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First Session, Forty-third Parliament  
3 Charles III, 2025  
Legislative Assembly of British Columbia

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**BILL 10**

**ATTORNEY GENERAL STATUTES  
AMENDMENT ACT, 2025**

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Honourable Niki Sharma  
Attorney General and Deputy Premier

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## **Explanatory Notes**

CLAUSE 1: ***[Judicial Compensation Act, section 21]***

- updates the pension entitlement for an unreduced pension based on non-judicial pensionable service accrued from 2018 onwards, and
- updates the pension entitlement for an unreduced pension based on non-judicial pensionable service accrued before 2018.

CLAUSE 2: ***[Judicial Compensation Act, section 21]*** updates the pension entitlement for an unreduced pension based on non-judicial pensionable service accrued from 2006 to 2018.

**BILL 10 – 2025**

**ATTORNEY GENERAL STATUTES  
AMENDMENT ACT, 2025**

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

*Judicial Compensation Act*

**1     *Section 21 (4) of the Judicial Compensation Act, S.B.C. 2003, c. 59, is amended***

***(a) in paragraphs (e) and (g) by adding “and before April 1, 2018” after “on and after January 1, 1966”,***

***(b) by adding the following paragraph:***

***(e.1) 1.85% of the member’s highest average salary multiplied by the number of years of pensionable service accrued on and after April 1, 2018 that are not judicial service; , and***

***(c) by repealing paragraph (f) and substituting the following:***

***(f) 2% of the excess of the member’s highest average salary over 1/12 of the year’s maximum pensionable earnings for the calendar year immediately before the calendar year of the effective date of the pension, multiplied by the number of years of pensionable service accrued on and after January 1, 1966 and before April 1, 2018 that are not judicial service; .***

**2     *Section 21 (4) is amended***

***(a) in paragraphs (e) and (g) by striking out “and before April 1, 2018” and substituting “and before April 1, 2006”, and***

CLAUSE 2:     *[Judicial Compensation Act, section 21 – continued]*

CLAUSE 3:     *[Judicial Compensation Act, section 21]* updates the pension entitlement for an unreduced pension based on non-judicial pensionable service accrued from 2022 onwards.

CLAUSE 4:     *[Judicial Compensation Act, section 22]* updates certain pension entitlements for a reduced pension based on non-judicial pensionable service in relation to age and contributory service.

***(b) by adding the following paragraphs:***

(e.2) 1.65% of the lesser of

(i) the member's highest average salary, and

(ii) 1/12 of the year's maximum pensionable earnings for the calendar year immediately before the calendar year of the effective date of the pension

multiplied by the number of years of pensionable service accrued on and after April 1, 2006 and before April 1, 2018 that are not judicial service;

(g.1) an amount, payable until the earlier of the member reaching age 65 and the death of the member, that is 0.35% of the lesser of

(i) the member's highest average salary, and

(ii) 1/12 of the year's maximum pensionable earnings for the calendar year immediately before the calendar year of the effective date of the pension

multiplied by the number of years of pensionable service accrued on and after April 1, 2006 and before April 1, 2018 that are not judicial service; .

**3     *Section 21 (4) is amended***

***(a) in paragraph (e.1) by adding “and before April 1, 2022” after “on and after April 1, 2018”, and***

***(b) by adding the following paragraph:***

(e.3) 1.95% of the member's highest average salary multiplied by the number of years of pensionable service accrued on and after April 1, 2022 that are not judicial service; .

**4     *Section 22 (2) is repealed and the following substituted:***

(2) A member entitled to a reduced pension under subsection (1) is entitled to receive a pension calculated in accordance with section 21 but reduced as follows and prorated in accordance with subsection (3):

(a) for judicial service, reduced by 5% as follows:

(i) if the member has 2 or more years of contributory service, for each year of age by which the member's age is less than age 60;

(ii) if the member has reached age 55 while an active member and has less than 2 years of contributory service, for each year of age by which the member's age is less than age 65;

CLAUSE 4:     *[Judicial Compensation Act, section 22 – continued]*

CLAUSE 5:     *[Land Title Act, section 265]* repeals a provision that is to be incorporated into section 266 of the Act.

CLAUSE 6:     *[Land Title Act, section 266]*

- sets out the circumstances in which the section applies;
- incorporates a provision that is to be moved from section 265 of the Act.

- (b) for service that is not judicial service before April 1, 2018, reduced by 5% as follows:
    - (i) if the member has 2 or more years of contributory service, for each year of age by which the member's age is less than age 60;
    - (ii) if the member has reached age 55 while an active member and has less than 2 years of contributory service, for each year of age by which the member's age is less than age 65;
  - (c) for service that is not judicial service on or after April 1, 2018, reduced as follows:
    - (i) if the member has 2 or more years of contributory service, reduced by 6.2% for each year of age by which the member's age is less than age 60;
    - (ii) if the member has reached age 55 while an active member and has less than 2 years of contributory service, reduced by 5% for each year of age by which the member's age is less than age 65.
- (3) If, in making a reduction under subsection (2) (a), (b) or (c), a member's age includes a fraction of a year, the percentage must be prorated by that fraction.

