

REFERENDUM ACT

CHAPTER 400

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Lieutenant Governor in Council may order a referendum

- 1 (1) If the Lieutenant Governor in Council considers that an expression of public opinion is desirable on any matter of public interest or concern, the Lieutenant Governor in Council may, by regulation, order that a referendum be conducted in the manner provided for in this Act.
- (2) If the Lieutenant Governor in Council orders a referendum, the order must
 - (a) state the question or questions that will be put to the electorate at the referendum,
 - (b) specify the date on which the referendum will be conducted, and
 - (c) designate the area of British Columbia within which the referendum will be held.
- (3) The persons who are entitled to vote in a referendum are persons who are voters, as defined in the *Election Act*, at the time of the referendum.

Application to *Recall and Initiative Act*

- 2 This Act does not apply to initiative votes under the *Recall and Initiative Act*.

Results of referendum to be announced

- 3 (1) The Lieutenant Governor in Council must announce the results of the referendum in a manner that the Lieutenant Governor in Council considers will inform the electorate of the results of the referendum.
- (2) The minister must report the results of the referendum to the Legislative Assembly as soon as practicable after they are known.

Some referendums are binding on the government

- 4 If more than 50% of the validly cast ballots vote the same way on a question stated, that result is binding on the government that initiated the referendum.

Section 5

Duty if referendum is binding

- 5 If the results of a referendum are binding, the government must, as soon as practicable, take steps, within the competence of the government, that the government considers necessary or advisable to implement the results of the referendum including any and all of the following:
- (a) changing programs or policies, or introducing new programs or policies, that are administered by or through the executive government;
 - (b) introducing legislation in the Legislative Assembly during its first session after the results of such a referendum are known.

Regulations on how the referendum is to be conducted

- 6 (1) The Lieutenant Governor in Council may make regulations that the Lieutenant Governor in Council considers necessary or advisable respecting the manner by which a referendum under this Act is to be conducted.
- (2) Without limiting subsection (1), the regulations may
- (a) specify what provisions of the *Election Act* apply, and
 - (b) adapt any of the provisions of the *Election Act* with changes that the regulations may provide.

Appropriation

- 7 Administrative costs of conducting a referendum under this Act may be paid out of the consolidated revenue fund.

REFERENDUM — HISTORICAL TABLE

Legislative History

REFERENDUM ACT

RSBC 1996, chapter 400

Section	History
1	1990-68-1; 1995-51-324.
2	1990-68-1.1; 1994-56-46.
3	1990-68-2.
4	1990-68-3.
5	1990-68-4.
6	1990-68-5.
7	1990-68-6.

EXPLANATORY NOTE

Amendments Not in Force: If there are any legislative changes to the Act that are not in force as of December 31, 1996, these are identified in *italics* at the beginning of the historical table. The “Section” column identifies the affected provisions of the Act. The “Citation” column identifies the amending legislation by its citation in the 1996 Statute Revision Supplement.

Legislative History: The second part of the table provides a legislative history of each section of the Act between the 1979 Statute Revision and the 1996 Statute Revision. The “Section” column identifies all sections of the Act in force on December 31, 1996. The “History” column for each section begins with the citation of the section immediately before the 1996 Statute Revision. This is followed by a list of citations for the legislation that enacted or amended the section between the 1979 Statute Revision and the 1996 Statute Revision (if a section was repealed and replaced during that period, these last citations begin at the most recent replacement).

Legislative citations have the format of “year-chapter-section”.

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