

**MISCELLANEOUS STATUTES AMENDMENT ACT (NO. 2), 1980****CHAPTER 36**

[Assented to August 22, 1980.]

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

**Adoption Act Amendments**

1. Section 8 of the *Adoption Act*, R.S.B.C. 1979, c. 4, is amended by adding the following:
  - (9) Where a child is voluntarily surrendered to the superintendent for an adoption consented to under this section, subject to subsection (7), the guardianship of the child is transferred to the superintendent, in respect of the person of the child, and to the public trustee, in respect of the estate of the child.
2. The following section is added:

**Offences**

- 15.1** (1) A person who, without authorization of the court or the superintendent
- (a) publishes by any means a notice or advertisement for the adoption of a child,
  - (b) offers money or consideration of any kind to induce a person to make a child available for adoption, or
  - (c) offers or accepts money or consideration of any kind in respect of procuring or assisting in procuring a child for adoption,
- commits an offence and is liable to a penalty not exceeding \$10 000.

**Agricultural Land Commission Act Amendments**

3. Section 8 of the *Agricultural Land Commission Act*, R.S.B.C. 1979, c. 9, is amended by adding at the end "", and on being so designated the land is established as an agricultural land reserve".
4. Section 10 is amended
  - (a) in subsection (1) by striking out the second sentence, and
  - (b) by adding the following subsection:
    - (1.1) If the commission considers that the plan referred to in subsection (1) carries out the purpose of this Act, the commission may designate the agricultural land shown on the plan as an agricultural land reserve.
5. Section 11 (2) is amended by striking out "grant permission on any terms he considers advisable for other than farm use" and substituting "grant permission under section 15 (2), 16, 18 or 19 (2) on any terms he considers advisable".
6. Section 18 is amended by adding at the beginning "Except as permitted by this Act or the regulations or by an order of the commission on terms and conditions the commission may impose,".

7. Section 20 (1) is repealed and the following substituted:  
(1) The commission may, under the regulations, hear applications for permission under section 15 (2), 16, 18 or 19 (2) and may grant or refuse permission and may impose the terms it considers advisable.

8. Section 32 is repealed and the following substituted:

**Appropriation**

32. Money required for the purposes of this Act may  
(a) in the absence of an appropriation, or  
(b) where money appropriated is insufficient,  
be paid out of the consolidated revenue fund to the commission in amounts approved by the Lieutenant Governor in Council.

**British Columbia Railway Finance Act Amendment**

9. The *British Columbia Railway Finance Act*, R.S.B.C. 1979, c. 39, is amended by adding the following after section 12:

**Grant, debt servicing**

- 12.1 The Minister of Finance shall, on or before March 31, 1981, pay from the consolidated revenue fund, without an appropriation other than this section, the sum of \$70 million to the British Columbia Railway Company to be applied to debt servicing charges of the company during the company's fiscal year ending on January 2, 1981.

**Chilliwack Dyking District Act Repeal**

10. The *Chilliwack Dyking District Act*, S.B.C. 1949, c. 9, is repealed.

**Commercial Transport Act Amendments**

11. Section 3 of the *Commercial Transport Act*, R.S.B.C. 1979, c. 55, is amended by adding "or 'vehicle' " after: " 'motor vehicle and trailer' ".
12. Section 5 is amended  
(a) by repealing subsection (5) and substituting the following:  
(5) The Lieutenant Governor in Council may prescribe fees for registration and licences under this Act, and  
(b) in subsection (9) by striking out "by Schedule 5".
13. Section 10 is repealed.
14. Section 14 is amended  
(a) by renumbering it as subsection (1),  
(b) by repealing paragraph (m) and substituting the following:  
(m) providing for the appointment of weigh masters and authorizing them or any of them to exercise the powers and duties of a constable or peace officer for the purpose of enforcing prescribed provisions of this Act, the *Motor Vehicle Act*, the *Highway Act*, the *Motor Carrier Act* and the *Motive Fuel Use Tax Act*, and regulations made under any of them; .  
(c) by striking out "and" at the end of paragraph (t), by adding "; and" at the end of paragraph (u) and by adding the following paragraph:

- (v) prescribing fees for registration, licences, number plates, decals, permits, certificates and other documents and things required or authorized under this Act. , and
  - (d) by adding the following subsections:
    - (2) A regulation made under subsection (1) (e) or (v) may
      - (a) classify vehicles according to their use, ownership, nature, type, character, size, weight, equipment, accessories or otherwise,
      - (b) provide differently for different cases or classes of cases, different vehicles, persons or organizations or different classes of vehicles, persons or organizations, and
      - (c) exempt from its application, in whole or in part, vehicles, persons or organizations, or classes of vehicles, persons or organizations.
    - (3) A weigh master authorized under subsection (1) (m) has, in connection with the powers and duties conferred on him, the immunities of a constable.
15. Schedules 1 to 6 are repealed.

