular updates. This subscription service is published by the BC Queen’s Printer and offers functionality unavailable through the public site. Because the Queen’s Printer is phasing out this database in favour of development of the open data BC Laws site, QP LegalEze is not discussed in detail in this chapter. See this chapter in the first edition for further discussion and illustration of QP LegalEze.

government-published subscription collection which is being phased out in favour of the development of BC Laws, also does not offer access to collections of annual statutes as enacted. These platforms provide links to consolidated statutes but not to annual statutes as enacted.

- At present, the only widely available source for collections of annual statutes as enacted is the Lexis Advance Quicklaw subscription database. Quicklaw provides access to the annual SBC from 1997 on, via various access points. This is an unofficial source.
- As an alternative, view the text of the third reading bill, which rarely will differ from the text of the statute as enacted (see Task BC.1). This method is available via a link from BC Laws to the Legislative Assembly site or directly at <<https://www.leg.bc.ca/parliamentary-business/bills-and-legislation>>.
- Using the Legislative Assembly site, select “Bills and Legislation” and then “Bills”. Select “4th Session (2003)” from the 37th Parliament drop-down menu because the *Museum Act* was enacted in 2003. Select the “Bills” link and then “Third Reading Bills” and scroll down or search in the page for “Museum” to find the *Museum Act*, which was Bill 2. Choose the link to read the full text of the bill as it passed third reading. You will see it passed third reading on 25 March 2003.
- Note the CIF information at section 37 of the third reading bill, which states: “This Act comes into force by regulation of the Lieutenant Governor in Council”. The final step is to locate the relevant regulation to determine whether the enacted statute is in effect.

D. How Statutes Come into Force

Before a statute takes effect as law, it must come into force. CIF provisions are detailed in the *Interpretation Act*.¹³ Typically, a statute establishes its CIF through a commencement section located at the end of the statute. Some statutes, including those statutes that do not contain a commencement section, come into force on royal assent. For the more recent BC statutes (i.e. those enacted after the RSBC 1996) the date of royal assent is given at the beginning of the statute.

For statutes that do not come into force on assent, the statute itself may provide its in-force date, usually in the last section. Since the 1983 enactment of the *Regulations Act*,¹⁴ BC statutes commonly contain a provision to the effect that they are brought into force by regulation. Such statutes generally will take effect on the day specified in the regulation or on the day the regulation is deposited with the Registrar of Regulations, whichever is later.¹⁵

13 RSBC 1996, c 238, s 3.

14 RSBC 1996, c 402.

15 *Ibid*, s 4.

Examine the commencement section, if any, to ensure that the correct authority for CIF is located for each section specifically—either by royal assent, regulation, or specified date.

CIF by royal assent: If the commencement section of a British Columbia statute expressly states that the act will come into force upon royal assent, or if the act is silent regarding the commencement date, the act will come into force on the date of royal assent for that act. For example, the *Apology Act*, SBC 2006, c 19, s 3 states: “This Act comes into force on the date of Royal Assent.” “Assented to May 18, 2006” appears at the top of the first page of this statute. Therefore, the CIF date for the *Apology Act* is 18 May 2006.

CIF by regulation:¹⁶ If the commencement section of a statute states that it comes into force by regulation of the Lieutenant Governor in Council, locate the relevant regulation to determine the effective date. For example, the *Museum Act*, SBC 2003, c 12 indicates that it was “[a]ssented to March 25, 2003”; this is the date of royal assent. However, section 37 of the Act, the commencement section, states: “This Act comes into force by regulation of the Lieutenant Governor in Council.” Therefore, to determine the CIF date of this Act, one must locate the relevant regulation that authorizes the *Museum Act* CIF date.

Regulations that bring statutes into force are generally short, serve that one function only, and are then considered spent. Regulations that bring statutes into force are occasionally referred to as proclamations. There are several sources both in print and online to aid the researcher to locate a regulation that brings a statute into force,¹⁷ including Provisions in Force and BC Regulations Bulletins. However, these sources often do not provide access to the full text of these regulations. Task BC.5 describes sources that provide access to the reference to a regulation, but not the full text of the regulation. Task BC.6 describes sources that provide access to both the reference and the full text.

16 Regulations that are made pursuant to statutes and that function by detailing the statute’s implementation and operation are discussed later in this chapter.

17 The BC Courthouse Libraries website at <<http://www.courthouselibrary.ca>> provides a link to proclamations, under the heading “BC Proclamations”. This link provides an unofficial list of the regulations from 2009 to the present that bring BC acts into force. Regulations are referred to as proclamations on this website. Search by statute name, listed in reverse chronological order. The currency date is provided on the first page. Once a statute is selected, information regarding the regulation number is provided. Researchers may subscribe to updates to this Proclamations section by RSS or email: <<http://www.courthouselibrary.ca/emailrss.aspx>>.

E. Locating CIF Dates by Regulation

1. Determining Provisions in Force

TASK BC.5

Locating Regulations That Bring Statutes into Force: Reference Only

Use the Provisions in Force table to locate the regulation that brings the *Museum Act*, SBC 2003, c 12 into force.

- Go to the Legislative Assembly website at <<https://www.leg.bc.ca>>. Choose “Bills and Legislation”, then “Provisions in Force”. Locate and select “2003 Session”. A currency date is provided next to the link. Under the letter M, find the *Museum Act*. The table identifies the type of statute (e.g. new act, amendment, repeal), the relevant sections, and the process by which the act or sections take effect. If a statute comes into force by regulation and the regulation has been made, the effective date will be identified, and the number and year of the regulation will appear in brackets.

The *Museum Act*, SBC 2003, c 12 came into force on 1 April 2003 by the authority of BC Reg 151/2003.

- Alternatively, use the BC Laws government database at <<http://www.bclaws.ca>>. Under Licensed by: Queen’s Printer, under Current, choose “Laws of British Columbia” and then select “Statutes and Regulations”. Choose the letter M and browse the list to find “Museum Act [SBC 2003] c. 12”. Select “Tables of Legislative Changes”, and choose “1st Edition TLC - Museum Act”. This table shows that BC Reg 151/03 brought the earliest provisions into force on 1 April 2003.

MUSEUM ACT
[SBC 2003] CHAPTER 12

Changes in Force

Section	Change	Citation	Effective date
1 to 16	en	2003-12-1 to 16	1 Apr 2003 (BC Reg 151/03)
17	en	2003-12-17	1 Apr 2003 (BC Reg 151/03)
	am	2003-71-54	29 Mar 2004 (BC Reg 64/04)
18 to 20	en	2003-12-18 to 20	1 Apr 2003 (BC Reg 151/03)
21	en	2003-12-21	1 Apr 2003 (BC Reg 151/03)
	am	2003-71-55	29 Mar 2004 (BC Reg 64/04)
22 to 26	en	2003-12-22 to 26	1 Apr 2003 (BC Reg 151/03)
27 to 32	en	2003-12-27 to 32 [conseq]	1 Apr 2003 (BC Reg 151/03)
33	en	2003-12-33 [conseq]	1 Apr 2003 (BC Reg 151/03)
		<ul style="list-style-type: none"> • <2003-12-33 [conseq] am by 2003-37-32 eff 29 May 2003 (RA)> inoperative [s. 33 spent] 	
34 to 36	en	2003-12-34 to 36 [conseq]	1 Apr 2003 (BC Reg 151/03)

- Another alternative via the BC Laws database is to locate the regulation by using the BC Regulations Bulletins, which provide summaries of regulations deposited with the Registrar of Regulations. Under Legislative Documents in the left navigation bar, choose “Regulation Bulletins”. Bulletins are organized by year from 1998 to the present. Select “List of 2003 Bulletins”, then “Cumulative Regulations Bulletin, December 31, 2003”.

- Scroll down to the *Museum Act* in the alphabetical table. The information provided for the *Museum Act* includes the order in council number (OIC number) 361/2003, the CIF date, which is 1 April 2003 by the authority of Regulation 151/2003, and a regulation deposit date of 31 March 2003. Links to the full text of the order in council and regulation are not given in this table.

B.C. Regulations Bulletins 2003

[List of 2015 Bulletins](#)
[List of 2014 Bulletins](#)
[List of 2013 Bulletins](#)
[List of 2012 Bulletins](#)
[List of 2011 Bulletins](#)
[List of 2010 Bulletins](#)
[List of 2009 Bulletins](#)
[List of 2008 Bulletins](#)
[List of 2007 Bulletins](#)
[List of 2006 Bulletins](#)
[List of 2005 Bulletins](#)
[List of 2004 Bulletins](#)
[List of 2003 Bulletins](#)
[List of 2002 Bulletins](#)
[List of 2001 Bulletins](#)
[List of 2000 Bulletins](#)
[List of 1999 Bulletins](#)
[List of 1998 Bulletins](#)

The Bulletins are summaries of the regulations deposited with the Registrar of Regulations under the *Regulations Act*.

The Bulletins include:

- the Order in Council number, the Ministerial Order number or the name of the enacting authority;
- the Act under which the regulation is made;
- the regulation title or a description of the subject of the regulation;
- the B.C. Regulation number;
- the date of deposit.

The Cumulative Bulletin lists all regulations deposited to date, in alphabetical order by statute name.

There may not be bulletins for each week of a year, if Cabinet did not pass any regulations in a particular week and if no regulations from other sources were deposited during that week.

Full text of these regulations is published in the biweekly British Columbia Gazette, Part II, and copies are also available from Crown Publications, (250) 387-6409 or 1 800-663-6105.

