

WHEN DOES B.C.'s NEW EMERGENCY MANAGEMENT LEGISLATION COME INTO EFFECT?

Emergency and Disaster Management Act

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On November 8, 2023, the new [Emergency and Disaster Management Act](#) (the Act) replaced the Emergency Program Act in B.C.

While many powers and duties under the Act are functional, some components of the Act will become functional as regulations are made to provide further details.

Regulations will be phased in over time. The Ministry of Emergency Management and Climate Readiness will be conducting further engagement and consultation to inform how these regulations are developed.

The tables below provide a list of key components that are now functional and key components that will become effective after regulations are made.

Note: this list is not exhaustive and does not include some minor technical components.

Now functional

Component of the Act	Reference in the Technical Paper (PDF)	Reference in the Act
Definitions, including definitions of "emergency", "security threats" and "critical incident"	Page 8	Section 1(1)
Guiding principles for emergency management, including the concept of emergency management phases (mitigation, preparation, response, and recovery)	Page 6	Sections 2 and 3
General powers of the minister (e.g., a power to establish standards and procedures for the performance of a duty under the Act)	N/A	Division 1 of Part 2

Component of the Act	Reference in the Technical Paper (PDF)	Reference in the Act
The role and duties of the provincial emergency management organization (i.e., the Ministry of Emergency Management and Climate Readiness) and the provincial administrator	Appendix 1	Division 2 of Part 2
Requirement for the provincial administrator to make certain information public on potential emergencies	Page 18	Section 39(4)
Requirement for the provincial administrator to prepare, maintain and implement a comprehensive emergency management plan (i.e., the emergency management plan for the government) and to consult and cooperate on that plan with Indigenous governing bodies	Pages 12 and 18	Sections 39(1)(a) and 41(1)(a) to (c)
Requirement for the Legislative Assembly, the Executive Council (i.e., Cabinet) and the office of the Lieutenant Governor to prepare government continuity plans	Page 15	Section 43(1) to (3) and (6)(a) to (c)
Requirements for lead ministers to prepare and maintain risk assessments and emergency management plans	Pages 13 and 17	Sections 44, 51 and 52
Requirement for all government ministers to prepare and maintain a business continuity plan.	Pages 15 and 18	Sections 44, 45 and 53
Power to enter into different types of agreements with Indigenous governing bodies	Page 11	Part 3
Power to enter into emergency measures agreements	N/A	Division 4 of Part 2
Requirements for local authorities to begin work to reach agreement with Indigenous governing bodies on the areas to be described in the local authorities' emergency management plans for the purposes of consultation and cooperation during the response and recovery phases	Page 12	Section 179(7)

Component of the Act	Reference in the Technical Paper (PDF)	Reference in the Act
Power to enter into a multijurisdictional emergency management organization	Page 15	Section 21
Rules for declarations of states of provincial emergency and states of local emergency	Page 9	Division 1 of Part 5 and Division 1 of Part 6
Rules for declarations of provincial recovery periods and local recovery periods	Page 9	Division 2 of Part 5 and Division 2 of Part 6
Response and recovery powers	Appendix 2	Divisions 3-7 of Part 5 and Divisions 3-7 of Part 6
Power for the minister to order mitigation and preparation measures, make exceptions to requirements under the Act and impose duties on persons who are not otherwise regulated under the Act	Page 7	Sections 56-58
Ability for various entities to request the Ministry of Emergency Management and Climate Readiness to assist in coordinating the deployment of volunteers in response to a critical incident or an emergency and for the Ministry of Emergency Management and Climate Readiness to deploy, or authorize the deployment of, certain volunteers	Page 8	Section 32
Reporting requirements (e.g., following the use of response or recovery powers, following states of provincial or local emergency, or on spending beyond the base budget of the Ministry of Emergency Management and Climate Readiness)	Page 15	Sections 10 and 24 Division 8 of Part 5 and Division 8 of Part 6

Component of the Act	Reference in the Technical Paper (PDF)	Reference in the Act
Requirement for the minister to initiate a review of the Act and regulations within five years of the Act receiving Royal Assent	Page 16	Section 174
Other administrative matters, such as protection against legal proceedings, information sharing rules and conflict of laws rules	Various pages	Various sections

Functional after further regulations are made

Emergency management planning by local authorities

- Requirements to:
 - prepare and maintain risk assessments for hazards within their jurisdiction
 - prepare, maintain and implement emergency management plans
 - prepare and maintain business continuity plans
- Further details finalizing the framework for multijurisdictional emergency management organizations

Emergency management planning by critical infrastructure owners

- Establishing definitions of “critical infrastructure”, “critical infrastructure sector” and “critical infrastructure owner”
- Requirements to:
 - prepare and maintain risk assessments for hazards that may affect the critical infrastructure
 - prepare, maintain and implement emergency management plans
 - prepare and maintain business continuity plans
- Reporting requirements

Emergency management planning by public sector agencies

- Establishing a definition of “public sector agency”
- Requirements to:
 - prepare and maintain risk assessments for specific hazards
 - prepare, maintain and implement emergency management plans
 - prepare and maintain business continuity plans



Government continuity plans
<ul style="list-style-type: none">• Requirement for the Courts to prepare government continuity plans
Compensation and post-emergency financial assistance
<ul style="list-style-type: none">• New rules for the payment of compensation and financial assistance
Compliance and enforcement
<ul style="list-style-type: none">• Details to supplement and complete the compliance and enforcement rules from the Act

More information

Online: gov.bc.ca/emergencymanagementact

Email: modernizeEM@gov.bc.ca

The information in this document is for your convenience and guidance and is not a replacement for the legislation.

Latest Revision

August 2024

- Updated to reflect amendments to the Emergency and Disaster Management Regulation made by OIC 435/2024