#### Corporation Capital Tax Act Amendment

16. Section 12 of the *Corporation Capital Tax Act*, S.B.C. 1973, c. 15, is amended by adding the following subsections:
- (3) For the purposes of this section a corporation (called in this section "the taxpayer") has cash on deposit with a corporation doing the business of a savings bank (called in this section "the bank") where
    - (a) the taxpayer has a deposit with the bank creating a debtor-creditor relationship between them, or
    - (b) the taxpayer holds rights against the bank based on bank paper.
  - (4) In this section "bank paper" includes a certificate of deposit, a bearer deposit note, a swap deposit and a banker's acceptance.

#### Dyke Maintenance Act Amendment

17. Section 1 of the *Dyke Maintenance Act*, R.S.B.C. 1979, c. 99, is amended in the definition of "dyking authority" by striking out ", an improvement district or the Chilliwack Dyking District Board" and substituting "or an improvement district".

#### Educational Institution Capital Finance Act Amendments

18. Section 2 (1) of the *Educational Institution Capital Finance Act*, R.S.B.C. 1979, c. 102, is amended by striking out "and" at the end of paragraph (b), by adding "; and" at the end of paragraph (c) and by adding the following:
- (d) the minister responsible for the administration of the *University Act*.
19. Section 10 (2) is amended by striking out "the Minister of Education of the amount and terms of repayment of the temporary loan." and substituting the following:
- (a) the Minister of Education of the amount and terms of repayment of the temporary loan where the temporary loan is borrowed by a designated educational institution other than a university, and
  - (b) the minister responsible for the administration of the *University Act* of the amount and terms of repayment of the temporary loan where the temporary loan is borrowed by a university.

20. Section 11 (1) is repealed and the following substituted:
- (1) No designated educational institution shall undertake a project to provide educational facilities to be paid for, in whole or in part, by money borrowed from the authority unless
- (a) in the case of a university, the universities council has considered the proposed project and made recommendations to the minister responsible for the administration of the *University Act* and he approves the project, and
  - (b) in the case of a designated educational institution other than a university, the approving agency named in the regulations has considered the proposed project and made recommendations to the Minister of Education and he approves the project.

#### Home Purchase Assistance Act Amendments

21. Section 3 of the *Home Purchase Assistance Act*, R.S.B.C. 1979, c. 172, is amended by adding "and" at the end of paragraph (a), by striking out "and" at the end of paragraph (b) and by repealing paragraph (c).
22. Section 15 is repealed.

#### Hospital Act Amendment

23. The *Hospital Act*, R.S.B.C. 1979, c. 176, is amended by adding the following:

##### Further application of section 41

- 42.1** (1) The minister may designate as a hospital for the purposes of section 41 any community care facility, as defined in the *Community Care Facility Act*, which
- (a) is licensed under that Act,
  - (b) is owned or operated by a corporation incorporated or registered under the *Society Act*, and
  - (c) receives financial assistance from the Province including financial assistance for the retirement of debt arising out of the planning, constructing, reconstructing, equipping or acquiring land or buildings for the purposes of the facility.
- (2) Where the minister designates a community care facility as a hospital under subsection (1).
- (a) the provisions of section 41 apply to that facility, and
  - (b) a notice that is required to be or may be filed in a land title office, indicating that the hospital land of a hospital as defined in section 1, 5 or 25 is subject to section 41 (1) (c) and (d), may be filed in respect of community care facility land, notwithstanding that the regulation providing for filing does not refer to community care facilities or community care facility land.

#### Medical Service Act Amendment

24. Section 9 (1) of the *Medical Service Act*, R.S.B.C. 1979, c. 255, is amended by striking out "and which will in all respects qualify and enable the Province to receive payment of contributions by Canada towards the cost of medical services".

