

BILL 17 – 2025

**INTIMATE IMAGES PROTECTION
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:

Civil Resolution Tribunal Act

- 1 Section 1 (1) of the Civil Resolution Tribunal Act, S.B.C. 2012, c. 25, is amended**
 - (a) by repealing the definition of “intimate image protection claim”, and**
 - (b) by adding the following definition:**

“**intimate image claim**” means a claim over which the tribunal has jurisdiction under Division 8 [*Intimate Image Claims*] of Part 10 [*Tribunal Jurisdiction*]; .
- 2 Section 16.1 (1) is amended by striking out “section 16.4 (1) and (2)” and substituting “section 16.4 (1), (2) and (2.1)”.**
- 3 Section 16.4 is amended**
 - (a) by repealing subsection (2) (c) and substituting the following:**

(c) an intimate image claim. , and
 - (b) by adding the following subsection:**

(2.1) A person may bring or continue, as the case may be, an intimate image claim described in section 136.2 (1) (b) [*claims within jurisdiction of tribunal for intimate image claims*] as a proceeding in the Provincial Court, even if none of the circumstances referred to in subsection (1) (a) to (f) of this section have occurred.
- 4 Section 20.1 is amended by striking out “intimate image protection claim” and substituting “intimate image claim”.**

5 ***Section 93 (2) is amended by adding the following paragraph:***

- (e.3) establishing a monetary amount as the tribunal limit amount for the purposes of section 136.1 [*definitions for Division – intimate image claims*]; .

6 ***The heading to Division 8 of Part 10 is repealed and the following substituted:***

Division 8 – Intimate Image Claims .

7 ***Sections 136.1 to 136.4 are repealed and the following substituted:***

Definitions for Division – intimate image claims

136.1 In this Division:

“**intimate image**” has the same meaning as in section 1 of the *Intimate Images Protection Act*;

“**related matters**” has the same meaning as in section 1 of the *Intimate Images Protection Act*;

“**tribunal limit amount**” means the amount prescribed by regulation as the maximum amount that the tribunal may award in an intimate image claim under section 136.2 (1) (b) of this Act.

Claims within jurisdiction of tribunal for intimate image claims

136.2 (1) Except as otherwise provided in section 113 [*restricted authority of tribunal*] or in this Division, the tribunal has jurisdiction over the following matters under the *Intimate Images Protection Act*:

(a) a claim that is an application for an order under section 5 [*application for expedited intimate image protection order*] of the *Intimate Images Protection Act*, including all related matters;

(b) a claim for damages under section 6 [*claim for damages*] of the *Intimate Images Protection Act*, including all related matters, if the amount of the damages is less than or equal to the tribunal limit amount.

(2) For the purposes of this Act, the tribunal is to be considered to have specialized expertise in respect of a claim described in subsection (1) (a) of this section.

Intimate image protection orders

136.3 In resolving a claim described in section 136.2 (1) (a), including all related matters, and whether or not the tribunal has made, varied or cancelled another order relating to the same intimate image, the tribunal may

(a) make an order the tribunal is permitted to make under section 5 of the *Intimate Images Protection Act*, or

- (b) vary or cancel an order made by the tribunal under section 5 of the *Intimate Images Protection Act*.

Disapplication and modification of certain provisions

- 136.4** (1) The following provisions of this Act do not apply in respect of a claim described in section 136.2 (1) (a):
- (a) section 2 (3) (a) [*encouragement of resolution by agreement between parties*];
 - (b) section 7 (1) [*giving initiating notice*];
 - (c) section 85 (1) (d) [*publication of tribunal orders and other information*].
- (2) For the purposes of a claim described in section 136.2 (1) (a), including all related matters,
- (a) section 17 (1) [*phases of tribunal proceedings*] is to be read as requiring case management, subject to this Act and the rules under it, at the discretion of the tribunal, and
 - (b) if the tribunal exercises its discretion to require case management, section 17 (2) [*resolution by agreement in case management phase*] does not apply.
- (3) Section 85 (1) (d) does not apply in respect of a claim described in section 136.2 (1) (b).

8 *The following section is added:*

Transition – intimate image claims

- 136.5** If, on the coming into force of this section, the tribunal has jurisdiction over a claim described in section 136.2 (1) (b) as a tribunal small claim under Division 3 [*Tribunal Small Claims*] of this Part, the claim is to continue as an intimate image claim.

Intimate Images Protection Act

9 *Section 1 of the Intimate Images Protection Act, S.B.C. 2023, c. 11, is amended by repealing paragraph (b) (i) of the definition of “decision maker” and substituting the following:*

- (i) the tribunal if the amount claimed is within the jurisdiction of the tribunal under Division 8 [*Intimate Image Claims*] of Part 10 [*Tribunal Jurisdiction*] of the *Civil Resolution Tribunal Act*, .

10 *Section 5 is amended by adding the following subsection:*

- (10) For certainty, the name of an applicant may be included in a determination or order made under this section, or in a related decision.

11 Section 20 is repealed and the following substituted:

Limitation period for administrative penalty proceedings

- 20** A proceeding for the purposes of ordering an administrative penalty under this Part must be commenced within 4 years after the date the contravention of the order to which the administrative penalty relates is alleged to have occurred.

12 The following section is added:

Indirect collection of personal information

22.1 (1) In this section:

“affected individual” means an individual who an aggrieved person believes may be liable under any of the following provisions:

- (a) section 5 [*application for expedited intimate image protection order*];
- (b) section 6 [*claim for damages*];
- (c) section 15 [*application to Supreme Court for injunctive relief*];
- (d) section 16 [*tribunal may order administrative penalty*];

“aggrieved person” means

- (a) a person who is considering whether to make an application under section 5, a claim under section 6 or an application under section 15 or 16,
- (b) an applicant or claimant, and
- (c) a person who has made an application under section 5, a claim under section 6 or an application under section 15 or 16;

“personal information” has the same meaning as in the *Freedom of Information and Protection of Privacy Act*.

- (2) The minister may collect personal information about an affected individual from a source other than the affected individual if the minister considers that the personal information relates directly to and is reasonably necessary for any of the following purposes:
 - (a) to provide information and support to assist an aggrieved person in considering whether to make an application or claim in relation to an intimate image;
 - (b) to provide information and support to an aggrieved person in an application or claim in relation to an intimate image;
 - (c) to provide to an aggrieved person information and support that could facilitate the resolution of any dispute in relation to an intimate image
 - (i) whether or not an application or claim is made,
 - (ii) during an application or claim, or
 - (iii) after the determination of an application or claim.

- (3) For certainty, the purposes for which the minister may collect personal information under subsection (2) include addressing a risk to an aggrieved person, depicted in an intimate image, that is posed by the distribution or threatened distribution of the image.
- (4) The minister may delegate the power under subsection (2) only to a person who is employed in the minister's ministry.
- (5) A delegation under subsection (4) must be in writing and may be to a named person or to a class of persons.

Commencement

- 13** 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	Sections 1 to 9	By regulation of the Lieutenant Governor in Council