***Land Title Act***

**5     *Section 265 of the Land Title Act, R.S.B.C. 1996, c. 250, is repealed.***

**6     *Section 266 is amended***

***(a) by adding the following subsections:***

- (0.1) This section applies in relation to the death of a will-maker or intestate unless the conditions set out in section 266.1 (1) apply.
- (0.2) Except as provided in section 269, an application to register a transmission of land or charge consequent on the death of a will-maker or intestate occurring before April 1, 1947 must not be dealt with by the registrar unless there is filed in the land title office
  - (a) a certified copy of the grant of probate or grant of administration issued from the court in the province that made or resealed the grant, and
  - (b) an office copy of that portion of Inventory X, Schedule A, of the *Succession Duty Act* that correctly describes the land or charge affected. , ***and***

***(b) in subsection (1) by striking out “An application” and substituting “Except as provided in section 269, an application”.***

CLAUSE 7: ***[Land Title Act, section 266.1]***

- sets out the circumstances in which the section applies;
- provides direction to the registrar respecting what must be filed in the registry office in those circumstances.

CLAUSE 8: ***[Land Title Act, section 267]*** is consequential to the amendments made by this Bill to the Act.

CLAUSE 9: ***[Libel and Slander Act, section 5]*** updates the description of the document by which an action for libel is commenced.

CLAUSE 10: ***[Libel and Slander Act, section 7]*** updates the description of the document by which an action for libel is commenced.

CLAUSE 11: ***[Members' Remuneration and Pensions Act, section 2]*** provides that the basic compensation for members of the Legislative Assembly will not be adjusted for the fiscal year commencing on April 1, 2025.



**7     *The following section is added:***

**Death of will-maker or intestate if order made under  
*Wills, Estates and Succession Act***

- 266.1** (1) This section applies in relation to the death of a will-maker or intestate if
- (a) an order is made under section 103 (1) or 132 (1) of the *Wills, Estates and Succession Act*, and
  - (b) the order
    - (i) appoints a person as the administrator of the estate of the will-maker or intestate, and
    - (ii) vests in the administrator title to land or a charge.
- (2) An application to register a transmission of land or charge consequent on the death of a will-maker or intestate must not be dealt with by the registrar unless there is filed in the land title office a certified copy of an order that
- (a) satisfies the conditions set out in subsection (1) (a) and (b), and
  - (b) correctly describes the land or charge affected.

**8     *Section 267 is amended by striking out “Sections 265 and 266 apply” and substituting “Section 266 applies”.***

***Libel and Slander Act***

**9     *Section 5 of the Libel and Slander Act, R.S.B.C. 1996, c. 263, is amended by striking out “issue of the writ on the libel” and substituting “filing of a notice of civil claim in respect of the cause of action”.***

**10    *Section 7 is amended in paragraphs (d) and (e) by striking out “of the writ” and substituting “of the notice of civil claim”.***

***Members’ Remuneration and Pensions Act***

**11    *Section 2 (2.1) of the Members’ Remuneration and Pensions Act, R.S.B.C. 1996, c. 257, is amended by striking out “and April 1, 2023” and substituting “, April 1, 2023 and April 1, 2025”.***

CLAUSE 12: *[Police Act, section 38.02]* is consequential to the amendments made by this Bill to the Act.

CLAUSE 13: *[Police Act, section 38.03]* makes housekeeping amendments.

CLAUSE 14: *[Police Act, sections 38.031 and 38.032]* authorizes the appointment of

- a deputy of the chief civilian director, and
- an acting chief civilian director.

*Police Act*

**12    *Section 38.02 (2) of the Police Act, R.S.B.C. 1996, c. 367, is repealed and the following substituted:***

- (2) The independent investigations office consists of
  - (a) a chief civilian director, who is in charge of the independent investigations office,
  - (b) a deputy chief civilian director, if one is appointed under section 38.031 [*deputy chief civilian director*],
  - (c) employees appointed by the chief civilian director under section 38.06 (1) [*independent investigations office staff and investigators*], and
  - (d) IIO investigators appointed by the chief civilian director under section 38.06 (2).

**13    *Section 38.03 is amended***

- (a) *in subsection (3) (b) by striking out “2nd term” and substituting “second term”, and*
- (b) *in subsection (4) by striking out “a 3rd” and substituting “a third”.*

**14    *The following sections are added:***

**Deputy chief civilian director**

- 38.031** (1) The Lieutenant Governor in Council may appoint a person as the deputy of the chief civilian director.
- (2) A person who is a current or former member of a police service or the Royal Canadian Mounted Police may not be appointed under subsection (1).
  - (3) The chief civilian director may, in writing, delegate to a person appointed as the deputy of the chief civilian director a power or duty of the chief civilian director, subject to terms and conditions the chief civilian director considers appropriate, except the power to delegate under this subsection.

