

This is the 1<sup>st</sup> affidavit of  
Wayne Crookes in this case  
and was made on October 23, 2020

No. \_\_\_\_\_  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

DEMOCRACY WATCH and WAYNE CROOKES

PETITIONER

AND:

THE LIEUTENANT GOVERNOR OF BRITISH COLUMBIA,  
THE LIEUTENANT GOVERNOR IN COUNCIL OF BRITISH COLUMBIA,  
THE PREMIER OF BRITISH COLUMBIA,  
THE ATTORNEY GENERAL OF BRITISH COLUMBIA, and  
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH  
COLUMBIA

RESPONDENTS

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**AFFIDAVIT #1 OF WAYNE CROOKES**

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I, Wayne Crookes, of the City of Vancouver in the Province of British Columbia, SWEAR  
THAT:

1. I am the Petitioner in this case and as such have knowledge of the matters deposed to in this affidavit. Where statements in this affidavit are based on information and belief, I have stated the source of such information and verily believe it to be true.
2. I am a businessman and live in Vancouver, BC. I have been a resident of BC all of my life.
3. I am the founder of IntegrityBC, a non-partisan non-profit organization dedicated to improving accountability and integrity in BC politics. I follow provincial politics in BC very closely, due to my personal interest in provincial politics and through my involvement in IntegrityBC.

4. I remember clearly the last five provincial elections in BC, which occurred in May 2001, May 2005, May 2009, May 2013, and May 2017. Attached to my affidavit and marked as **Exhibit “A”** is a true copy of a document titled “Provincial Election Results” provided by Elections BC, which lists the provincial election dates in BC from 1996 to 2017.
5. I have a clear memory of the May 2017 provincial election, and I followed it closely in the news. I recall in particular that no party won a majority of seats in this election; that the Liberal government led by Christy Clark was defeated in a confidence vote in June 2017; that the Lieutenant Governor asked the BC New Democrats (“**NDP**”) to form government with the support of the Greens; and that the Greens agreed to provide confidence in a BC NDP government. I recall reading media reports of the terms of the agreement between the Greens and the NDP, and I believe I read the agreement itself at the time, which was and remains publicly available online. Attached to my affidavit and marked as **Exhibit “B”** is a true copy of the 2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus.
6. I understand that the NDP government has maintained the confidence of the legislature since May 2017, as evidenced by public letters exchanged between the Premier and Andrew Weaver, MLA, in January 2020. Attached to my affidavit and marked as **Exhibit “C”** is a copy of the public letters exchanged between the Premier and Andrew Weaver, MLA in January 2020.
7. I am aware that provincial legislation in BC has established fixed election dates every four years and I understand that according to the legislation, the date for the next provincial election in BC is in October 2021.
8. I learned through media reports on or about September 21, 2020 that John Horgan, the Premier of British Columbia, had caused an early election to be held and that the general voting day would be October 24, 2020.
9. Attached to my affidavit and marked as **Exhibit “D”** is a copy of the Lieutenant Governor’s Proclamation dissolving the Legislative Assembly on September 21, 2020.
10. Attached to my affidavit and marked as **Exhibit “E”** is a true copy of Order in Council No. 567 ordering a provincial general election to be held on October 24, 2020.

11. I understand that BC is currently in a state of emergency due to the COVID-19 pandemic. Attached to my affidavit and marked as **Exhibit “F”** is a copy of the Provincial Health Officer’s notice that the COVID-19 pandemic is a regional event. Attached to my affidavit and marked as **Exhibit “G”** is a copy of Ministerial Order No. M073 declaring a state of emergency throughout the Province. That state of emergency has been continuously extended, most recently by Order in Council No. 571, a copy of which is attached to my affidavit and marked as **Exhibit “H”**.
12. Due to the COVID-19 pandemic, I understand that there are new voting procedures in place to take into account the risks of voting during the time of the COVID-19 pandemic. Voters can vote by mail, although a vote-by-mail package had to be requested by October 17, 2020. Certain voters who are “at-risk”, for example because they are self-isolating as a result of COVID-19, may vote by telephone. Voters may also vote in person on general voting day on October 24, 2020. Attached to my affidavit and marked as **Exhibit “I”** is a true copy of information on ways to vote from the Elections BC website.
13. Attached to my affidavit and marked as **Exhibit “J”** is a copy of the 16 emergency orders of the Chief Electoral Officer made on September 21, 2020, concerning the conduct of the 42<sup>nd</sup> provincial election.
14. I plan to vote in person on election day on October 24, 2020, as is my typical practice. However, I am fearful that I may be forced to wait in a lineup for an extended period of time if the organization at my polling station is not properly or efficiently equipped to accommodate citizens voting during a pandemic. I am concerned about the risks of COVID-19, both in terms of my own health and the health of others around me. I strategize daily to limit my own risk of exposure to COVID-19 and, like many thoughtful citizens around me, I am limiting my contact with family, friends and the public in order to decrease the risks of exposure and transmission of COVID-19.
15. In my opinion, this election has been called for partisan reasons. I believe that the NDP government is currently in good public favour, particularly in light of the provincial Public Health Officer’s handling of the COVID-19 pandemic. I believe the government is concerned that by the fixed election date in 2021, the public may be unhappy with