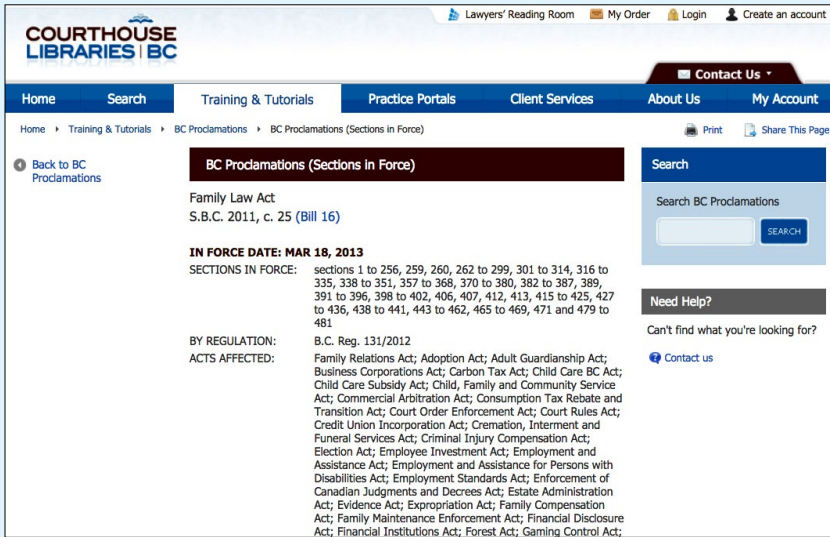
2003 Bulletins

- [Cumulative Regulations Bulletin, December 31, 2003](#)
- [Bulletin No. 46, December 31, 2003](#)

Use the Courthouse Libraries BC Proclamations search tool to locate the regulation that brought the *Family Law Act* into force.

- Go to the Courthouse Libraries BC site at <<http://www.courthouselibrary.ca>> and select the BC Proclamations link at the bottom of the home page.
- In the search box, enter "Family Law Act". Refine the search results by selecting "the EXACT PHRASE".

- Locate and select the *Family Law Act* in the search results. Note the information given that the *Family Law Act*, SBC 2011, c 25 (Bill 16) came into force by BC Reg 131/2012.



While the previous discussion explained how to locate the reference to the regulation that brought a statute into force, it might be necessary to access the full text of the document that proves a statute’s effective date.

TASK BC.6

Locating Regulations That Bring Statutes into Force: Reference and Full Text

Official

Locate the regulation that brings the *Museum Act*, SBC 2003, c 12 into force using the *British Columbia Gazette*, Part II.

- In a library, find the 2003 volume of the *Gazette*, Part II. Use the Index to Published Regulations, 2003, vol 46, no 17-26 & Index, to locate Regulation 151/2003 at page xvii. The Index also includes the following information: the OIC number is 361/2003; the in-force date is 1 April 2003; and Regulation 151/2003 is located at page 217.

Unofficial

Note the last line in the Regulation Bulletins image in Task BC.5: “Full text of these regulations is published in the biweekly *British Columbia Gazette*, Part II”. Locate

the regulation that authorizes the *Museum Act*, SBC 2003, c 12 to come into force by using the *BC Gazette*, Part II online at <<http://www.bcclaws.ca>>. The *British Columbia Gazette*, Part II from 2001 to the present is available on BC Laws.

- Under Licensed by: Queen’s Printer, under Current, choose “Gazette Part II”. Choose “2001 - 2014” for the 2003 statute, and select “Volume 46, Regulations 2003”.
- If the CIF regulation date is unknown, use the search box to locate Volume 46, “Museum Act”.
- The first result will link to BC Reg 151/2003, and the second will link to the Index for the volume. Select the first link to view the full text of BC Reg 151/2003, as published in the *BC Gazette*, Part II.

The screenshot shows the BC Laws website interface. At the top, there are logos for British Columbia and Queen's Printer BC, along with the BC Laws logo. Below the logos is a navigation bar with links: Organizational Structure, Crown Publications, Open Government, BC Laws API, Glossary, FAQ, and BC Laws Support. The main content area shows a search path: B.C. Home > B.C. Laws > Gazette Part II > 2001 - 2014. A search box contains the text "Museum Act". Below the search box is a list of search results, each preceded by a small icon and a volume number: Volume 57, Regulations 2014; Volume 56, Regulations 2013; Volume 55, Regulations 2012; Volume 54, Regulations 2011; Volume 53, Regulations 2010; Volume 52, Regulations 2009; Volume 51, Regulations 2008; Volume 50, Regulations 2007; Volume 49, Regulations 2006; Volume 48, Regulations 2005; Volume 47, Regulations 2004; Volume 46, Regulations 2003; Volume 45, Regulations 2002; and Volume 44, Regulations 2001.

[Search Results](#) | [Clear Search](#) | [Previous \(in doc\)](#) | [Next \(in doc\)](#) | [Prev Doc](#) | [Next Doc](#)

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Volume 46, No. 7
B.C. Reg. 151/2003

The British Columbia Gazette, Part II
April 8, 2003

B.C. Reg. 151/2003, deposited March 31, 2003, pursuant to the **MUSEUM ACT** [Section 37]. Order in Council 361/2003, approved and ordered March 31, 2003.

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective April 1, 2003, the **Museum Act**, S.B.C. 2003, is brought into force by this regulation. -- G. ABBOTT, *Minister of Community, Aboriginal and Women's Services*; G. CAMPBELL, *Presiding Member of the Executive Council*.

II. Official, Authoritative, and Unofficial Sources of Legislation

Certain government publications that disseminate statutes and regulations are considered official sources of law. In British Columbia, the official versions of statutes and regulations are the print versions published by the British Columbia Queen's Printer under the authority of the *Queen's Printer Act*¹⁸ and the *Regulations Act*.¹⁹

When evidence of the law is provided in court, only official versions of the law published by the Queen's Printer are acceptable. These include the *British Columbia Gazette*, the *Statutes of British Columbia*, and the *Revised Statutes of British Columbia*.²⁰

Other sources of law are unofficial. The Queen's Printer for British Columbia, for example, collaborates with the Legislative Assembly and the Ministry of the Attorney General to publish BC Laws at <<http://www.bclaws.ca>>, a comprehensive database with good currency and historical scope. It is published in open data format and governed by a fairly permissive open data licence that allows non-commercial as well as commercial copying, publication, distribution, format-shifting, and remixing of the content, subject to certain conditions.²¹ Nevertheless, at the date of this writing it is an unofficial resource.²² The website for the Legislative Assembly of British Columbia at <<https://www.leg.bc.ca>> also provides a number of useful but unofficial online resources (some of which are also linked from BC Laws), including bills, *Orders of the Day*, *Votes and Proceedings*, and *Debates of the Legislative Assembly (Hansard)*. The Courthouse Libraries BC website also provides a selection of unofficial legislative research resources.²³

Although some Canadian jurisdictions have given official status to government-published web-based sources of law, this has not been done in BC. The BC Legislative Assembly and BC Law resources cannot be relied on for evidentiary purposes.

Below is a guide to BC print and online legislative publications that indicates which resource is considered official.

18 RSBC 1996, c 394.

19 *Supra* note 14.

20 See *Evidence Act*, RSBC 1996, c 124, s 25.

21 See Queen's Printer License—British Columbia at <http://www.bclaws.ca/standards/2014/QP-License_1.0.html>.

22 See explanation of "Official Version" at <<http://www.bclaws.ca/glossary.html#o>>.

23 See the Courthouse Libraries BC website at <<http://www.courthouselibrary.ca>> for a selection of unofficial online legislative research resources, including the online Reading Room for BC lawyers and articling students, and links to other databases.

FIGURE BC.1 Guide to BC Legislative Publications

Title	Print	Online (open access)
Bills	COVERAGE: 1890-	AVAILABLE: Yes URL: < https://www.leg.bc.ca/parliamentary-business/bills-and-legislation > COVERAGE: 1992-
<i>Votes and Proceedings</i>	COVERAGE: 1872- OFFICIAL: Yes	AVAILABLE: Yes URL: < https://www.leg.bc.ca/parliamentary-business > [Select "Votes & Proceedings"] COVERAGE: 1992- OFFICIAL: No
<i>Journals of the Legislative Assembly of British Columbia</i>	COVERAGE: 1851- OFFICIAL: Yes	AVAILABLE: Yes URL: < http://archives.leg.bc.ca > COVERAGE: 1851- OFFICIAL: No
British Columbia <i>Hansard</i>	COVERAGE: 1970- OFFICIAL: Yes	AVAILABLE: Yes URL: < https://www.leg.bc.ca/parliamentary-business > [Select "Debates of the Legislative Assembly (Hansard)"] COVERAGE: 1970- OFFICIAL: No
<i>Statutes of British Columbia</i>	COVERAGE: 1872- OFFICIAL: Yes	AVAILABLE: No (Use Third reading bills) URL: < https://www.leg.bc.ca/parliamentary-business/bills-and-legislation > COVERAGE: 1992- OFFICIAL: No
Consolidated Acts	COVERAGE: varies OFFICIAL: Yes	AVAILABLE: Yes URL: < http://www.bclaws.ca/civix/content/complete/statreg/?xsl=/templates/browse.xml > COVERAGE: 1996- OFFICIAL: No
Consolidated Regulations	COVERAGE: Varies OFFICIAL: Yes	AVAILABLE: Yes (organized by enabling statute) URL: < http://www.bclaws.ca/civix/content/complete/statreg/?xsl=/templates/browse.xml > COVERAGE: 1996- OFFICIAL: No

