



# BRITISH COLUMBIA

Via Email

December 15, 2020

The Honourable Raj Chouhan  
Speaker of the Legislative Assembly  
Parliament Buildings  
Victoria BC V8V 1X4

Dear Mr. Speaker:

Please find attached a report regarding a regulation made on December 14, 2020, under the *COVID-19 Related Measures Act*, SBC 2020, c. 8 (CRMA). This report is presented pursuant to subsection 4 (2) of the CRMA.

Subsection 4 (4) of CRMA requires that this report be laid before the Legislative Assembly as soon as possible.

Background and Context:

- Ministerial orders and regulations have been made under the *Emergency Program Act*, RSBC 1996, c 111 (EPA) to prevent, respond to, and alleviate the effects of the emergency created by the COVID-19 pandemic.
- Section 18 of the EPA provides protections from civil liability in respect of acts or omissions of persons who are appointed, authorized, or required to do something under the EPA.
- When ministerial orders and regulations made under the EPA are added to the schedules to the CRMA, they are repealed as EPA ministerial orders and regulations and become “COVID-19 provisions” under the CRMA.

.../2

Effects of the Regulation:

- The regulation amends the *COVID-19 (Limits on Actions and Proceedings) Regulation*, BC Reg 204/2020 to create a protection from civil liability that closely parallels section 18 of the EPA and which applies to COVID-19 provisions. This ensures that the conversion of EPA regulations and ministerial orders into COVID-19 provisions does not have an unintended consequence of disapplying the effects of s. 18 of the EPA.
- The regulation has retroactive effect to January 1, 2020, and is set to remain in force until the CRMA is automatically repealed on July 10, 2021.

Members may direct any questions to me in respect of this report and the effects of the attached regulation.

Yours truly,

A handwritten signature in black ink, appearing to be 'D. Eby', written in a cursive style.

David Eby, QC  
Attorney General and  
Minister Responsible for Housing

Attachment: Appendix: BC Regulation 277/2020