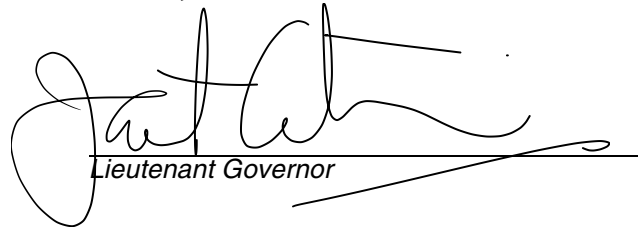


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 348

, Approved and Ordered June 17, 2024



Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders the following:

- (a) the revised *Civil Forfeiture Act*, R.S.B.C. 2024, c. 1, the official copy of which has been deposited with the Clerk of the Legislative Assembly, is brought into force as a limited revision under the *Statute Revision Act*;
- (b) Revision Schedule 1 of the revised *Civil Forfeiture Act* is brought into force;
- (c) the *Civil Forfeiture Regulation*, B.C. Reg. 164/2006, is amended as set out in the attached Schedule.



Minister of Public Safety and Solicitor General and  
Deputy Premier



Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: *Statute Revision Act*, R.S.B.C. 1996, c. 440, s. 5  
*Civil Forfeiture Act*, R.S.B.C. 2024, c. 1, s. 95 and Revision Schedule 1, s. 4

Other: O.C. 414/2006

R10779618

## SCHEDULE

- 1 Section 1 (2) of the Civil Forfeiture Regulation, B.C. Reg. 164/2006, is repealed.**
- 2 Section 2 (2) is amended by striking out “value,” and substituting “value;” and by striking out “property, and” and substituting “property;”.**
- 3 Section 3 (2) is amended by striking out “value,” and substituting “value;” and by striking out “obligation, and” and substituting “obligation;”.**
- 4 Section 3.1 is amended by striking out “section 19.04 (2) (c)” and substituting “section 53 (2) (c)”.**
- 5 Section 3.2 is amended by striking out “section 19.05 (1) (c)” and substituting “section 54 (1) (c)”.**
- 6 Section 5 is amended**
  - (a) in subsection (1) by striking out “section 23 (1)” and substituting “section 72 (1)”,**
  - (b) by repealing subsection (2), and**
  - (c) in subsection (3) by striking out “section 23 (3)” and substituting “section 72 (3)”.**
- 7 Section 6 is amended by striking out “a completed Form 2 set out in the Schedule” and substituting “a copy of the filed application for forfeiture”.**
- 8 Section 7 is amended**
  - (a) in subsection (1) by striking out “section 23 (1)” and substituting “section 72 (1)”,**  
**and**
  - (b) by repealing subsection (2) and substituting the following:**
    - (2) For the purposes of sections 72 (1) and 76.1 (1) of the Act, the director may register notice, as described in those provisions, in the personal property registry in the same manner in which a secured party may register a financing statement under the *Personal Property Security Act*.**
- 9 Section 8 is repealed.**
- 10 Section 9 is amended**
  - (a) in subsection (2) by striking out “section 27 (1) (a) to (d)” and substituting “section 83 (1) (a) to (d)”, and**
  - (b) in subsection (5) by adding “be” after “as the case may”.**
- 11 Section 12 is amended**
  - (a) by striking out “section 22.02 (1) (c)” and substituting “section 70 (1) (c)”, and**

**(b) by adding the following paragraph:**

- (d) persons or entities engaged in dealing in virtual currencies within the meaning of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (Canada).

**12 Section 13 is amended by striking out “section 22.02 (2)” and substituting “section 70 (2)”.**

**13 The following Parts are added:**

## **PART 6 – DIRECTOR’S ENTITLEMENT TO INFORMATION**

### **Section 67 (1) of Act – credit reporting agency and real estate organizations prescribed**

**14** For the purposes of the definition of “specified organization” in section 67 (1) of the Act, the following are prescribed organizations:

- (a) a credit reporting agency, as defined in section 1 of the *Personal Information Protection Act*;
- (b) the following real estate organizations:
  - (i) Association of Interior REALTORS;
  - (ii) BC Northern Real Estate Board;
  - (iii) Chilliwack and District Real Estate Board;
  - (iv) Fraser Valley Real Estate Board;
  - (v) Greater Vancouver REALTORS;
  - (vi) Powell River Sunshine Coast Real Estate Board;
  - (vii) Vancouver Island Real Estate Board;
  - (viii) Victoria Real Estate Board.

### **Section 67 (6) of Act – personal health information prescribed**

**15** (1) In this section, “**personal health information**” means information about an identifiable person that is in oral, physical or electronic form, or any other form, and is related to

- (a) the person’s mental or physical health,
- (b) the provision of health care to the person, or
- (c) the health history of the person’s family.

(2) For the purposes of section 67 (6) (e) of the Act and without limiting subsection (6) (a) of that section, personal health information is prescribed.

