



BRITISH COLUMBIA

August 24, 2020

The Honourable Darryl Plecas
Speaker of the Legislative Assembly
Parliament Buildings
Victoria BC V8V 1X4
Email: speaker@leg.bc.ca

Dear Mr. Speaker:

Please find attached a report regarding a regulation made on August 21, 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. Fellow Members of the Legislative Assembly have expressed to me their desire that, despite the Legislative Assembly not currently sitting, reports made under Section 4 of CRMA be distributed to them by your office as soon as is possible.

On August 7, 2020, the Provincial Health Officer (PHO) issued an order on gatherings and events. The order restricts owners and operators from having events with more than 50 patrons/participants. Events of up to 50 patrons are permitted if certain conditions are met, such as controlling access to the event and providing sufficient space for physical distancing. The order also sets a cap on persons present at a social gathering or event in vacation accommodation to a maximum of five individuals in addition to the occupants.

On August 20, 2020, the Minister of Public Safety and Solicitor General issued an order (M314/2020) under the *Emergency Program Act* (EPA) to establish the PHO's order on gatherings and events as an order under the EPA, and established certain activities as offences:

- For owners/operators and organizers of events that take place in private or public establishments, exceeding set capacity limits or otherwise contravening restrictions on events;
- For owners/operators and organizers of events and other individuals, promoting or encouraging others to attend events that exceed set capacity limits or otherwise contravene restrictions on events;
- For individuals, failing to comply with directions from enforcement officers, including directions to disperse; and

.../2

- For individuals, engaging in abusive or belligerent behaviour towards other persons present at events. This offence also applies in premises as defined under the PHO's order on restaurants, coffee shops, cafes, cafeterias and licensed premises, including pubs, bars, lounges, nightclubs and tasting rooms.

The EPA order on gatherings and events also allows the Minister to request information about enforcement activities conducted under this order from enforcement agencies and local governments. The Minister responsible for the EPA will provide a report to you on the EPA order, as required by the CRMA.

The attached regulation (OIC 485) amends the CRMA to add M314/2020 to Schedule 2 to the CRMA effective August 20, 2020. This regulation will be effective until 90 days after the date on which the last extension of the declaration of a state of emergency, originally made on March 18, 2020, expires or is cancelled.

The attached regulation also amends the *Violation Ticket Administration and Fines Regulation* (VTAFR) to authorize enforcement officers to issue violation tickets for offences noted above. As per existing provisions of the VTAFR, offences related to exceeding set capacity limits or otherwise contravening restrictions on events will be subject to \$2000 violation tickets. Present amendments specify that all other offences will be subject to \$200 violation tickets.

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

Yours truly,



George Heyman on behalf of
David Eby, QC
Attorney General

Attachment