**Acting chief civilian director**

- 38.032** (1) If the chief civilian director is temporarily absent because of illness or another reason, or if there is no chief civilian director, the Lieutenant Governor in Council may appoint an acting chief civilian director to exercise the powers and perform the duties of the chief civilian director until, as applicable,
- (a) the chief civilian director returns to office after the temporary absence,
  - or
  - (b) a chief civilian director is appointed.

CLAUSE 14: *[Police Act, sections 38.031 and 38.032 – continued]*

CLAUSE 15: *[Police Act, section 38.05]* is consequential to the amendments made by this Bill to the Act.

CLAUSE 16: *[Police Act, section 38.07]* is consequential to the amendments made by this Bill to the Act.

CLAUSE 17: *[Police Act, section 38.08]* is consequential to the amendments made by this Bill to the Act.

CLAUSE 18: *[Police Act, section 38.101]* provides that a police officer must cooperate fully with a person appointed as the deputy of the chief civilian director in specified circumstances.

CLAUSE 19: *[Police Act, section 40.01]* is consequential to the amendments made by this Bill to the Act.

CLAUSE 20: *[Police Act, section 184]* is consequential to the amendments made by this Bill to the Act.

- (2) A person who is a current or former member of a police service or the Royal Canadian Mounted Police may not be appointed under subsection (1).

**15 Section 38.05 is amended**

- (a) *in subsection (1) by striking out “is entitled” and substituting “and a person appointed as the deputy of the chief civilian director are entitled”,*
- (b) *in subsection (1) (a) by striking out “in the chief civilian director’s appointment or reappointment”,*
- (c) *in subsection (1) (b) by striking out “the powers and performing the duties of the chief civilian director” and substituting “powers and performing duties”, and*
- (d) *in subsection (2) by adding “and a person appointed as the deputy of the chief civilian director” after “chief civilian director”.*

**16 Section 38.07 (1) is amended by adding “, a person appointed as the deputy of the chief civilian director” after “chief civilian director”.**

**17 Section 38.08 is amended**

- (a) *in subsection (2) by adding “or a person appointed as the deputy of the chief civilian director” after “before the chief civilian director”,*
- (b) *in subsection (2) (a) by striking out “by the chief civilian director”, and*
- (c) *in subsection (3) by striking out “chief civilian director is a commissioner” and substituting “chief civilian director and a person appointed as the deputy of the chief civilian director are commissioners”.*

**18 Section 38.101 is amended by striking out “and” at the end of paragraph (a) and by adding the following paragraph:**

- (a.1) a person appointed as the deputy of the chief civilian director in the exercise of the person’s powers or performance of duties under this Act, including powers and duties delegated to the person by the chief civilian director, and .

**19 Section 40.01 (1) (b) is repealed and the following substituted:**

- (b) the training and retraining of officers, IIO investigators, the chief civilian director or a person appointed as the deputy of the chief civilian director; .

**20 Section 184 (2) (i) and (2.1) is amended by adding “, a person appointed as the deputy of the chief civilian director” after “chief civilian director” wherever it appears.**

CLAUSE 21: *[Small Claims Act, section 3]* removes a reference to a provision of the *Civil Resolution Tribunal Act* that has been repealed.

CLAUSE 22: *[Wills, Estates and Succession Act, section 1]* amends the definition of “benefit plan” by

- adding a specified federal government program to the definition,
- rewording an existing regulation-making authority so that it resembles regulation-making authorities in other Acts, and
- moving the regulation-making authority to the end of the definition.

***Small Claims Act***

- 21** *Section 3 (3) of the Small Claims Act, R.S.B.C. 1996, c. 430, is amended by striking out “sections 16.4 and 56.3” and substituting “section 16.4”.*

***Wills, Estates and Succession Act***

- 22** *Section 1 (1) of the Wills, Estates and Succession Act, S.B.C. 2009, c. 13, is amended in the definition of “benefit plan” by*

*(a) repealing paragraph (d),*

*(b) by striking out “or” at the end of paragraph (e), and*

*(c) by adding the following paragraphs:*

*(g) a first home savings account as defined in section 146.6 (1) of the Income Tax Act (Canada), or*

*(h) a prescribed fund, trust, scheme, plan, contract or arrangement, .*

**Commencement**

- 23** The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Section 1	April 1, 2018
3	Section 2	October 1, 2019
4	Section 3	April 1, 2022
5	Section 4	April 1, 2018
6	Sections 5 to 8	By regulation of the Lieutenant Governor in Council
7	Section 11	March 31, 2025
8	Sections 12 to 21	By regulation of the Lieutenant Governor in Council