**Mining (Placer) Act Amendment**

25. Section 13 of the *Mining (Placer) Act*, R.S.B.C. 1979, c. 264, is repealed and the following substituted:

**Placer mining reserves**

13. (1) Notwithstanding a provision to the contrary in this Act or in any free miner certificate, the Lieutenant Governor in Council may, by regulation, establish a placer mining reserve on land specified in the regulation.

(2) A regulation made under subsection (1) may

- (a) prohibit a free miner from staking or acquiring a location on land located in the placer mining reserve,
- (b) permit staking and acquiring a location under section 4, under the circumstances and subject to the limitation, contained in the order,
- (c) prohibit, absolutely or under circumstances prescribed in the regulation, exploration and development on designated placer land,
- (d) prohibit a free miner from obstructing, endangering or interfering or allowing any other person to obstruct, endanger or interfere with the construction, operation or maintenance of a transmission line, pipeline or other work, structure or activity on all or part of the land in a placer mining reserve,
- (e) be made applicable to all minerals or to the mineral or minerals specified in the regulation,
- (f) provide that the obligations in section 9 (1) on a lessee are relieved for the period and on the conditions specified in the regulation, and
- (g) provide that a refund of money paid under section 9 (1) be paid to a lessee respecting a period before or after the making of the regulation.

(3) Where a regulation is made under subsection (1), no lessee is entitled to compensation for any loss or damages to his interest in the placer lease or any personal property pertaining to or used in the working of it where

- (a) the loss or damage arises, other than through negligence, out of the construction or use of any work or structure by the person designated in the regulation, and
- (b) the land covered by the placer lease was staked for the purpose of acquiring a location after the making of a regulation pertaining to that land under subsection (1).

**Ministry of Industry, Tourism and Small Business  
Development Act Amendments**

26. The *Ministry of Industry, Tourism and Small Business Development Act*, R.S.B.C. 1979, c. 275, is amended in the title and section 1 (1) by striking out "Ministry of Industry, Tourism and Small Business Development" and substituting "Ministry of Industry and Small Business Development".
27. Section 6 is repealed.

**Ministry of Lands, Parks and Housing Act Amendments**

28. Section 7 of the *Ministry of Lands, Parks and Housing Act*, R.S.B.C. 1979, c. 277 is amended

- (a) in subsection (3) (c) by striking out "or the *Land Act*",
- (b) in subsection (4) by striking out "and any income from them" and substituting "and any income from them, or proceeds of a disposition of them," and
- (c) by adding the following subsection:

(4.1) All money received since July 27, 1979 in respect of a disposition under the *Land Act* shall form part of the consolidated revenue fund and not be a part of the Crown Land Fund.

29. Section 10 is repealed and the following substituted:

**Corporations and commissions**

10. (1) Notwithstanding the repeal of the *Housing Act*, R.S.B.C. 1960, c. 183, and the *Ministry of Municipal Affairs and Housing Act*, S.B.C. 1973 (2nd Sess.), c. 110, but subject to subsection (3),

(a) order in council 2388/78, approved and ordered September 7, 1978 and published as B.C. Reg. 490/79, is valid and shall, notwithstanding the *Regulation Act*, R.S.B.C. 1979, c. 361, be conclusively deemed to have come into force on and to have had effect on September 7, 1978, and to continue in force, and

(b) the British Columbia Housing Management Commission, incorporated under the *Housing Act*, R.S.B.C. 1960, c. 183, and the *Ministry of Municipal Affairs and Housing Act*, S.B.C. 1973 (2nd Sess.), c. 110, by B.C. Reg. 76/68, and continued by order in council 2388/78, continues as a corporation on the terms and with the constitution, capacity, powers and duties set out in order in council 2388/78.

(2) The British Columbia Housing Management Commission, the Provincial Rental Housing Corporation and the Housing Corporation of British Columbia are agents of the Crown, but may on behalf of the Crown carry out their duties and functions in their own names.

(3) The Lieutenant Governor in Council may make regulations

- (a) respecting the application of the *Pension (Public Service) Act* to the British Columbia Housing Management Commission and its employees,
- (b) conferring on the British Columbia Housing Management Commission powers and duties respecting housing, and
- (c) respecting the constitution, status, incorporation and capacity of the British Columbia Housing Management Commission.

(4) Subsection (1) is retroactive to the extent necessary to give it effect.

**Ministry of Transportation and Highways Act Amendments**

30. Section 4 of the *Ministry of Transportation and Highways Act*, R.S.B.C. 1979, c. 280, is amended by adding "communications," after "except for".

