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4 Charles III, 2025
Legislative Assembly of British Columbia

BILL 27

**MISCELLANEOUS STATUTES
AMENDMENT ACT (No. 2), 2025**

Honourable Mike Farnworth
Minister of Transportation and Transit

Explanatory Notes

CLAUSE 1: *[School Act, section 96]*

- clarifies the purposes for which a board of education may
 - acquire and hold land, improvements, or both of them, and
 - expropriate land within its school district;
- adds a requirement in respect of obtaining the approval of the minister before a board expropriates land.

BILL 27 – 2025

**MISCELLANEOUS STATUTES
AMENDMENT ACT (No. 2), 2025**

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

PART 1 – INFRASTRUCTURE AMENDMENTS

School Act

1 Section 96 of the School Act, R.S.B.C. 1996, c. 412, is repealed and the following substituted:

Acquisition and disposal of land and improvements

- 96** (1) In this section, “**land**” includes any interest in land, including any right, title or estate in it of any tenure.
- (2) Subject to subsection (3), a board may, for educational purposes, including the provision of housing accommodation for students or employees, the provision of board offices, and the provision of areas for outdoor activities, or for the purposes described in section 98 (2),
- (a) acquire and hold land or improvements, or both, and
 - (b) expropriate land within its school district, other than land held by a francophone education authority.
- (3) A board must not, without the prior approval of the minister,
- (a) acquire land or improvements located in another school district, or
 - (b) expropriate land.
- (4) For certainty, an approval under subsection (3) (b) is not an approval for the purposes of section 18 of the *Expropriation Act*.
- (5) Subject to the orders of the minister, a board may dispose of land or improvements, or both.

CLAUSE 2: *[School Act, sections 166.29 to 166.292]*

- clarifies the purposes for which a francophone educational authority may acquire and hold land, improvements, or both of them;
- confers on a francophone educational authority the authority to expropriate land within its francophone school district;
- adds a requirement in respect of obtaining the approval of the minister before a francophone educational authority expropriates land;
- revises the original section by separating it into 3 sections for clarity.

2 *Section 166.29 is repealed and the following substituted:*

Acquisition and disposal of land and improvements

- 166.29** (1) In this section, “**land**” includes any interest in land, including any right, title or estate in it of any tenure.
- (2) Subject to subsection (3), a francophone education authority may, for educational purposes, including the provision of housing accommodation for students or employees, the provision of francophone educational authority offices and the provision of areas for outdoor activities, or for the purposes described in section 98 (2), as that section applies for the purposes of this Part,
- (a) acquire and hold land or improvements, or both, and
 - (b) expropriate land within its francophone school district, other than land held by a board.
- (3) A francophone education authority must not, without the prior approval of the minister,
- (a) acquire land or improvements located in another francophone school district, or
 - (b) expropriate land.
- (4) For certainty, an approval under subsection (3) (b) is not an approval for the purposes of section 18 of the *Expropriation Act*.
- (5) Subject to the orders of the minister, a francophone education authority may dispose of land or improvements, or both.

Specified provisions apply to francophone education authority

166.291 Sections 97 to 100.1 apply for the purposes of this Part.

Agreements with boards of education

- 166.292** (1) A francophone education authority and a board may, with the prior approval of the minister, enter into an agreement for the transfer of assets that are used by one of the parties but that are vested in the other party.
- (2) A francophone education authority and the board of a school district located in the francophone school district may, with the prior approval of the minister, enter into an agreement for the purposes of
- (a) the construction, maintenance, operation and use of facilities to be used jointly by the authority and the board, or
 - (b) contributing to the cost of the construction, maintenance or operation of the facilities referred to in paragraph (a).

CLAUSE 3: *[Expropriation Act, section 1]* is consequential to the amendments made by this Bill to section 166.29 of the *School Act*.

CLAUSE 4: *[Community Charter, section 90]*

- adds a definition;
- adds to the list of circumstances in which a part of a council meeting may or must be closed to the public.

Consequential Amendments

Expropriation Act

- 3 ***Section 1 of the Expropriation Act, R.S.B.C. 1996, c. 125, is amended in the definition of “approving authority” by repealing paragraph (d) and substituting the following:***

- (d) for an expropriation under section 96 (2) (b) of the *School Act* by a board of education, as defined in the *School Act*, the board of school trustees of that board of education, unless the Lieutenant Governor in Council designates the minister responsible for the administration of section 96 (2) (b) of the *School Act* as the approving authority for the purpose of
 - (i) expropriations under that provision, or
 - (ii) any particular expropriation under that provision,
- (d.1) for an expropriation under section 166.29 (2) (b) of the *School Act* by a francophone education authority, as defined in the *School Act*, the board of regional trustees of that francophone education authority, unless the Lieutenant Governor in Council designates the minister responsible for the administration of section 166.29 (2) (b) of the *School Act* as the approving authority for the purpose of
 - (i) expropriations under that provision, or
 - (ii) any particular expropriation under that provision, .

PART 2 – HOUSING AND MUNICIPAL AFFAIRS AMENDMENTS

Community Charter

- 4 ***Section 90 of the Community Charter, S.B.C. 2003, c. 26, is amended***

(a) by adding the following subsection:

- (0.1) In this section, “**Indigenous entity**” means an Indigenous entity that exercises governmental functions. ,

(b) in subsection (1) by adding the following paragraph:

- (i.1) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 18.1 of the *Freedom of Information and Protection of Privacy Act*; , ***and***

CLAUSE 4: *[Community Charter, section 90 – continued]*

CLAUSE 5: *[Vancouver Charter, section 165.2]*

- adds a definition;
- adds to the list of circumstances in which a part of a Council meeting may or must be closed to the public.

(c) by repealing subsection (2) (b) and substituting the following:

- (b) the consideration of information received and held in confidence relating to negotiations
 - (i) between the municipality and a provincial government or the federal government, or both, or between a provincial government or the federal government, or both, and a third party,
 - (ii) between the municipality and another local government or between another local government and a third party, or
 - (iii) between the municipality and a first nation or a prescribed Indigenous entity, or between a first nation or a prescribed Indigenous entity and a third party; .

Vancouver Charter

5 *Section 165.2 of the Vancouver Charter, S.B.C. 1953, c. 55, is amended*

(a) by adding the following subsection:

(0.1) In this section, “**First Nation**” means the following:

- (a) a First Nation within the meaning of section 523E;
- (b) a prescribed Indigenous entity that exercises governmental functions. ,

(b) in subsection (1) by adding the following paragraph:

- (i.1) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 18.1 of the *Freedom of Information and Protection of Privacy Act*; , **and**

(c) by repealing subsection (2) (b) and substituting the following:

- (b) the consideration of information received and held in confidence relating to negotiations
 - (i) between the city and a provincial government or the federal government, or both, or between a provincial government or the federal government, or both, and a third party,
 - (ii) between the city and another local government or between another local government and a third party, or
 - (iii) between the city and a First Nation or between a First Nation and a third party; .

CLAUSE 6: *[Vancouver Charter, section 165.71]* adds a regulation-making power to prescribe Indigenous entities.

6 *The following section is added:*

Regulations respecting closed meetings

165.71 The Lieutenant Governor in Council may, for the purposes of section 165.2 (0.1) (b), prescribe an Indigenous entity that exercises governmental functions.

Commencement

7 This Act comes into force on the date of Royal Assent.