



Rules and Procedure for Termination of Appointment to the Order of British Columbia

1. Section 18.1(2) of the *Provincial Symbols and Honours Act* provides for the termination of a person's appointment to the Order of British Columbia (Order) by the Chancellor, who is the Lieutenant Governor.
2. Termination of a person's appointment to the Order may be made on the recommendation of the Advisory Council and with the approval of the executive council.
3. A person's appointment to the Order may be terminated on any of the following grounds:
 - (a) the person has been convicted of a criminal offence;
 - (b) the conduct of the person
 - (i) constitutes a significant departure from generally recognized standards of public behaviour which is seen to undermine the credibility, integrity or relevance of the Order; or
 - (ii) detracts from the original grounds upon which the appointment was made; or
 - (c) the person has been subject to official sanction, such as a fine or a reprimand, by an adjudicating body, professional association or other organization.

Procedure

4. The termination procedure will proceed in the following stages:

Stage 1 - A request to consider the termination of an appointment to the Order may be made by any person in writing to the Secretary to the Advisory Council. After review, if the grounds for termination are considered to be insufficient or spurious, the Secretary, after consultation with the Chair of the Advisory Council, will send a reply to the person who made the request to that effect.

The Secretary may initiate a request for termination on his/her own accord.

Stage 2 - If the Secretary determines there may be reasonable grounds for termination of the appointment, the Secretary must forward the request to the Advisory Council for its consideration.

Stage 3 - The Advisory Council will consider the request and if, in its opinion, there are insufficient grounds to proceed further, the Secretary will send a reply to the person who made the request to that effect (if applicable).

Stage 4 - If the Advisory Council determines there may be reasonable grounds for termination of the appointment, the request will be subject to the remainder of the termination process. A majority of at least four members of the Advisory Council must agree in order to proceed.

Stage 5 - The Secretary, on behalf of the Advisory Council, will send by registered mail a written notice to the person advising that termination of their appointment to the Order is under consideration. The notice must:

- (a) identify, with reference to section 3 of these Rules, the grounds upon which termination is being considered;
- (b) set out the facts and attach any supporting materials upon which the Advisory Council relied in determining that there may be reasonable grounds for termination; and
- (c) advise the person that, within the time prescribed in the notice, they may:

resign from the Order, in accordance with section 18.1(1) of the *Provincial Symbols and Honours Act*; or

make representations to the Advisory Council in response to the notice, in accordance with the process set out in stage 7.

The notice will also indicate that the termination process will continue if the person does not make representations within the prescribed time. (Recommended prescribed time is one month)

Stage 6 - If the person chooses to resign from the Order, the person will notify the Secretary in writing of that fact within the time prescribed in the notice. After the acceptance of the person's resignation by the Chancellor pursuant to section 18.1(2) of the *Provincial Symbols and Honours Act*, the person's name will be struck from any list held by the Honours and Awards Secretariat and, pursuant to subsection 18.1(4) of the *Provincial Symbols and Honours Act*, the person must return their insignia to the Secretary of the Advisory Council.

Stage 7 - If the person elects to make representations in response to the notice, the person or their representative may, within the time prescribed in the notice or as otherwise authorized by the Secretary, make representations in writing (with supporting documentation attached) to the Secretary.

Stage 8 - If, within the time prescribed in the notice or as otherwise authorized by the Secretary, the person fails to make representations, the Secretary will request the Advisory Council to review the case in accordance with the procedures provided for in stage 9.

Stage 9 - If the person has made representations, the Secretary will send the representations and any supporting documentation to the Advisory Council.

After due consideration, the Advisory Council will prepare a report setting out its assessment and recommendation with respect to whether or not to terminate the person's appointment to the Order.

If the recommendation is not to terminate, the Secretary will advise the person, in writing, that they remain in the Order in good standing.

If the recommendation is to terminate, the Secretary will forward the report of the Advisory Council to the Chancellor for decision in accordance with stage 10.

Stage 10 - On receiving a report referred to in stage 9, the Chancellor may, pursuant to section 18.1(2) of the *Provincial Symbols and Honours Act*, make an Order in Council to rescind the appointment.

There is no appeal process; the decision of the Chancellor is final. If the decision is to terminate the appointment, the process proceeds through stages 11-15.

Stage 11 - The rescinding OIC will be published on BC Laws. The OIC will rescind the appointment made in the appointing OIC. As per section 18.1(3) of the *Provincial Symbols and Honours Act*, the Chancellor's termination of the individual is effective when the OIC is made.

Stage 12 - The Secretary, on behalf of the Advisory Council, will send, by courier (signature required), a written notice advising the person that their appointment to the Order has been terminated. The letter will:

- (a) set out, with reference to section 3 of these Rules, the grounds upon which the termination was made; and
- (b) advise the person that, within the time frame, they must return to the Secretary the insignia and commission evidencing the appointment. A postage paid addressed box is included with the letter for the collection of these items.



Stage 13 – A government Information Bulletin is released on <https://news.gov.bc.ca/>. The statement will be brief and indicate membership in the Order of British Columbia was terminated as per section 18.1 of the *Provincial Symbols and Honours Act*. The statement will be released in tandem with the depositing of the OIC.

Stage 14 - The OBC [website](#) and honours kiosk in the Parliament Buildings are updated to remove the member.

Stage 15 - The OBC Advisory Council members are notified by email once the Information Bulletin has been released.

Approved:

Lucy Lobmeier, Secretary to the Order of BC Advisory Council

Silas Brownsey, Deputy Minister, Intergovernmental Relations Secretariat



PROVINCIAL SYMBOLS AND HONOURS ACT

Part 2 — Provincial Honours

Division 1 — Order of British Columbia

Resignation and termination

- 18.1** (1) A member may resign from the Order by giving written notice of his or her intention to resign, signed by the member, to the Chancellor.
- (2) The Chancellor may terminate a person's membership in the Order
- (a) on the recommendation of the advisory council, and
 - (b) with the approval of the executive council.
- (3) If a person's membership in the Order is terminated under subsection (2), the termination is effective when the Order in Council respecting the person's membership is rescinded.
- (4) If a person ceases to be a member of the Order under subsection (1) or (2), the person must immediately return the following to the secretary:
- (a) the commission evidencing the appointment of the member;
 - (b) the insignia of the Order that were presented to the person.