31. Section 5 is amended by repealing the definition of "communications".

32. Sections 6 and 7 are amended

- (a) by striking out "and communication" wherever it occurs, and
- (b) by striking out "and communications" wherever it occurs.

33. Section 8 is amended by striking out "or communications" wherever it occurs.

**Park Act Amendments**

34. Section 1 of the *Park Act*, R.S.B.C. 1979, c. 309, is amended in the definition of "nature conservancy area" by striking out "in a park," and substituting "in a park or recreation area,".
35. Section 5 (1) is repealed and the following substituted:  
(1) The Lieutenant Governor in Council may  
(a) establish an area of Crown land as a park of Class A, Class B or Class C, or as a recreation area, or  
(b) designate an area in a park or recreation area as a nature conservancy area, and declare the name by which it shall be known.
36. Section 6 (1) is amended by striking out "or" at the end of paragraph (e), by adding "; or" at the end of paragraph (f) and by adding the following after paragraph (f):  
(g) Crown land has been designated as an ecological reserve under the *Ecological Reserve Act*, .
37. Section 14 is amended by striking out "in parks." and substituting "on any land, trail, path or waterway comprised in an order under section 6 (1), and in parks and recreation areas."
38. Section 33 (2) is amended  
(a) in paragraph (a) by striking out "parks;" and substituting "the land, trail, path or waterway comprised in an order under section 6 (1), or of parks or recreation areas;" ,  
(b) in paragraphs (b), (c) and (e) by striking out "in any park;" and substituting "on any land, trail, path or waterway comprised in an order under section 6 (1), or in a park or recreation area;" ,  
(c) in paragraph (d) by striking out "in a park;" and substituting "on any land, trail, path or waterway comprised in an order under section 6 (1), or in a park or recreation area;" , and  
(d) in paragraph (f)  
(i) by striking out "or park use permit" and substituting " , park use permit or resource use permit" , and  
(ii) by striking out "in any park," and substituting "on any land, trail, path or waterway comprised in an order under section 6 (1), or in a park or recreation area," .

**Pesticide Control Act Amendment**

39. Section 23 (2) of the *Pesticide Control Act*, R.S.B.C. 1979, c. 322, is amended by striking out "and" at the end of paragraph (g), by adding "; and" at the end of paragraph (h) and by adding the following:  
(i) determining the quorum of the board.

**Petroleum and Natural Gas Act Amendments**

40. Section 13 (1) of the *Petroleum and Natural Gas Act*, R.S.B.C. 1979, c. 323, is amended by striking out "another member," and substituting "no more than 7 other members," .

41. Section 79 is amended
- (a) by adding the following after subsection (1):
    - (1.1) Where a lease has been continued under section 80 the minister may, before it expires, continue it for a period specified by him commencing after the expiry of the 3 year period referred to in that section, if the lessee gives a written commitment that he will drill a well at a site on the lease. , and
  - (b) by adding the following after subsection (2):
    - (2.1) Where a lessee fails to honour an undertaking given under subsection (1.1) or (2) the minister may cancel the lease.
42. Section 92 is amended
- (a) by adding the following after subsection (1):
    - (1.1) Where a holder of a location fails to pay a royalty when it is due, he shall pay interest on the amount of the unpaid royalty at the prescribed rate calculated from the time the royalty became due until payment is made. , and
  - (b) in subsection (2) by adding "(b)" after "subsection (1)".

#### Public Service Labour Relations Act Amendment

43. Sections 15 and 16 of the *Public Service Labour Relations Act*, R.S.B.C. 1979, c. 346, are repealed.

#### Real Estate Act Amendments

44. Sections 11 and 12 of the *Real Estate Act*, R.S.B.C. 1979, c. 356, are repealed and the following substituted:

##### Real Estate Council

11. (1) The Real Estate Council is continued comprising 3 salesmen plus any combination of 14 agents or agent's nominees elected in accordance with the regulations and this section to hold office for a prescribed term and after that until a successor takes office.

(2) For the purpose of this section, the Province is divided into the following districts:

- (a) District No. 1, the County of Vancouver;
- (b) District No. 2, the County of Victoria;
- (c) District No. 3, the County of Nanaimo;
- (d) District No. 4, the County of Westminster;
- (e) District No. 5, the County of Kootenay;
- (f) District No. 6, the County of Yale;
- (g) District No. 7, the Counties of Cariboo and Prince Rupert.