Title	Print	Online (open access)
<i>British Columbia Gazette</i> , Part II (Regulations)	COVERAGE: 1958- OFFICIAL: Yes	AVAILABLE: Yes; URL: < http://www.bclaws.ca/civix/content/bcgaz2/bcgaz2?xsl=/templates/browse.xml > COVERAGE: 2001- OFFICIAL: No
<i>British Columbia Gazette</i> , Part I	COVERAGE: As part of <i>British Columbia Gazette</i> , 1863- OFFICIAL: Yes	AVAILABLE: Yes; <i>British Columbia Gazette</i> , 1863- URL: < http://www.bclaws.ca/civix/content/bcgaz1/bcgaz1?xsl=/templates/browse.xml >; < http://www.uvic.ca/library/featured/collections/bc/OfficialGazettes.php > COVERAGE: 1863- OFFICIAL: No
BC Regulations Bulletin; Cumulative Regulations Bulletin	COVERAGE: N/A (Use <i>Index of Current BC Regulations</i>)	AVAILABLE: Yes URL: < http://www.qp.gov.bc.ca/statreg/bulletin/ > COVERAGE: 1998-
Table of Legislative Changes	COVERAGE: 1st edition (1997-2004), 2nd edition (2005-2013)	AVAILABLE: Yes; 1st, 2nd, and 3rd editions (all editions organized by statute) URL: < http://www.bclaws.ca/civix/content/complete/statreg?xsl=/templates/browse.xml > COVERAGE: Varies
Private, Local, Special Acts	COVERAGE: 1872- OFFICIAL: Yes	AVAILABLE: Yes URL: < http://www.bclaws.ca/civix/content/psl/psl?xsl=/templates/browse.xml > COVERAGE: 1872 to November 2011 OFFICIAL: No
<i>Index of Current BC Regulations</i>	COVERAGE: 1958-	AVAILABLE: No (Use Cumulative Regulations Bulletin)
Orders in Council	AVAILABLE: Yes COVERAGE: 1872- OFFICIAL: Yes	AVAILABLE: Yes URL: < http://www.bclaws.ca/civix/content/oic/oic_cur?xsl=/templates/browse.xml > COVERAGE: 2014- OFFICIAL: No
BC Laws FAQ	N/A	AVAILABLE: Yes URL: < http://www.bclaws.ca/faq.html > COVERAGE: N/A
BC Laws Glossary	N/A	AVAILABLE: Yes URL: < http://www.bclaws.ca/glossary.html > COVERAGE: N/A

When reviewing this guide, note that official sources of legislation are those sources that, according to BC law, have evidentiary value in court proceedings. In British Columbia, the only official sources of legislation are the statutes and regulations published in print by the Queen's Printer. Official sources are also authoritative. Print legislation can be found in courthouse libraries and university libraries with varying scopes of coverage.

However, sources of law often considered to be authoritative also include publications that are unofficial. At present, electronic versions of statutes and regulations published by the Queen's Printer may be authoritative but they are not official. Thus, whereas they can be expected to supply a correct representation of the provisions of a statute or regulation, these unofficial sources should not be supplied as evidence in court proceedings. Loose-leaf consolidations are also unofficial. Other government publications, such as *Hansard*, the *Journals*, and other government sources discussed in this chapter, are also considered authoritative.

III. Locating and Working with Amendments, Statute Revisions, and Consolidations

A. How British Columbia Acts Are Amended, Consolidated, and Revised

Provincial statutes are occasionally consolidated into sets of revised statutes to incorporate amendments, remove repealed laws, and renumber chapters. There have been 11 such revisions in British Columbia, resulting in *Revised Statutes of British Columbia* (RSBC) for 1871, 1877, 1888, 1897, 1911, 1924, 1936, 1948, 1960, 1979, and 1996.

The most recent print revision is the RSBC 1996, which is a revision and consolidation of British Columbia public acts and certain other acts, made pursuant to the authority of the *Statute Revision Act*.²⁴ The RSBC 1996 states the law as of 31 December 1996. Acts and amendments that were enacted but not in force on 31 December 1996 were consolidated as supplements, which are located in the RSBC 1996 volume set. A list at the beginning of volume 1 of the RSBC 1996 indicates the acts that have not been revised because they are considered to be spent or obsolete or of a local or private nature.²⁵ Statutes in the RSBC volumes are considered official. Online versions of the RSBC are currently not considered official.

Revised statutes are brought into force in their entirety. All sections of revised statutes remain in force until repealed.

²⁴ *Supra* note 9, s 1.

²⁵ RSBC 1996 (print vol 1) at xii.

B. Locating Revised and Consolidated British Columbia Statutes

When locating the RSBC, recall that the revised statutes presented in the print version of the RSBC 1996 reflect a statement of the law as of 31 December 1996. The print version does not include any amendments to the revised statutes made since 1996.

Online, the revised statutes are most often presented as statutes in their current consolidated form; therefore, the original text of a revised statute as it appears in the print form of the RSBC 1996 may have been altered by amendments made to the revised statutes between 31 December 1996 and the present. Additionally, statutes enacted since the last revision, along with their subsequent amendments, are incorporated into consolidated online versions. Generally, a currency date is provided at the top of the first page of each statute to indicate that amendments have been included in the online statute version up to the currency date noted on the day of access. An unofficial print loose-leaf *Consolidated Statutes of British Columbia* is also available in many law libraries.

Researchers examining revised and consolidated statutes online should be aware that both revised statutes and new annual statutes enacted since 1997 may be presented with incorporated amendments, if any, up to the currency date provided for the statute online. Therefore, the term consolidated, for an online version, includes both revised and annual statutes as amended.

TASK BC.7

Locating Revised Statutes: Print—Official

Locate the *Sale of Goods Act*, RSBC 1996, c 410.

- In a library, use the library catalogue to locate the call number for the *Revised Statutes of British Columbia* (RSBC). Select the RSBC 1996.
- The RSBC 1996 are published in multiple volumes. Statutes are organized by chapter number and can be located alphabetically as well. During the revision process, statutes are reorganized alphabetically and renumbered.
- Consult the Table of Contents in volume 1 of the RSBC 1996 to locate the volume in which the relevant statute is located. The *Sale of Goods Act*, RSBC 1996, c 410 is located in volume 12 at chapter 410.

TASK BC.8

Locating Revised Statutes: Online—BC Laws: Unofficial

Locate the *Sale of Goods Act*, RSBC 1996, c 410.

- Go to the BC Laws database at <<http://www.bclaws.ca>> to view the full text of consolidated versions of statutes. Under Licensed by: Queen’s Printer, under Current, choose “Laws of British Columbia”. Browse the alphabetical list, or use the search box. To browse, choose the letter S and scroll to the link to the *Sale of Goods Act*, RSBC 1996, c 410. Choose the title to view the full text of the statute.
- Record the currency date located above the statute title. The consolidated version of the Act includes amendments made up to the currency date.

The screenshot shows the BC Laws database interface. At the top, there are logos for British Columbia and Queen's Printer BC, along with a BC Laws logo. Below the logos is a navigation menu with links: Organizational Structure, Crown Publications, Open Government, BC Laws API, Glossary, FAQ, and BC Laws Support. The main content area shows a breadcrumb trail: B.C. Home > B.C. Laws > Complete > Statutes and Regulations > -- S --. Below this is a search bar with the text "Search -- S -- ..." and a search button. To the right of the search bar are buttons for "Advanced" and "Favourites", and a "User Guide" link. The search results list several statutes, with "Sale of Goods Act [RSBC 1996] c. 410" highlighted in blue. Other results include Safe Streets Act [SBC 2004] c. 75, Safety Authority Act [SBC 2003] c. 38, Safety Standards Act [SBC 2003] c. 39, Scholarship Act [RSBC 1996] c. 411, and School Act [RSBC 1996] c. 412.

TASK BC.9

Locating Revised Statutes: Online—CanLII: Unofficial

Locate the *Sale of Goods Act*, RSBC 1996, c 410.

- Go to CanLII at <<http://www.canlii.org/en/>>.
- You can search or browse statutes. To search, enter “Sale of Goods Act” in the centre box, and then select it from the drop-down list.
- Alternatively, under Browse, choose “British Columbia”. Under Legislation, select “Statutes and Regulations”. Under Consolidated Statutes of British Columbia, select the letter S and choose the *Sale of Goods Act* from the list of statutes. Review the information presented before the statute full text begins; the in-force date is 21 April 1997.

- Note the currency date provided for this statute: “Last updated from the BC Laws site on [date]”.

CanLII Home > British Columbia > Statutes and Regulations > RSBC 1996, c 410

Sale of Goods Act, RSBC 1996, c 410

Versions Noteup Regulations

COMPARE Access version in force:

1. since Apr 21, 1997 (current)

Current version: in force since Apr 21, 1997

Link to the latest version: <http://canlii.ca/t/84c2>

Stable link to this version: <http://canlii.ca/t/jj8n>

Citation to this version: Sale of Goods Act, RSBC 1996, c 410, <<http://canlii.ca/t/jj8n>> retrieved on 2015-10-30

Currency: Last updated from the BC Laws site on 2015-10-27

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SALE OF GOODS ACT
[RSBC 1996] CHAPTER 410

C. Locating Amendments and Updating Statutes

From time to time, statutes are amended. To ensure the most current law is located, the researcher must update a statute by searching for its amendments.

