

## BUSINESS LICENCE ACT

### CHAPTER 3

[Assented to August 21, 1980.]

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

#### Interpretation

**1.** In this Act

- "director" means the Director of Government Agencies;
- "inspector" means a person appointed as an inspector under section 7;
- "issuing officer" means a person appointed as an issuing officer under section 6;
- "municipality" means a municipality as defined in the *Municipal Act* but includes the City of Vancouver for purposes of this Act only;
- "person" does not include Her Majesty in right of the Province or a municipality.

#### Licences

**2.** (1) No person shall carry on business in an area of the Province outside a municipality unless he is licensed under this Act, and where that person has a place of business he must be licensed in respect of each place of business operated by or on behalf of him.

(2) The Lieutenant Governor in Council may prescribe the licence fee payable in respect of a prescribed category of business for a prescribed period of time.

(3) Application for a licence shall be made to an issuing officer in a form required by the director.

(4) An issuing officer shall determine the category of business into which a person's business is placed for purposes of establishing the licence fee to be paid.

#### Issue of licence

**3.** On payment of the prescribed licence fee an issuing officer shall issue to a person a licence in the form required by the director.

#### Display of licence

**4.** A person licensed under this Act shall prominently display the licence in the place to which the licence applies.

#### Appeal to the minister

**5.** (1) A person may appeal in writing to the minister from a decision of an issuing officer made under section 2 (4) within 30 days after that decision.

(2) The notice of appeal shall set out clearly the reasons for the appeal and all facts relative to it.

(3) On receipt of the notice of appeal, the minister or a person designated by him shall consider the matter and shall make an order

- (a) confirming the decision,
- (b) varying the decision, or

- (c) determining that the appellant need not be licensed under this Act in respect of the matter under appeal.
- (4) Where an order has been made under subsection (3) (b) or (c), the minister or a person designated by him shall order that
  - (a) the licence fee or any excess licence fee paid by the appellant be refunded, or
  - (b) the appellant pay any increased licence fee assessed.

**Issuing officers**

6. The director may appoint issuing officers who shall perform the duties imposed on them under this Act and the regulations.

**Powers of inspection**

- 7. (1) The director may appoint inspectors.
- (2) An inspector may, at any reasonable time,
  - (a) enter the business premises of,
  - (b) request information from,
  - (c) request production of all relevant records by, and
  - (d) examine all relevant records of,a person whom he considers to be carrying on a business under this Act or a person employed by or acting on behalf of that person, to determine if this Act is being complied with.
- (3) A person shall not hinder or interfere with an inspector in the performance of his duties under this Act.

**Offence**

- 8. A person who contravenes
  - (a) section 2 (1) commits an offence and is liable to a fine of not more than \$250 together with the amount which he should have paid for a licence under this Act, and
  - (b) section 7 (3) commits an offence.

**Regulations**

- 9. (1) The Lieutenant Governor in Council may make regulations.
- (2) Without limiting subsection (1), the regulations may exempt a category of business from this Act.

**Repeal**

- 10. The *Trade Licence Act*, R.S.B.C. 1979, c. 405, is repealed.

**Commencement**

- 11. This Act comes into force on proclamation.