(3) Representation on the council shall be as follows:

- (a) District No. 1, 1 salesman plus any combination of 5 agents or agent's nominees;
- (b) District No. 2, any combination of 2 agents or agent's nominees;
- (c) District No. 3, 1 agent or agent's nominee;
- (d) District No. 4, any combination of 3 agents or agent's nominees;
- (e) District No. 5, 1 agent or agent's nominee;
- (f) District No. 6, 1 agent or agent's nominee;
- (g) District No. 7, 1 agent or agent's nominee;

- (h) Districts No. 2 and 3 jointly, 1 salesman;
- (i) Districts No. 4, 5, 6 and 7 jointly, 1 salesman.

(4) The Lieutenant Governor in Council may prescribe the qualifications of a person eligible to be elected as representative of a district.

(5) Where a vacancy occurs on the council by the resignation of a representative or the failure of a district to elect a representative, the council may appoint a person qualifying for election to the council from a district in which the vacancy occurs to hold office on the council until a successor is elected.

(6) The chairman of the council shall be elected annually by members of the council, and the retiring chairman is eligible for re-election.

45. Section 44 is amended by adding the following:

- (w) provide for the election of members of the Real Estate Council, to provide procedures for review of an election of council members and to prescribe the terms of office of the members under section 11.

#### Resort Municipality of Whistler Act Amendment

46. Section 3 of the *Resort Municipality of Whistler Act*, S.B.C. 1975, c. 67, is amended by adding at the end "and the boundaries of the municipality may be extended, redefined, altered or reduced by supplementary letters patent under the *Municipal Act*."

#### Resource Investment Corporation Act Amendment

47. Section 1 of the *Resource Investment Corporation Act*, R.S.B.C. 1979, c. 366, is amended in the definition of "company" by adding "and any continuation of it resulting from one or more amalgamations pursuant to the *Company Act*" at the end.

#### Revenue Act Amendment

48. Section 8 of the *Revenue Act*, R.S.B.C. 1979, c. 367, is amended by renumbering it as section 8 (1) and by adding the following subsection:

- (2) A power given by an enactment to the Lieutenant Governor in Council to guarantee a debenture or other security is exercisable and shall be deemed always to have been exercisable in the case of a debenture or other security issued to or held by the Province, and a debenture or other security so guaranteed is eligible as an investment under subsection (1).

#### School Act Amendment

49. Section 85 (1) of the *School Act*, R.S.B.C. 1979, c. 375, is repealed and the following substituted:

- (1) Every board shall at its first meeting after November 30 of each year, elect one of its members to be chairman of the board.

#### Travel Bureau Act Amendments

50. The *Travel Bureau Act*, R.S.B.C. 1979, c. 410, is amended by repealing the title and substituting "*Travel Regulation Act*".

51. Section 1 is amended by repealing the definitions of "bureau" and "director".

52. Sections 2, 3 and 4 are repealed.

53. Section 9 (i) is amended by striking out "in the bureau" and substituting "by the minister".

**University Act Amendments**

54. Section 23 of the *University Act*, R.S.B.C. 1979, c. 419, is amended by adding the following:  
(d.1) a member of the public service designated by the minister: .
55. Section 86 is amended  
(a) by repealing paragraph (b) and substituting the following:  
(b) a person designated by the minister, , and  
(b) in paragraph (f) by striking out "the minister." and substituting "the Minister of Education."

**Urban Transit Authority Act Amendments**

56. Section 1 of the *Urban Transit Authority Act*, R.S.B.C. 1979, c. 421, is amended in the definition of "public passenger transportation system" by striking out ". but does not include" and substituting "and includes".
57. Section 11 (1) (d) is amended by striking out "12 or 14." and substituting "14 or adopt a bylaw under section 12, or both."
58. Section 12 is repealed and the following substituted:

**Municipally imposed power levy**

12. (1) In this section,

"account" means an electric service account rendered to a person liable for payment for the supply of electricity supplied by or through a collector;

"collector" means the British Columbia Hydro and Power Authority, the Corporation of the City of New Westminster or a public utility as defined in the *Utilities Commission Act*;

"power levy" means the amount determined under subsection (3) or (4);

"residential dwelling unit" means a detached house, cottage or other single family dwelling, duplex, apartment building, condominium, townhouse, rowhouse, rest-home, nursing home, or that portion of a multi-use building that is used for the purpose of single family dwellings, but does not include hotels, motels, lodges, resorts, hospitals or other institutional buildings, bunk houses or camp buildings for use on commercial or construction projects, or that portion of any building that is used for any purpose other than residential;

"supply" has the meaning given it in the *Hydro and Power Authority Act*.