An amendment to a statute is created by enactment of a new statute that expressly amends one or more sections of the first statute. The same bill passage process described earlier creates an amending statute. A bill is introduced in the Legislative Assembly, passes through three readings, and, once passed, is given royal assent, assigned a chapter number, and printed in the SBC volume for that year. The amending statute has its own legal citation, separate and distinct from the statute it amends.

The amending statute title may contain the same words as the statute it amends; e.g. the *Motor Vehicle Amendment Act, 2009*, SBC 2009, c 23 amends the *Motor Vehicle Act*, RSBC 1996, c 318. However, often amendments are encompassed within an omnibus statute that amends a variety of statutes. For example, the *Finance Statutes Amendment Act, 2009*, SBC 2009, c 15 amends several different statutes, including the *Business Corporations Act*, SBC 2002, c 57 and the *Mortgage Brokers Act*, RSBC 1996, c 313. In this instance, the amending title does not contain the same words as the original statute title.

The researcher can determine the CIF, or effective date, of the amending statute by using the same process described earlier in this chapter. An amending statute may come into force in various ways, e.g. on the date of royal assent, on a specified date, or by regulation.

Historically, amendment information notations were provided after individual sections of an act. However, in the RSBC 1996, amendment information notations located after individual sections in a statute, also referred to as Historical Notes, were converted to Historical Tables. The Historical Table for a revised RSBC 1996 act is located after each revised act in the print RSBC 1996 volumes. Historical Tables may also be accessed through online sources.

1. Locating Amendments: Print

To locate amendments to statutes, use the Table of Legislative Changes or the Historical Tables, depending on the date of the statute.

- For amendments enacted since 1 January 2005, use the Table of Legislative Changes (2nd Edition), which is found in the blue pages at the back of the most recent annual print volume of the SBC. Locate the relevant statute. Note the currency date on the first page of this table. Changes that are not in force as of the currency date of the table appear in italics, alerting the researcher that additional research may be required. Changes that are in force appear in roman type (i.e. not italicized), and the effective date is provided.
- For amendments enacted between 1997 and 2004, use the Table of Legislative Changes (1st Edition), which is found in the grey pages at the back of the print form of the 2004 *Statutes of British Columbia*, volume 2.
- For amendments enacted between 1979 and 1996, use the Historical Tables, located after each revised statute in the RSBC 1996 volume set.
- Citations to the amending statutes appear beneath each statute listed in the Table of Legislative Changes. If more than one amendment has been made to a section, they will be listed in chronological order from the oldest to the most recent. Note that amending citations are identified by year-chapter-section; e.g. 2004-38-14 refers to SBC 2004, chapter 38, section 14.

The Table of Legislative Changes (2nd Edition) published in the most recent annual print SBC volume may not necessarily reflect the latest amendments to a statute. Note the currency date of the information provided on the first page of the blue pages of the Table of Legislative Changes (2nd Edition). Additional research is required to determine whether amendments have been created between that

FIGURE BC.2 Table of Legislative Changes: 2013 SBC Blue Pages

Accountants (Chartered) Act – RS1996, c. 3			
Changes in Force			
Section	Change	Citation	Effective date
1	am	2004-38-10	17 Jan 2005 (BC Reg 535/04)
8	am	2004-38-11	17 Jan 2005 (BC Reg 535/04)
13	am	2008-24-16	1 Sep 2008 (BC Reg 220/08)
14.3	am	2004-38-12	17 Jan 2005 (BC Reg 535/04)
15	am	2004-38-13	17 Jan 2005 (BC Reg 535/04)
18	am	2009-20-11	29 Oct 2009 (RA)
22	am	2007-14-207,Sch	1 Dec 2007 (BC Reg 354/07)
	am	2007-14-214,Sch	1 Dec 2007 (BC Reg 354/07)
25	am	2007-14-71	1 Dec 2007 (BC Reg 354/07)
Accountants (Management) Act – RS1996, c. 4			
Changes in Force			
Section	Change	Citation	Effective date
1	am	2004-38-14	17 Jan 2005 (BC Reg 535/04)
9	am	2008-39-5	1 Apr 2009 (BC Reg 353/08)
15	am	2004-38-15	17 Jan 2005 (BC Reg 535/04)
	am	2007-14-211,Sch	1 Dec 2007 (BC Reg 354/07)
15.1, 15.2	en	2004-38-16	17 Jan 2005 (BC Reg 535/04)

currency date and the present. To update, use the latest version of *Votes and Proceedings* available on the Legislative Assembly website at <<https://www.leg.bc.ca>> for each session of Parliament that has transpired since the last Table of Legislative Changes was published. In the relevant session of Parliament, choose “Progress of Bills” and review the table for any bills that could affect the statute. Consult the text of third reading bills that have received royal assent to determine how and when they come into force.

2. Locating Amendments: Online

It is not possible to identify or track specific amendments to sections of consolidated statutes online from the text of the statutes in BC Laws or CanLII. The amendments are incorporated into the text and are not tracked at the foot of each amended section. Commercial online sources fill this gap by including amendment information after each section as noted below. (With the expansion of the government-published BC Laws, it is now possible to identify specific amendments to consolidated statutes online in BC Laws by using Historical Tables and Tables of Legislative Changes: see Task BC.11.)

TASK BC.10

Locating Amendments Using Quickscribe, Quicklaw, and Westlaw

Has section 2 of the *Adult Guardianship Act*, RSBC 1996, c 6 been amended?

- In Quickscribe, scroll down the list of statutes under My Legislation in the left navigation bar, and choose “Adult Guardianship Act”. In the table of contents for the Act, select the link for section 2, “Guiding Principles”. You will find citations to prior versions of the section and their CIF regulations at the foot of the section.
- Coloured date arrows appear to the left of each amended part of the section. Selecting the arrow opens a box that contains detail about the amending citation, and offers links to the prior versions.

The screenshot shows the Quickscribe 2.0 interface. The main content area displays the following text:

RS1996(Supp)-6-1, 1993-35-1, 1999-25-1, 2000-24-1, 2007-34-1(a),(d) to (l),(o)(part) (B.C. Reg. 14/2011); 2011-5-1 (B.C. Reg. 111/2011); 2007-34-1(f), (g) (part) (B.C. Regs. 25/2014, 131/2013).

Guiding principles

2. This Act is to be administered and interpreted in accordance with the following principles:

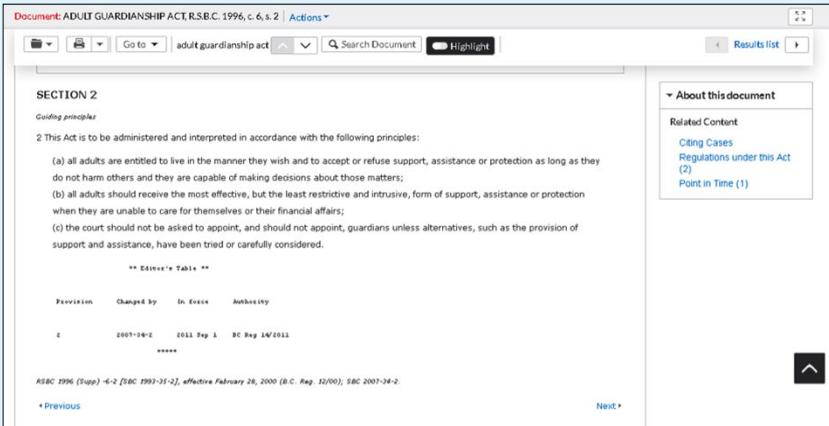
- (a) all adults are entitled to live in the manner they wish and to accept or refuse support, assistance or protection as long as they do not harm others and they are capable of making decisions about those matters;
- (b) all adults should receive the most effective, but the least restrictive and intrusive, form of support, assistance or protection when they are unable to care for themselves or their financial affairs;
- (c) the court should not be asked to appoint, and should not appoint, guardians unless alternatives, such as the provision of support and assistance, have been tried or carefully considered.

RS1996(Supp)-6-2; 1993-35-2, 2007-34-2 (B.C. Reg. 14/2011).

Presumption of capability

3. (1) Until the contrary is demonstrated, every adult is presumed to be capable of making decisions about the adult's personal care, health care and financial affairs.
 (2) An adult's way of communicating with others is not grounds for deciding that he or she is incapable of making decisions about anything referred to in subsection (1).
 RS1996(Supp)-6-3; 1993-35-3, 2007-34-3 (B.C. Reg. 14/2011).

- On Quicklaw, locate the consolidated version of the *Adult Guardianship Act* and navigate to section 2.
- Note the Editor’s Table feature. It provides the amending statute reference, its in-force date, and the process that brought the amendment into force. This information, although unofficial, indicates the official sources—statute and regulation—that brought the amendment into force.



- Alternatively, on Westlaw Canada, under Primary Sources, locate consolidated British Columbia Statutes and find the relevant statute and section number. Note the amendment information line at the bottom of the section, which references the amending statute.

TASK BC.11

Locating Amendments Online Using BC Laws Tables

Determine whether the *Museum Act*, SBC 2003, c 12 has been amended.

- Use the BC Laws government database at <<http://www.bclaws.ca>>. Under Licensed by: Queen’s Printer, under Current, choose “Laws of British Columbia” and then select “Statutes and Regulations”. Scroll down to the Table of Legislative Changes links below the list of alphabet letters. Because the *Museum Act*, SBC 2003, c 12 was enacted in 2003, review both the linked tables: the “Table of Legislative Changes 1st Edition” for information covering the period 1997-2004 and the “Table of Legislative Changes 2nd Edition” for information covering the period 1 January 2005 to the present. Note the online currency dates.
- Search for the *Museum Act*, SBC 2003, c 12 in each table. Amendments that are not in force as of the currency date of the table appear in italics. Amendments that are in force appear in roman type, and the effective date is provided.

