

MOTION IN AMENDMENT

BILL 7

I, Honourable Niki Sharma, move, in Committee of the Whole, on

Bill 7

Economic Stabilization (Tariff Response) Act

to amend as follows:

CLAUSE 3, by adding the underlined text as shown:

Amending regulatory provisions

3 (1) In this section:

“**agreement**” means an agreement or arrangement relating to trade entered into under section 5 (a) (i) of the *Ministry of International Business and Immigration Act* on or after March 3, 2025;

“**authorizing enactment**” means an enactment under which a regulatory authority may make a regulatory provision;

“**regulatory authority**” means a person or other body, whether or not a governmental entity and including any other prescribed person or body, that has, by an enactment, been granted authority to enact a regulatory provision related to any of the following:

- (a) the establishment of standards or certification requirements relating to goods or services;
- (b) the assessment of goods or services against established standards or certification requirements;
- (c) the official recognition that a good or service meets established standards or certification requirements;

“**regulatory provision**” means a bylaw, rule, resolution, practice, policy, standard, procedure, measure or other record that

- (a) is made under an authorizing enactment, and
- (b) affects or may affect the trade in goods or supply of services into British Columbia.

(2) A regulatory authority’s ability under an authorizing enactment to make a regulatory provision includes the power to

- (a) amend the regulatory provision to make it comply with this Part, the regulations made under this Part or an agreement, and
 - (b) repeal the regulatory provision if it does not comply with this Part, the regulations made under this Part or an agreement.
- (3) The minister charged with the administration of the Act under which a regulatory provision is made
 - (a) may request the regulatory authority to amend the regulatory provision to make it comply with this Part, the regulations made under this Part or an agreement and, in doing so, may provide directions as to how the regulatory provision should read or what it should or should not contain, or
 - (b) may request the regulatory authority to repeal the regulatory provision.
- (4) If the regulatory authority does not comply with a request made under subsection (3) within 60 days after the date of the request, the requesting minister may, by order, do one or more of the following:
 - (a) make a regulatory provision that complies with this Part, the regulations made under this Part or an agreement;
 - (b) amend a regulatory provision to make it comply with this Part, the regulations made under this Part or an agreement;
 - (c) repeal a regulatory provision that does not comply with this Part, the regulations made under this Part or an agreement.
- (5) A regulatory provision made or amended under subsection (2) (a) or (4) (a) or (b) prevails if there is a conflict or inconsistency between
 - (a) the regulatory provision made or amended under subsection (2) (a) or (4) (a) or (b), and
 - (b) a bylaw, rule, resolution, practice, policy, standard, procedure, measure or other record made under the applicable authorizing enactment.
- (6) This section prevails if there is a conflict or inconsistency between
 - (a) this section, and
 - (b) any other enactment or any other record of, or applicable to, a regulatory authority.
- (7) A request made under subsection (3) must be published as soon as practicable by the minister on a publicly available website.

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to amend as follows:

CLAUSE 6, by deleting the text shown as struck out and adding the underlined text as shown:

Definitions for this Part

6 In this Part:

~~“government procurement entity” means~~

- ~~(a) a government organization, as defined in the *Budget Transparency and Accountability Act*, other than a corporation or organization that is excluded from this definition by regulation under section 11 of this Act, and~~
- ~~(b) a corporation or organization that is included in this definition by regulation under section 11;~~

“government procurement entity” means a government organization, as defined in the *Budget Transparency and Accountability Act*;

“procurement”, in relation to the procurement of goods or services, includes sourcing, selecting, receiving and contracting for goods or services and other steps taken to acquire goods or services;

“protected person” means the following:

- (a) a government procurement entity;
- (b) a person who is a member, director, officer or employee of a government procurement entity.

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to amend as follows:

CLAUSE 7, by adding the underlined text as shown:

Procurement directives

- 7 (1) The Lieutenant Governor in Council may issue directives in relation to the procurement of goods or services by the government or government procurement entities.
- (2) This section applies despite sections 4 and 4.1 of the *Financial Administration Act*.
- (3) If there is a conflict or inconsistency between an enactment and a directive issued under subsection (1), the directive prevails.
- (4) A government procurement entity must comply with a directive of the Lieutenant Governor in Council issued to the government procurement entity.
- (5) A directive issued under subsection (1) must be published as soon as practicable by the minister on a publicly available website.