(2) Subject to subsection (5), a municipality may adopt a bylaw providing that a collector shall add a power levy to every account in the transit service area.

(3) Where the electricity is being supplied to a residential dwelling unit, the power levy established by the bylaw shall be a stipulated sum.

(4) Where the electricity is being supplied to other than a residential dwelling unit the power levy established by the bylaw may be

- (a) a stipulated sum,
- (b) a percentage of the account or accounts, or
- (c) a stipulated sum plus a percentage of the account or accounts,

and where the method referred to in paragraph (b) or (c) is established by the bylaw, the bylaw may, in addition, provide that maximum and minimum stipulated sums are applicable.

(5) A bylaw adopted under subsection (2) may provide that an area of a municipality is exempt from the provisions of the bylaw.

(6) A bylaw adopted under this section becomes effective when it has been approved by order of the Lieutenant Governor in Council, and when it becomes effective a collector is bound by it.

(7) A power levy added to an account of a person under a bylaw approved under subsection (6) shall be deemed to be a debt owed to the collector by the person liable for payment as part of the rates payable by that person for electricity.

(8) Where a person is liable for more than one account for the supply of electricity on the same parcel of land, a municipality may, on application by that person, pass a resolution exempting him from payment of any or all power levies added to the second and any additional accounts and the collector shall not be required to collect those levies and they shall not be part of the rates payable by that person for electricity once the collector has been notified of a resolution passed under this subsection.

(9) Where a collector has added a power levy to an account and that account is written off by the collector as a bad debt, the collector may deduct the amount of the power levy that was added to that account from amounts that are payable under subsection (10).

(10) The collector shall pay to the municipality in the prescribed manner an amount equivalent to the total power levies added to and included in accounts under this section, and the municipality shall pay the proceeds into the fund established under section 13.

(11) Subject to section 18 (2) of the *Social Service Tax Act*, money collected by a collector on an account rendered by the collector shall be deemed to be paid firstly on account of the power levy added under this section.

(12) The collector shall, on request by the municipality, furnish all records and information required by the municipality respecting matters relative to the collection of the power levy imposed by this section.

59. Section 16 (7) is amended by striking out "corporation" and substituting "authority".

60. Section 18 (2) is amended by striking out "shall" and substituting "may".

61. The following section is added:

**Retroactive bylaw**

**24.1** A provision of a bylaw that may be adopted under section 12 may, if adopted before December 31, 1980, be made retroactive to April 1, 1980 and, where it is made retroactive, it shall be deemed to have come into force at that time.

**Vancouver Charter Amendments**

62. Section 40 of the *Vancouver Charter*, S.B.C. 1953, c. 55, is amended by striking out "Wednesday" and substituting "Monday".

63. Section 55 is amended by striking out "day three weeks after nomination-day," and substituting "third Saturday of November,".

64. Sections 138 and 139 are amended  
(a) by striking out "Wednesday" wherever it occurs and substituting "Monday", and  
(b) by striking out "January" wherever it occurs and substituting "December".

65. Section 142 is repealed and the following substituted:

**Meetings of Council**

**142.** Meetings of Council shall be held

- (a) on the first Monday after December 1 in each even numbered year, and  
(b) as decided by Council.

- 65.1 Section 57 is amended by adding "or that he, for reasons of conscience, is unable to vote on polling-day" after "hospital on polling-day".

**Western Pentecostal Bible College Act Amendment**

66. The *Western Pentecostal Bible College Act, S.B.C. 1967, c. 65*, is amended by adding the following section:

**Exemption from taxation**

**3.1** (1) In this section, "property" has the meaning given it in the *Assessment Act*.

(2) The college is exempt from taxation under the *Municipal Act*, the *School Act* and *Taxation (Rural) Area Act* in respect of property

- (a) owned by it, or  
(b) leased by it from either the Crown or a municipality

where that property is occupied by the college and used by it for educational purposes.