Museum Act – RS1996, c. 326
(see Museum Act – 2003, c. 12)

Changes in Force

Section	Change	Citation	Effective date
Act.....	rep.....	2003-12-36.....	1 Apr 2003 (BC Reg 151/03)

Museum Act – 2003, c. 12

Changes in Force

Section	Change	Citation	Effective date
1 to 16.....	en.....	2003-12-1 to 16.....	1 Apr 2003 (BC Reg 151/03)
17.....	en.....	2003-12-17.....	1 Apr 2003 (BC Reg 151/03)
	am.....	2003-71-54.....	29 Mar 2004 (BC Reg 64/04)
18 to 20.....	en.....	2003-12-18 to 20.....	1 Apr 2003 (BC Reg 151/03)
21.....	en.....	2003-12-21.....	1 Apr 2003 (BC Reg 151/03)
	am.....	2003-71-55.....	29 Mar 2004 (BC Reg 64/04)

Museum Act – RS1996, c. 326 [repealed eff 2003; see Museum Act – 2003, c. 12]

Museum Act – 2003, c. 12

Changes Not in Force

Section	Change	Citation	Into force
23.....	am.....	2009-13-195, Sch 1.....	31 Mar 2014 (BC Reg 148/13)

Music Teachers (Registered) Act – RS1996, c. 327

Changes in Force

Section	Change	Citation	Effective date
8.....	am.....	2010-3-4.....	31 Mar 2010 (RA)

- Alternatively, go to the BC Laws database at <<http://www.bclaws.ca>>. Under Licensed by: Queen’s Printer, under Current, choose “Laws of British Columbia” and then select “Statutes and Regulations”. Select the letter M and scroll to the *Museum Act*, SBC 2003, c 12. Select “Tables of Legislative Changes”. This will retrieve the tables for just this statute.
- Note that in this list there is also a “3rd Edition TLC”. This edition does not appear in a print source but shows updates to the information in the Table of Legislative Changes (2nd edition).

Table of Legislative Changes (1st Edition)

MUSEUM ACT			
[SBC 2003] CHAPTER 12			
Changes in Force			
Section	Change	Citation	Effective date
1 to 16	en	2003-12-1 to 16	1 Apr 2003 (BC Reg 151/03)
17	en	2003-12-17	1 Apr 2003 (BC Reg 151/03)
	am	2003-71-54	29 Mar 2004 (BC Reg 64/04)
18 to 20	en	2003-12-18 to 20	1 Apr 2003 (BC Reg 151/03)
21	en	2003-12-21	1 Apr 2003 (BC Reg 151/03)
	am	2003-71-55	29 Mar 2004 (BC Reg 64/04)
22 to 26	en	2003-12-22 to 26	1 Apr 2003 (BC Reg 151/03)
27 to 32	en	2003-12-27 to 32 [conseq]	1 Apr 2003 (BC Reg 151/03)
33	en	2003-12-33 [conseq]	1 Apr 2003 (BC Reg 151/03)
		<ul style="list-style-type: none"> • <2003-12-33 [conseq] am by 2003-37-32 eff 29 May 2003 (RA)> inoperative [s. 33 spent] 	
34 to 36	en	2003-12-34 to 36 [conseq]	1 Apr 2003 (BC Reg 151/03)

Table of Legislative Changes (2nd Edition)

MUSEUM ACT			
[SBC 2003] CHAPTER 12			
Changes Not in Force			
Section	Change	Citation	Into force
23	am	2009-13-195, Sch 1	31 Mar 2014 (BC Reg 148/13)

Table of Legislative Changes (3rd Edition)

MUSEUM ACT			
[SBC 2003] CHAPTER 12			
Changes Not in Force			
Section	Change	Citation	Into force
1	am	2015-27-48	by reg
4	am	2015-27-49	by reg
5	am	2015-27-50	by reg
22	rep	2015-27-51	by reg
Changes in Force			
Section	Change	Citation	Effective date
4	am	BC Reg 262/2014 under RS1996-440-12	22 Dec 2014 (BC Reg 262/2014) continued by 2015-23-42 eff 14 May 2015 (RA)
23	am	2009-13-195,Sch 1	31 Mar 2014 (BC Reg 148/2013)

3. Updating British Columbia Statutes

To update a statute, one can use online resources.

On the recently expanded BC Laws website, under Licensed by: Queen's Printer, under Current, researchers can find consolidations of statutes that are current to within a few weeks of the present date.

Quickscribe publishes a service called *BC Legislative Digest* (BCLD), which offers a customizable email alert system that notifies the researcher of forthcoming legislation changes.

To conduct research past the currency date provided online, go to the cumulative list of bills found on the Legislative Assembly website at <<https://www.leg.bc.ca>>. Choose "Bills and Legislation", "Bills", and then "Progress of Bills", and review the table for the relevant statute.

D. Locating Prior Versions of Statutes

Not all legal questions require analysis of the current consolidated version of an act. Point-in-time (PIT) research (also called period-in-time research) will determine the version of a statute in force on the occurrence of a specific event. Generally, the law that governs the matter is the version of the law that was in force on the date that the event occurred. However, there are exceptions; therefore, review the relevant statute along with relevant interpretive statutes.

1. Conduct Point-in-Time Research: Print

Use the Table of Legislative Changes to locate a list of statute amendments.

- For amendments enacted between 1997 and 2004, use the Table of Legislative Changes (1st Edition) found in the grey pages at the back of volume 2 of the print form of the 2004 *Statutes of British Columbia*.
- For amendments enacted since 2005, use the Table of Legislative Changes (2nd Edition) found in the blue pages in the most recent print annual volume of the *Statutes of British Columbia*. Note the currency date.

TASK BC.12

Conducting Point-in-Time Research: Print

Re-create the *Adoption Act*, RSBC 1996, c 5, s 7 as it appeared on 30 November 2008.

- Locate the Table of Legislative Changes in the most recent print annual SBC volume.
- Locate the *Adoption Act* in the alphabetical list. Note the amendment citations.

Changes Not in Force			
Section	Change	Citation	Into force
7	<i>Am</i>	<i>2011-25-263</i>	<i>By reg</i>

Changes in Force			
Section	Change	Citation	Into force
7	Am	2004-60-34	16 January 2006 (BC Reg 350/05)
	Am	2007-36-2	3 April 2009 (BC Reg 55/09)

- From the amendment citations, select the ones likely to be in force on the relevant date (30 November 2008), noting that italics signal an amendment that may not be in force.

Section	Change	Citation	Into force
7	Am	2004-60-34	16 January 2006 (BC Reg 350/05)

- Check the CIF information for these amendments. Record the CIF date and the CIF authority (e.g. royal assent or regulation).

As of 30 November 2008, section 7 of the *Adoption Act* had been amended only once. Section 34 of SBC 2004, c 60 came into force on 16 January 2006 by BC Reg 350/05. The second amendment, SBC 2007, c 36, s 2, did not come into force until 3 April 2009 and does not apply.

2. Conduct Point-in-Time Research: Online

The BC Laws database enables point-in-time research of individual statutes at the section level. Point-in-time information for statutes in BC Laws is given in a table accompanying each statute, and encompasses amendments made from September 2000 to the present. The table gives the effective date of each amendment, linked to the citation of the amending legislation, regulation, or other CIF information, and the text of the section at the point-in-time immediately preceding the amendment.

CanLII allows comparison of the current version of a British Columbia statute with past versions by using the Compare feature in the Versions tab. Multiple past versions may be available, and two can be compared at any time. The compared versions appear on a split screen and the differences between the two are highlighted. However, the service does not give citations to the amendments that created the differences. As well, the comparisons are of versions as consolidated over particular periods in time rather than a specific point in time selected by the researcher or attributable to a specified amendment.

The Quickscribe and Quicklaw subscription services also allow point-in-time research for British Columbia statutes information. In Quickscribe, the content is called Historical Changes and is presented in a table similar to that in BC Laws for a given statute. Quickscribe also includes information about proposed changes to that statute.

TASK BC.13

Conducting Point-in-Time Research: Online

Using BC Laws, locate point-in-time information for the *Adoption Act*, RSBC 1996, c 5, s 1 as it appeared on 3 April 2009.

- Go to the open BC Laws database at <<http://www.bclaws.ca>>. Under Licensed by: Queen's Printer, under Current, choose "Laws of British Columbia" and then select "Statutes and Regulations". Locate the page with information about the *Adoption Act*: either browse alphabetically from the list to locate the *Adoption Act* page, or search for the *Adoption Act*, RSBC 1996, c 5.
- The first link in the list of options after selecting the *Adoption Act* directs to the text of the Act; the other links listed are shown below.



- Choose “Point in Time”, and then select “Point in Time - Adoption Act”.
- Locate section 1 in the table and link to the corresponding Effective Date column that matches the date sought. There are three links for 3 April 2009 for section 1. Each link will give information about a different part of section 1 that was changed, including the text of those parts prior to the change, e.g. three definitions changed by amendments that took effect 3 April 2009.