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Economic Stabilization (Tariff Response) Act

to amend as follows:

CLAUSE 10, by deleting the text shown as struck out and adding the underlined text as shown:

General powers respecting directives

- 10** (1) In issuing a directive under this Part, the Lieutenant Governor in Council may do one or more of the following:
- ~~(a) delegate a matter to a person;~~
 - (a) delegate a matter to
 - (i) a minister,
 - (ii) a person who is employed in the government, or
 - (iii) a person who is a member, director, officer or employee of a government procurement entity;
 - ~~(b) confer a discretion on a person;~~
 - (b) confer a discretion on
 - (i) a minister,
 - (ii) a person who is employed in the government, or
 - (iii) a person who is a member, director, officer or employee of a government procurement entity;
 - (c) establish terms and conditions;
 - (d) provide for exemptions;
 - (e) establish or define classes of government procurement entities, procurements, goods, services, circumstances, matters or other things;
 - (f) make different directives in relation to different ministries, government procurement entities, procurements, goods, services, circumstances, matters or other things, or different classes of government procurement

entities, procurements, goods, services, circumstances, matters or other things.

- (2) A directive issued on or before June 30, 2025 under this Part may be made retroactive to February 1, 2025 or a later date and, if made retroactive, is deemed to have been issued on the specified date.

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to amend as follows:

CLAUSE 11, by deleting clause 11.

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Bill 7

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to amend as follows:

CLAUSES 19 to 26, by deleting clauses 19 to 26.

The Honourable Niki Sharma

7 *Rob Botterell* to move, in Committee of the Whole on Bill (No. 7) intituled *Economic Stabilization (Tariff Response) Act*, to amend as follows:

CLAUSE 28.1, by adding the underlined text as shown:

Reporting

28.1 The minister responsible for the administration of a regulation that is made, amended, or repealed under this Act must, as soon as practicable, publish the following on a publicly accessible website maintained by or on behalf of the ministry:

- (a) a summary of the regulation
 - (i) that is made, or
 - (ii) as amended;
- (b) the rationale for the enactment, amendment or repeal of the regulation;
- (c) any other prescribed information.

7 Rob Botterell to move, in Committee of the Whole on Bill (No. 7) intituled *Economic Stabilization (Tariff Response) Act*, to amend as follows:

CLAUSE 28.2, by adding the underlined text as shown:

Review of the Act

- 28.2** (1) In this section, “select standing committee” means the select standing committee of the Legislative Assembly that is designated for the purposes of this section.
- (2) A regulation made under section 3 (4), 5, 7, 14, 18, or 28 stands referred to the select standing committee.
- (3) If a regulation is made under section 3 (4), 5, 7, 14, 18, or 28, a copy of the regulation must be filed as soon as practicable with the select standing committee by the minister charged with the administration of the section under which the regulation is made.
- (4) Within 30 days after the date a regulation is filed under subsection (3), the select standing committee must begin a review of the regulation.
- (5) On or before September 1, 2027, the select standing committee must present a final report to the Legislative Assembly.
- (6) The select standing committee may file any interim reports and the final report with the Clerk of the Legislative Assembly if the Legislative Assembly is not sitting.

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to amend as follows:

CLAUSE 29, by deleting the text shown as struck out and adding the underlined text as shown:

Repeal

- 29** (1) Subject to subsection (2), the following are repealed on May 28, ~~2027~~2026:
- (a) Part 1;
 - (b) sections 6, 7, and 10 ~~and 11~~;
 - (c) Part 3;;
 - ~~(d) sections 19 to 24.~~
- (2) The Lieutenant Governor in Council may, by regulation, repeal a provision of this Act referred to in subsection (1) (a) to ~~(d)~~(c) on a date earlier than May 28, ~~2027~~2026.
- (3) Unless earlier repealed, a regulation made under this Act is repealed on May 28, ~~2027~~2026.

The Honourable Niki Sharma