



Legislative Changes Impact the Role of the Registrar

On April 13, 2015 the BC Legislature passed Bill 18, changing the way some administrative tribunals operate. The legislation will become law when signed into law by Royal Assent. The major changes contained in the legislation do not affect the operations of the VSA.

However, some parts of the *Administrative Tribunals Act* (ATA) are being made applicable to the processes of the Registrar. This will allow the Registrar to make rules for the processing and review of licensing applications and consumer complaints. The focus is on procedures that occur prior to a hearing before the Registrar and the promotion of transparency and fairness in those proceedings. These provisions:

- Do not materially increase the Registrar's investigative powers
- Do not expand the types of complaints the Registrar can review, or
- Do not increase the administrative penalties the Registrar may impose.

Changes do allow the Registrar to:

- Hold hearings through written submissions, by teleconference or video conference
- Allow a Notice of Hearing to be made electronically, such as by email
- Require the production of records for an investigation or hearing
- Summarily dismiss a complaint before a hearing due to lack of jurisdiction, because it is frivolous, vexatious, made in bad faith or other specified reasons
- Dismiss a complaint if records are not produced
- Bring contempt proceedings in BC Supreme Court for uncooperative witnesses
- Set the forms that must be used.

The ATA provisions also:

- Require that a judicial review application of a decision of the Registrar or the Motor Dealer Customer Compensation Fund Board be made to the BC Supreme Court within 60 days of a final decision
- Compel hearings before the Registrar be open to the public, with limited exceptions
- Provide statutory protection from the disclosure of discussions at any mediation or facilitated settlement process, with limited exceptions.

The Registrar must first draft Rules to address these ATA provisions. Before the Rules become effective, they will be made available to the industry for consultation and comment. The draft Rules will be available in June of this year. Watch for a follow up Bulletin.

See sections 140 and 141 of Bill 18, the [Administrative Tribunals Statutes Amendment Act](#), or a [summary](#) of the provisions of the [Administrative Tribunals Act](#) that will be applicable to the Registrar of Motor Dealers.

Non-CSA Compliant RVs

BC Safety Authority Directive & Informational Bulletin

The BC Safety Authority has asked the VSA to inform the industry of a [Directive & Informational Bulletin](#) regarding non-CSA compliant RVs.

Many RVs manufactured in the U.S. may not be CSA compliant. As a result, the BC Safety Authority has posted requirements for the certification and approval of these units using a program under development by [Quality Auditing Institute](#) (QAI).

Questions or comments should be directed to the BC Safety Authority at info@safetyauthority.ca or 1-800-566-7233.

Compensation Fund Board Welcomes Darlene Hyde as Chair

Following in the footsteps of John Ratel, Darlene Hyde has been appointed Chair of the [Compensation Fund Board](#). Representing the public-at-large, Darlene has extensive senior level experience in automotive retailing, auto insurance, and crown corporations. She is a corporate director, serving on the boards of directors of Westminster Savings Credit Union, the Insurance Council of BC and the Douglas College Foundation. She is currently the Executive Director of the Commercial Real Estate Development Association of Vancouver. While March 31, 2015 marked his retirement as board Chair, John Ratel will continue serving as a tribunal member.