“POINT IN TIME” ACT CONTENT
ADOPTION ACT
[RSBC 1996] CHAPTER 5

NOTE: Links below go to act content as it was prior to the changes made on the effective date. (PIT covers changes made from September 6, 2000 to present)

SECTION	EFFECTIVE DATE
1	December 19, 2002
	January 16, 2006
	January 16, 2006
	January 16, 2006
	December 4, 2006
	December 4, 2006
	April 3, 2009
	April 3, 2009
	April 3, 2009
	November 24, 2011
	March 18, 2013
	March 18, 2013
	May 29, 2014
	May 29, 2014
	May 29, 2014
	May 29, 2014
	May 29, 2014

Section 1 definition of "aboriginal child" paragraph (b.2) was added by 2007-36-1(a) effective April 3, 2009 (BC Reg 55/2009).
Section 1 definition of "designated representative" BEFORE amended by 2007-36-1(b) effective April 3, 2009 (BC Reg 55/2009). <p>"designated representative", when used in relation to the Nisga'a Lisims Government, an Indian band or an aboriginal community, means a representative designated in accordance with the regulations;</p>
Section 1 definition of "treaty first nation" was added by 2007-36-1(c) effective April 3, 2009 (BC Reg 55/2009).
Section 1 definition of "post-placement report" BEFORE amended by 2011-25-261 effective November 24, 2011 (Royal Assent). <p>"post-placement report" means a report to court prepared by the director or an adoption agency;</p>
Section 1 definition of "birth father", "birth fathers' registry", "birth mother", "birth parent", and "guardian" BEFORE replaced by "birth mother" and "parents' registry" by 2011-25-262 effective March 18, 2013 (BC Reg 131/2012). <p>"birth father" means a child's biological father; "birth fathers' registry" means the registry referred to in section 10; "birth mother" means a child's biological mother; "birth parent" means a birth father or a birth mother; "guardian" means the guardian of the child's person;</p>
Section 1 definition of "direct placement" BEFORE amended by 2011-25-263 effective March 18, 2013 (BC Reg 131/2012). <p>"direct placement" means the action of a birth parent or other guardian of a child placing the child for adoption with one or 2 adults, none of whom is a relative of the child;</p>

E. Backdating a Statute: Print—Official

As was discussed in Chapter 4, one may wish to investigate and compile a legislative history when researching a statute's purpose, as this information may be discernible in the debates held during the bill passage process. However, if a statute has been revised and consolidated over many years, or perhaps repealed and re-enacted, the legislative intent that led to the act's creation may not be apparent. In these situations, locating the date that the originating or parent act came into force permits a subsequent search of the debates that took place when the statute was in bill form.

Although compiling a legislative history for BC statutes enacted from 1992 onward can be completed online as discussed earlier in this chapter, the researcher must consult print resources for sources that pre-date this period. Moreover, official print resources must be consulted if the purpose for the research addresses a matter that will be discussed in court, as online sources are unofficial in BC at this time. Historical legal research of this nature frequently requires research of print versions of the statutes when this information is not available online for the time period sought.

Earlier in this chapter, the process to locate the effective date of the *Museum Act*, SBC 2003, c 12 was described. The following discussion explains the steps to take to locate the original version of this statute. The original version will be in the *Statutes of British Columbia* (i.e. it will be an annual statute, not a revised statute) and it will not repeal a pre-existing act.

TASK BC.14

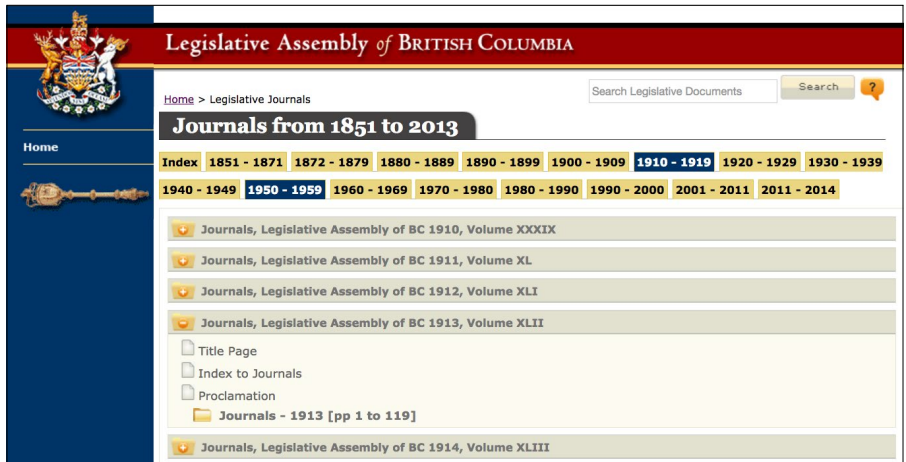
Backdating a Statute

Locate the statute that originated the *Museum Act*, SBC 2003, c 12.

- Locate the version of the statute as enacted, either in the 2003 print version of the annual *Statutes of British Columbia*, or in the third reading version of the bill on the Legislative Assembly website, or Quickscribe, or through the British Columbia Annual Statutes link through Quicklaw. Note that section 36 repeals the pre-existing version of the statute, *Museum Act*, RSBC 1996, c 326.
- The citation to the *Revised Statutes of British Columbia* indicates that the statute had been enacted before the 1996 statute revision. Locate the statute in the 1996 RSBC, and find the Historical Table at the end of the statute.
- The Historical Table lists each section of the statute and provides a citation reference to the previous version of the statute. If amendments were made to the section, they would be listed after the citation to the previous version of the statute. The citation to the previous revision of the *Museum Act* is RSBC 1979, c 293.
- Locate the 1979 version of the *Revised Statutes of British Columbia* and find chapter 293. The Historical Table found in the 1996 version of the RSBC does not exist in the 1979 version, or in previous versions of the RSBC. Instead, a reference to the previous version of the statute is located after each section of the Act itself; in this case the notation is 1967-41 and refers to chapter 41 of the 1967 statutes volume.
 - Since there was no revision of BC statutes in 1967, this reference must be to an annual statute as enacted, or SBC 1967. If it is the originating or parent act to the *Museum Act*, SBC 2003, c 12, there will be no reference to a repeal of an earlier version of the statute.
- Find the 1967 volume of the annual *Statutes of British Columbia*, and examine chapter 41. The *Act respecting the Provincial Museum* was assented to and took effect on 23 March 1967. Since section 11 repeals the *Provincial Museum Act*, backdating must continue. The citation reference provided to the earlier version of the statute is to RSBC 1960, c 311.
- Locate the 1960 *Revised Statutes of British Columbia*, chapter 311. The previous version of the *Provincial Museum Act* is found in RSBC 1948, c 273. Backdating further leads to RSBC 1936, c 231, then to RSBC 1924, c 208, and finally to SBC 1913, c 50.
- This final citation reference indicates the originating or parent statute, which was enacted in 1913 and was assented to and in effect on 21 February 1913. It does not repeal any pre-existing version of the *Museum Act*. Therefore, it is the originating or parent act of the *Museum Act*, SBC 2003, c 12.

- To research the record of debates that took place during the bill passage process, examine the archived *Journals* online at BC Laws; under Legislative Documents in the left navigation bar, choose “Archived Journals”.

FIGURE BC.3 Using Archived Journals to Locate Historical Debates



- Use the *Index to Journals* to find the location references to the *Journals*, then locate the references in the *Journals* using page numbers. Recall that the verbatim record of debates in *Hansard* did not commence until 1970, so the researcher must refer to the *Journals*, and the summary of the minutes of *Votes and Proceedings*.

FIGURE BC.4 Locating Debates Using the Index to Journals

3 GEO. 5 INDEX TO JOURNALS. iii.

INDEX TO JOURNALS.

— — — — —
 FORTY-SECOND VOLUME.
 — — — — —

MEANING OF TERMS USED.

1 R.—First Reading. 2 R.—Second Reading. 3 R.—Third Reading.	Com.—Committee of the Whole. R.A.—Royal Assent.
--	--

ADDRESSES:

By His Honour the Lieutenant-Governor, 2, 119.
 In Reply, 7, 10, 11, 12, 13, 16.

ASSENT TO BILLS, 59, 116.

BILLS:

No. 1.—*County Courts.* 1 R., 4; 2 R., 17; Com., 19, 66; Report, 68; 3 R., 73; R.A., 116.

„ 2.—*Revenue.* Message, 14; 1 R., 14; 2 R., 26; Report, 27; 3 R., 32; R.A., 59.

„ 3.—*Auditor-General.* Message, 12; 1 R., 13; 2 R., 21; Com., 23, 24, 25, 32; 3 R., 33; R.A. 59.

„ 4.—*Pool-rooms.* Message, 13; 1 R., 13; 2 R., 17; Com., 19; 3 R., 57; R.A., 59.

„ 5.—*Civil Service.* Message, 14; 1 R., 14; 2 R., 20; Com., 21, 22, 27; 3 R., 32; R.A., 59.

→ „ 6.—*Provincial Museum.* Message, 19; 1 R., 19; 2 R., 20; Com., 22; Report, 24; 3 R., 25; R.A., 59.

„ 7.—*Distress.* 1 R., 16; 2 R., 19; Com., 22; Report, 76; 3 R., 99; R.A., 116.

„ 8.—*Attachment of Debt.* 1 R., 16; 2 R., 19; Com., 22, 75; 3 R., 99; R.A., 116.

„ 9.—*Offensive Weapons.* 1 R., 18; 2 R., 26; Com., 27, 66; Report, 68; 3 R., 73; R.A., 116.

„ 10.—*British Columbia Fire Insurance.* Message, 28; 1 R., 28; 2 R., 33; Com., 73, 106; Report, 107; 3 R., 110; R.A., 116.

„ 11.—*Landlord and Tenant.* 1 R., 18; 2 R., 27; Com., 32; 3 R., 76; R.A., 116.