**Workers Compensation Act Amendments**

67. Section 91 of the *Workers Compensation Act, R.S.B.C. 1979, c. 437*, is amended  
(a) by repealing subsection (1) and substituting the following:

(1) Where a board of review makes a decision under section 90, the worker, his dependants, his employer or the representative of any of them may, not more than 60 days after the decision is sent out, or within another period as the board may allow, appeal to the commissioners of the board, and

(b) by repealing subsections (2) and (3).

68. Section 93 is repealed and the following substituted:

**Payment for boards of review**

**93.** (1) All money required to be paid for the administration and operation of boards of review established under section 89 (1) shall be paid out of the consolidated revenue fund from money appropriated by the legislature for that purpose, but the board shall reimburse the consolidated revenue fund for all amounts so paid when requested by the minister.

(2) On receiving a request under subsection (1), the board shall, out of the accident fund, pay the amount requested to the Minister of Finance.

69. Section 94 is repealed and the following substituted:

**Workers' adviser and employers' adviser**

94. (1) The Lieutenant Governor in Council may appoint a workers' adviser and an employers' adviser and fix their remuneration or the manner of determining it.

(2) The workers' adviser shall

- (a) give assistance to a worker or to a dependant having a claim under this Act, except where the workers' adviser thinks the claim has no merit,
- (b) on claims matters, communicate with or appear before the board, boards of review or any other tribunal established by or under this Act on behalf of a worker or dependant where the adviser considers assistance is required, and
- (c) advise workers and dependants with regard to the interpretation and administration of this Act or any regulations or decisions made under it.

(3) The employers' adviser shall

- (a) give assistance to an employer respecting any claim under this Act of
  - (i) a worker, or
  - (ii) a dependant of a workerof that employer, except where the employer's adviser thinks the claim has no merit,
- (b) on claims matters, communicate with or appear before the board, boards of review or any other tribunal established by or under this Act on behalf of an employer where the adviser considers assistance is required, and
- (c) advise employers with regard to the interpretation and administration of this Act or any regulations or decisions made under it.

(4) The workers' adviser or employers' adviser need not be members of the Law Society of British Columbia, and if one of them is not, section 77 of the *Barristers and Solicitors Act* does not apply to him.

(5) The employers' adviser shall not report or disclose to an employer information obtained from or at the board of a type that would not be disclosed to the employer by the board.

70. Section 95 (3) is amended by striking out "The compensation consultant, the compensation counsellor and the employers' adviser" and substituting "The workers' adviser, the employers' adviser and their staff".

**Additional salary**

71. (1) In recognition of the additional services to the Legislative Assembly performed by the following members during the unavoidable absence of Mr. Speaker, the Honourable H. W. Schroeder, there shall be paid, in addition to the annual indemnity and expense allowance payable under section 2 of the *Legislative Assembly Allowances and Pension Act* and without an appropriation other than this section,

- (a) to Deputy Speaker Walter K. Davidson in respect of the period beginning March 31, 1980 and ending on the earlier of the return by the Honourable H. W. Schroeder from unavoidable absence or the election of a new Speaker, a salary at the rate applicable to the Speaker instead of the salary applicable to the Deputy Speaker as provided under section 3 of the *Legislative Assembly Allowances and Pension Act*, and
- (b) to W. Bruce Strachan, a salary of \$5 000.

(2) Section 25 of the *Constitution Act* does not apply to money accepted by the members under this section.

**Validation of acts of "Director, Pollution Control Branch"**

72. (1) An act performed or document signed before the enactment of this section under the *Pollution Control Act* by a person purporting to act as the "Director, Pollution Control Branch" or by that person under a title of similar words, shall be conclusively deemed to have been performed or signed by the director within the meaning of that Act.

**Commencement**

73. (1) Sections 1 - 8, 11 - 15, 21 - 25, 28, 29, 34 - 42, 44, 45, 47, 49 and 66 - 72 come into force on proclamation.
- (2) Sections 3 to 8 shall be deemed to have come into force on May 17, 1980 and are retroactive to the extent necessary to give them effect on and after that date.
- (3) Sections 10 and 17 shall be deemed to have come into force on January 1, 1980 and are retroactive to the extent necessary to give them effect on and after that date.
- (4) Section 16 shall be deemed to have come into force on December 1, 1979, and is retroactive to the extent necessary to give it effect on and after that date.
- (5) Sections 56 to 58 shall be deemed to have come into force on April 1, 1980 and are retroactive to the extent necessary to give them effect on and after that date.