### **Section 67.1 (1) of Act – credit reporting agency prescribed**

**16** For the purposes of the definition of “relevant organization” in section 67.1 (1) of the Act, a credit reporting agency, as defined in section 1 of the *Personal Information Protection Act*, is prescribed.

## PART 7 – DIRECTOR’S NOTICE OF INTEREST

### Notice of interest

- 17** For the purposes of section 76 (3) (e) of the Act, notice under subsections (1) and (2) (a) of that section must contain, if available, the following information:
- (a) in the case of a motor vehicle, manufactured home or trailer, the vehicle identification number of the motor vehicle, manufactured home or trailer;
  - (b) in the case of a boat, the hull identification number of the boat;
  - (c) in the case of an outboard motor or aircraft, the serial number of the outboard motor or aircraft.

**14** *The Schedule is amended*

- (a) *in Form 1 by striking out “section 23 (1)” and substituting “Section 72 (1)”*,
- (b) *by repealing Form 2*,
- (c) *in Forms 3 and 4 by striking out “Section 23” and substituting “Section 72 (3)”, and*
- (d) *by repealing Forms 5 and 6 and substituting the following:*

**Form 5**  
(Section 70 (3) of the Civil Forfeiture Act)

To:  
Date:

Our file:

**Notice to Produce Information – Financial Institution**

**TAKE NOTICE** that under the authority of section 70 of the *Civil Forfeiture Act* (the “CFA”), the Director of Civil Forfeiture (the “Director”) has reason to believe that the deposited money, virtual currency or financial investments (the “Property”) or a portion of an interest in the Property of the following person:

Name:  
Date of birth:  
Address:  
Other:  
Known account numbers:

(the “Person”)

is located in British Columbia. The Director has reason to suspect the Property is proceeds or an instrument of unlawful activity and certain information listed below is required by the Director to exercise its powers or perform its functions under the CFA.

**THEREFORE**, pursuant to this request, you must disclose the following information with respect to the above noted account number(s), if any, **AND** any other accounts held by the Person, **within 30 days of receipt of this Notice**:

1. Identification of each account, limited to, as applicable:
  - a. Account number:
  - b. Transit number:
  - c. Institution number:
  - d. Place of account:
2. Nature and type of each account identified:
  - Chequing
  - Savings
  - Investment
  - Virtual currency holdings
  - Other (please specify):
3. Is the account active? Yes  No
4. Names and addresses of all account holders:

Please complete this form with the required information or attach the required information to this form and deliver it via mail, fax, or email to:

Civil Forfeiture Office

PO Box 9234 Station Provincial Government  
Victoria, BC V8W 9J1

Facsimile: (250) 356-1092

Email: [civilfo@gov.bc.ca](mailto:civilfo@gov.bc.ca)

For further information, please call the Civil Forfeiture Office at 250-356-1560 or toll-free at 1-844-356-1560.

**TAKE NOTICE**, if this box is checked, then pursuant to section 71 of the CFA, you must not disclose the existence of this Notice to any person, other than a person in respect to whom solicitor-client privilege exists, unless the Director advises otherwise.

**Form 6**  
(Section 70 (3) of the Civil Forfeiture Act)

To:  
Date:

Our file:

**Notice to Produce Information – Registered Interest Holder**

**TAKE NOTICE** that under the authority of section 70 of the *Civil Forfeiture Act* (the “CFA”), the Director of Civil Forfeiture (the “Director”) has reason to suspect that the whole or a portion of an interest in:

- Property description:
- Property registration number:
- Other:

(the “Property”)

is proceeds or an instrument of unlawful activity. The Director has reason to believe that you have a registered interest in the Property. The Director requires information related to the Property for the purpose of administering the CFA.

**THEREFORE**, pursuant to the Director’s request to produce information, you must disclose information or particulars related to your interest in the Property, **within 30 days of receipt of this Notice**.

If you hold a mortgage over a parcel of real property, information or particulars would normally include: 1) length of current term, 2) interest rate, 3) balance owing, 4) amortization period, 5) payment schedule and amount of minimum required payments, 6) names of all debtors, 7) debtor dates of birth, if applicable.

If you hold a security interest in personal property, information or particulars would normally include: 1) length of loan term, 2) interest rate, 3) amount financed, 4) balance owing, 5) payment schedule and amount of minimum required payments, 6) names of all debtors, 7) debtor dates of birth, if applicable.

If you hold something other than a mortgage or security interest, then include information or particulars that are consistent with the above examples.

Please attach the required information to this form and deliver it via mail, fax, or email to:

Civil Forfeiture Office  
PO Box 9234 Station Provincial Government  
Victoria, BC V8W 9J1

Facsimile: (250) 356-1092

Email: [civilfo@gov.bc.ca](mailto:civilfo@gov.bc.ca)

For further information, please call the Civil Forfeiture Office at 250-356-1560 or toll-free at 1-844-356-1560.

**TAKE NOTICE**, if this box is checked, then pursuant to section 71 of the CFA, you must not disclose the existence of this Notice to any person, other than a person in respect to whom solicitor-client privilege exists, unless the Director advises otherwise.