„ 13.—*Improvements in Municipalities.* 1 R., 21; 2 R., 33; Com., 45, 50, 57, 66; Report, 68; 3 R., 99; R.A., 116.

„ 14.—*Bulkley Valley Map.* 1 R., 21; 2 R., 25; 3 R., 32; R.A., 59.

„ 15.—*Strathcona Park.* Message, 25; 1 R., 25; 2 R., 28; Com., 32; Report, 53; 3 R., 55; R.A., 59.

„ 16.—*Mount Robson Park.* Message, 26; 1 R., 26; 2 R., 28; Com., 32, 64; Report, 66; 3 R., 68; R.A., 116.

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IV. Working with Regulations

A. Locating Regulations

In BC as in other jurisdictions, regulations are used to detail the specifics of a statute's implementation.²⁶ A regulation is subordinate legislation that derives its authority from an enabling statute, although not all statutes provide authority to create regulations. If a statute provides for the creation of regulations, the Lieutenant Governor in Council will be granted the requisite authority. Once a regulation is created pursuant to the authority of an enabling statute, it is deposited with the Registrar of Regulations²⁷ and printed in the *British Columbia Gazette*, Part II.²⁸ To determine whether regulations exist, use the title of the enabling statute to search for relevant regulations. Use the regulation number and year deposited to locate the full text of the regulation both in print and online.

A citation to a regulation as enacted is formatted as: BC Reg 13/2000. The components of the citation are:

- BC Reg: Abbreviation for "British Columbia Regulation"
- 13: Regulation number
- 2000: Year the regulation was deposited

While lawyers frequently require a current consolidated version of a regulation that contains all amendments made to the regulation since the original was created and deposited, at times the original version of the regulation as deposited with the Registrar of Regulations and as printed in the *Gazette*, Part II is required.

The Queen's Printer for British Columbia publishes and prints the official *British Columbia Gazette*, Parts I and II pursuant to the *Queen's Printer Act*.²⁹ Currently, only the print version of the *Gazette* published by the Queen's Printer is considered official in BC. The *British Columbia Gazette*, Part I is published weekly and contains proclamations, legal notices, and government notices. The *British Columbia Gazette*, Part II is also published weekly and contains regulations and a weekly index.

26 As discussed earlier, since 1983, regulations are also used in BC for the specific purpose of bringing a statute into force, at which point they are considered spent.

27 *Supra* note 14, s 3.

28 *Ibid*, s 5.

29 *Supra* note 18, s 7.

The official print version of the *Gazette*, Part II is available in the print holdings of large libraries or is available for purchase from Crown Publications, Queen's Printer at <<http://www.crownpub.bc.ca>>. Online access to the unofficial full text of the *British Columbia Gazette* from 2001 onward is also freely accessible in the BC Laws database and provided through commercial subscription-based services such as Quickscribe.

The cumulative *Index of Current BC Regulations* is published every six months and contains regulation information from 1958 on.

1. Locating Original Unrevised Regulations: Print

To view the original unrevised regulation as registered, use the print version or a subscription service that provides period-in-time versions of regulations.

TASK BC.15

Using the Index of Regulations

Locate the *Adult Guardianship (Abuse and Neglect) Regulation* made under the *Adult Guardianship Act*, RSBC 1996, c 6.

- Using a library catalogue, locate the *Index of Current BC Regulations*. Select the most recent print index. It is updated twice yearly by the Office of the Legislative Counsel and provides regulation information from 1958 on. Regulations bringing acts into force are not included in this index. Note the currency date on the first page.
- Search alphabetically by enabling statute title to find the relevant enabling statute. Locate the *Adult Guardianship Act*, RSBC 1996, c 6. Ensure accuracy by verifying that the proper statute title, containing the citation reference RSBC 1996, c 6, has been selected.
- Review the regulation information listed under the *Adult Guardianship Act*, RSBC 1996, c 6. The information provided indicates that the *Adult Guardianship (Abuse and Neglect) Regulation* is cited as BC Reg 13/2000.

Adult Guardianship Act, RSBC 1996, c 6

Adult Guardianship (Abuse and Neglect) Regulation 13/2000

- To view the official full text of Regulation 13/2000, locate the bound volume or weekly issues of the *British Columbia Gazette*, Part II for the year 2000.
- Browse the regulations or the index to locate Regulation 13, which is found in the print issue of 1 February 2000 (vol 34, no 2) at page 120.
- Locate the CIF information for this regulation to verify its effective date.

2. Finding Original Regulations as Registered: Online—Unofficial

Online access to original regulations as registered is limited. This is in contrast to consolidations of regulations, which are easily accessible online, as discussed later in this chapter.

The Legislative Assembly website at <<https://www.leg.bc.ca>> provides information regarding original regulation numbers from 1998 to the present in cumulative indexes; however, they are not linked to the full text of the regulations. To access a cumulative index, choose “Bills and Legislation” at the bottom of the main page, then “BC Regulations Bulletins”. Select “List of [year] Bulletins”, then “Cumulative Regulations Bulletin [date]”.

Use the BC Laws database at <<http://www.bclaws.ca>> to locate the *Gazette*, Part II online. The full text of original regulations is presented online from 2001 to the present.

TASK BC.16

Locating Regulations Online: Full Text—Unofficial

Locate the original regulation BC Reg 47/2010 made pursuant to the *Adoption Act*, RSBC 1996, c 5.

- Using BC Laws at <<http://www.bclaws.ca>>, locate the links to the *Gazette* under Licensed by: Queen’s Printer, under Current. Select “Gazette Part II”, which contains original regulations.
- Choose the second link for content from 2001 to the year preceding the current year, then choose the link “Volume 53, Regulations 2010”, since the regulation citation references 2010. The listing shows that issue No. 4 of March 9 includes regulations numbered from 47 to 68. Choose the link for No. 4.
- One can access the full text of the original regulation in one of two ways: either choose the direct link to Regulation 47 (“47/2010 — 103/2010”) to view its full text, or find the regulation by way of the Index link: find the *Adoption Act* and select the linked text beneath it.
- One can also locate the CIF date for this regulation to determine its effective date. Order in Council 103/2010 refers to the deposit of BC Reg 47/2010. Unless another “effective date” is specified, the CIF date is the deposit date. Here, there is no stated effective date, so the CIF date is 1 March 2010.
- The date in the top right corner, “March 9, 2010”, is the *Gazette* record publication date for this regulation, whereas the deposit date is noted as “March 1, 2010”.

- This is not an official version of the regulation. Only the print version of this regulation found in the *British Columbia Gazette*, Part II is considered official.

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Volume 53, No. 4
B.C. Reg. 47/2010

The British Columbia Gazette, Part II
March 9, 2010

B.C. Reg. 47/2010, deposited March 1, 2010, pursuant to the **ADOPTION ACT** [Sections 80, 91 (2) (a) and (u)] and the **FINANCIAL ADMINISTRATION ACT** [Section 19]. Order in Council 103/2010, approved and ordered March 1, 2010.

On the recommendation of the undersigned, the Administrator, by and with the advice and consent of the Executive Council, orders that, effective April 1, 2010,

(a) section 5 of the Adoption Fees Regulation, B.C. Reg. 293/96, is repealed and the following substituted:

Remission of fees


5 (1) Approval of the Lieutenant Governor in Council is given for the remission of the obligation to pay any fee under this regulation if, in respect of the person who must pay the fee, the family unit of which that person is a part has, in the current calendar year, a before-tax annual income equal to or less than the low-income measures established by Statistics Canada for the most recent calendar year for family units of that size plus 10%.

(2) If a person must pay more than one fee under this regulation, "fee" for the purpose of subsection (1) means the sum of all fees payable by that person under this regulation. , and

(b) the Adoption Regulation, B.C. Reg. 291/96, is amended as set out in the attached Schedule.

-; M. POLAK, Minister of Children and Family Development and Minister Responsible for Child Care; C. HANSEN, Presiding Member of the Executive Council.

CUTOFF DATE:
March 9, 2010



BRITISH COLUMBIA

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O.C. No.	Reg. No.
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Adoption Act — 103/2010 Amending B.C. Regs. 293/96 — Adoption Fees Regulation and 291/96 — Adoption Regulation, both effective April 1, 2010	47/2010

B. How Regulations Come into Force

Before a regulation can have the effect of law, it must come into force. The *Regulations Act*³⁰ provides that a regulation comes into force on the date of its deposit with the Registrar of Regulations unless an earlier or later date is specified in the regulation. Review the full text of the original regulation to determine the CIF date. The date of deposit usually appears at the top in the introductory line of the text of the regulation, just after the citation. An order in council number accompanies the deposit of a regulation.

In the alternative, access the BC Regulations Bulletins online through the Legislative Assembly website or through the BC Laws database for information regarding the CIF dates of regulations. Search by enabling statute title.

TASK BC.17

Locating CIF Information for Regulations

Locate the CIF information for the *Adult Guardianship (Abuse and Neglect) Regulation*, BC Reg 13/2000, made pursuant to the *Adult Guardianship Act*, RSBC 1996, c 6, using the BC Regulations Bulletins online.

- Access the BC Regulations Bulletins via the link in the BC Laws database at <<http://www.bclaws.ca>>. Under Legislative Documents in the left navigation bar, choose “Regulation Bulletins”. Select “List of 2000 Bulletins”, then “Cumulative Regulations Bulletin, December 29, 2000”.
- As described in Section I.E, the Regulations Bulletins can also be accessed via the Legislative Assembly’s website at <<https://www.leg.bc.ca>>: Choose “Bills and Legislation”, then select “BC Regulations Bulletins”, and proceed the same way.
- In the table organized alphabetically by enabling act, locate the *Adult Guardianship Act*, RSBC 1996, c 6, and look in the Reg. No. column on the right for Reg No 13/2000. In the column to its right is the deposit date: “Jan. 28/00”.

30 *Supra* note 14, s 4.

- The table also indicates that the regulation, though deposited 28 January 2000, specifies that it is effective 28 February 2000. Thus, the CIF date for the *Adult Guardianship (Abuse and Neglect) Regulation*, BC Reg 13/2000 is 28 February 2000, the later date specified in the regulation. The far left column shows the associated order in council number to be 35/2000.

Adult Guardianship Act -			
34/2000	R.S.B.C. 1996, c. 6 - sections 1 to 3 and 44 to 53, 54 (1), (2) (a) to (d) and (f) to (i) and (3) and 55 to 64 of the Act in force February 28, 2000; repealing B.C. Reg. 199/99 effective January 28, 2000	12/2000	Jan. 28/00
35/2000	Adult Guardianship (Abuse and Neglect) Regulation effective February 28, 2000	13/2000	Jan. 28/00
Public Trustee	Designated Agencies Regulation, effective February 28, 2000	76/2000	Feb. 24/00
Public Guardian and Trustee	Amending B.C. Reg. 76/2000 - Designated Agencies Regulation	339/2000	Oct 3/00

- The Cumulative BC Regulations Bulletin shows the same information: the regulation name and effective date, the associated order in council number in the left column, and the deposit date in the right column.

Cumulative BC Regulations Bulletin, December 29, 2000			
Order in Council No.		Reg. No.	Deposit Date
	<i>Adult Guardianship Act</i>		
35/2000	<i>Adult Guardianship (Abuse and Neglect) Regulation, effective February 28, 2000</i>	13/2000	Jan. 28/00

C. How British Columbia Regulations Are Amended and Consolidated

British Columbia has not adopted the practice of periodically producing a set of revised regulations as it has done for its statutes. However, like statutes, regulations can be amended from time to time. For convenience, the BC Queen’s Printer publishes office consolidations of regulations and their amendments in print loose-leaf format volumes and online. If a consolidated version of the regulation is acceptable for research purposes, the researcher can use the current consolidations available in loose-leaf, as well as online on BC Laws, where they are organized by enabling statute, or on CanLII, where they are organized alphabetically.

The BC Laws website is an unofficial source for current consolidated British Columbia regulations as it is for other legislative content. Regulations are listed alphabetically under their enabling statutes. The unofficial current consolidated

full text of each regulation, along with its enabling statute, can be viewed online. If amendments have been made to a regulation since the last official consolidation, a note beneath the regulation's title provides this information. For example, the *Adult Guardianship (Abuse and Neglect) Regulation* “includes amendments up to B.C. Reg. 13/2011, September 1, 2011” and the researcher is directed to consult Cumulative Regulation Bulletins for 2014 and 2015 for subsequent changes (i.e. the current year and the preceding complete year). See Task BC.18. CanLII provides online access to current consolidations of BC regulations from 1 January 2009 to the present.

1. Locating Consolidated Regulations Using BC Laws: Online

TASK BC.18

Locating Consolidated Regulations Using BC Laws

Locate the consolidated regulations made pursuant to the *Adoption Act*, RSBC 1996, c 5 using BC Laws.

- Go to the BC Laws database at <<http://www.bclaws.ca>>. Under Licensed by: Queen's Printer, under Current, choose “Laws of British Columbia” and then select “Statutes and Regulations”.
- Locate consolidated regulations by accessing the enabling statute, the *Adoption Act*.
- On the page for the *Adoption Act*, select the “Regulations” link. Note that three regulations are prescribed under this statute. Consolidations of Regulations 291/96 - Adoption Regulation, 292/96 - Adoption Agency Regulation, and 293/96 - Adoption Fees Regulation are available in full text.



- The currency date of a regulation is provided on the full-text page under the regulation title. The consolidation of the *Adoption Agency Regulation*, for instance, includes amendments up to BC Reg 351/2012, 18 March 2013. Researchers are reminded to check the Cumulative Regulation Bulletins for 2014 and 2015 for non-consolidated amendments that may be in effect. Regulations are updated on a continuous basis. Via a link beneath the currency

line at the top of the regulation, point-in-time regulation consolidations are also available and allow the researcher to see the text of versions prior to the most recent amendments.

B.C. Reg. 292/96 O.C. 1227/96	Deposited November 4, 1996 effective November 4, 1996
Adoption Act ADOPTION AGENCY REGULATION	
Note: Check the Cumulative Regulation Bulletin 2014 and 2015 for any non-consolidated amendments to this regulation that may be in effect. [includes amendments up to B.C. Reg. 351/2012, March 18, 2013]	
Point in Time	
Contents	
Part 1 – Interpretation	
1 Definitions	
Part 2 – Licensing	
2 Application for a licence	
3 Application to renew a licence	
4 Criminal record check	
5 Conditions of a licence	
6 Suspension or cancellation of a licence	
7 Appeal from a decision of the Provincial director	
8 Provision of services when agency ceases operations	

2. Locating Consolidated Regulations Using CanLII: Online

TASK BC.19

Locating Consolidated Regulations Using CanLII

Locate consolidated regulations passed under the *Adult Guardianship Act*, RSBC 1996, c 6 using CanLII.

- Go to CanLII at <<http://www.canlii.org/en/>>; under Browse choose “British Columbia”, then under Legislation select “Statutes and Regulations”.
- Under Consolidated Statutes of British Columbia, choose the letter A.
- In the table, scroll down to the *Adult Guardianship Act*, RSBC 1996, c 6 in the Statutes column. In the Enabled Regulations column, select “3 Regulations” to open a list of consolidated regulations.
- Three regulations have been passed: the *Adult Guardianship (Abuse and Neglect) Regulation*, BC Reg 13/2000; the *Designated Agencies Regulation*, BC Reg 19/2002; and the *Statutory Property Guardianship Regulation*, BC Reg 115/2014.

D. Updating British Columbia Regulations

1. Updating Regulations: Print

Using the *Index of Current BC Regulations*, search alphabetically for the name of the enabling act and review the list of regulations that follow. Amendments listed in roman type are in force. Amendments that are not in force appear in italics, which alerts the researcher that further research may be required. Note the currency date on the first page of the Index.

To update the regulation, review each issue of the *British Columbia Gazette*, Part II that has been published since the currency date located on the *Index of Current BC Regulations*.

2. Updating Regulations: Online

Generally, the online consolidated regulations available on BC Laws are updated on a continuous basis. Locate the currency information provided by the database on the date of online access.

3. Locating Prior Versions of Regulations

Not all legal issues require analysis of the current consolidated regulation. Point-in-time research will determine the version of a regulation in force on the occurrence of a specific event.

As it does for statutes, CanLII allows comparison of the current version of a regulation against past versions by using the Compare feature. The two versions appear on a split screen and changes are highlighted. The service does not provide amendment citations, and past versions are consolidated over time, not by period-in-time.

BC Laws provides historical and some point-in-time versions of regulations. For historical research purposes, a table of Defunct Regulations is provided on QP LegalEze.

TASK BC.20

Point-in-Time Regulation Research Online: BC Laws

Locate the PIT content online using BC Laws for BC Reg 293/96 made by the authority of the *Adoption Act*, RSBC 1996, c 5.

- Go to BC Laws at <<http://www.bclaws.ca>>. Under Licensed by: Queen’s Printer, under Current, choose “Laws of British Columbia” and then select “Statutes and Regulations”. Search by enabling act title.
- Choose the letter A to locate the *Adoption Act*, RSBC 1996, c 5. Select the “Regulations Point in Time” link.
- Select the link “Point in Time - 293/96: Adoption Fees Regulation”.
- This page provides the content of sections 4 and 5 of the regulation as each appeared before the changes that were made to each by BC Reg 349/2012 effective 18 March 2013 and by BC Reg 47/2010 effective 1 April 2010, respectively.

"POINT IN TIME" REGULATION CONTENT

Adoption Act
ADOPTION FEES REGULATION
B.C. Reg. 293/96

NOTE: Links below go to reg content as it was prior to the changes made on the effective date. (PIT covers changes made from September 19, 2009 to present)

SECTION	EFFECTIVE DATE
Section 4	March 18, 2013
Section 5	April 1, 2010

Section 4(a) BEFORE amended by BC Reg 349/2012 effective March 18, 2013.

(a) who is in the continuing custody of a director under the *Child, Family and Community Service Act* or under the guardianship of a director under that Act referred to in section 29 (3) (a) of the *Family Relations Act*, or

Section 5 BEFORE re-enacted by BC Reg 47/2010 effective April 1, 2010.

Remission of fee

5 Approval of the Lieutenant Governor in Council is given for the remission of the obligation to pay all or a portion of any fee under this regulation or for the remission of all or a portion of any fee paid under this regulation, in the same proportion as is provided in section 7 of Schedule D of the BC Benefits (Income Assistance) Regulations, B.C. Reg. 272/96, as it was before its repeal, for the cost of family support services, if, in respect of the person who must pay or has paid the fee, the family unit meets the monthly net income level established under that Schedule D, with section 4 (b) of that Schedule D deemed to apply, for eligibility for financial subsidies in respect of family support services.

[am. B.C. Reg. 350/2005, Sch. 2, s. 2.]