continuing restrictions due to COVID-19 and a potential economic downturn, and so the Premier has taken political advantage by calling an election now.

16. I am frustrated and disappointed that the Premier has disregarded the fixed election date laws that were duly passed by the legislature. In my view, this action undermines the rule of law, and it diminishes my faith in the democratic process.

**SWORN BEFORE**

me at Vancouver, British Columbia,  
on October 23, 2020.

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Wayne Crookes

Sarah Chaster

A Commissioner for taking affidavits  
for British Columbia

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## Resources

Legislation

Investigations &gt;

Maps &gt;

Outreach and Education &gt;

Results ▾

Provincial Election Results

Provincial By-election  
Results

Reports

Surveys

Statistics

Media Guides

# PROVINCIAL ELECTION RESULTS

For preliminary results from the 2020 Provincial General Election, see our [Voting Results](#) page.

Data files on this page are licenced under the Elections BC [Open Data Licence](#).

Year	Results
2017	<ul style="list-style-type: none"><li>Statement of Votes – 41st Provincial General Election – May 9, 2017 (<a href="#">PDF</a>   <a href="#">Excel</a>)</li><li><a href="#">Provincial Voting Results (DataBC)</a></li></ul>
2013	<ul style="list-style-type: none"><li><a href="#">2013 Statement of Votes – 40th Provincial General Election – May 14, 2013 (PDF)</a></li><li><a href="#">2013 Voting Results by Voting Area (Excel)</a></li></ul>
2009	<ul style="list-style-type: none"><li><a href="#">2009 Statement of Votes – 39th Provincial General Election – May 12, 2009 (PDF)</a></li><li><a href="#">2009 Voting Results by Voting Area (Excel)</a></li></ul>
2005	<ul style="list-style-type: none"><li><a href="#">2005 Statement of Votes – 38th Provincial General Election – May 17, 2005 (PDF)</a></li><li><a href="#">Errata to the 2005 Statement of Votes/Report of the Chief Electoral Officer</a></li><li><a href="#">2005 Voting Results by Voting Area (Excel)</a></li></ul>
2001	<ul style="list-style-type: none"><li><a href="#">2001 Statement of Votes – 37th Provincial General Election – May 16, 2001 (PDF)</a></li><li><a href="#">2001 Voting Results by Voting Area (Excel)</a></li></ul>
1996	<ul style="list-style-type: none"><li><a href="#">1996 Statement of Votes – 36th Provincial General Election – May 28, 1996 (PDF)</a></li><li><a href="#">1996 Voting Results by Voting Area (Excel)</a></li></ul>

# **2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus**

This agreement between the BC Green Caucus and the BC New Democrat Caucus is effective May 30<sup>th</sup>, 2017, for four years, or until the next fixed date election as set by the *BC Constitution Act*.

## **Section 1 – Foundation of Relationship**

This agreement establishes the basis for which the BC Green Caucus will provide confidence in a BC New Democrat Government. It is not intended to lay out the full program of a New Democrat Government, nor is it intended to presume BC Green support for initiatives not found within this agreement.

Both the BC New Democrats and the BC Greens campaigned for a government that put people at the centre of their decision-making. Our policy proposals included many points of agreement, including:

1. Making democracy work for people
2. Creating jobs, acting on climate change, and building a sustainable economy that works for everyone
3. Fixing the services people count on
4. Making life more affordable for people

This agreement sets out a new relationship between the two parties, founded on the principle of “good faith and no surprises”.

Both parties agree that the legislature works best when all MLAs are able to put forward good ideas – and come together – to support those that advance the public good.

Subject to the terms of this agreement, we undertake that:

1. Should the Lieutenant Governor invite the Leader of the BC New Democrats to form a new government, this agreement will continue until the next scheduled election.
2. The Leader of the New Democrats will not request a dissolution of the Legislature during the term of this agreement, except following the defeat of a motion of confidence.
3. The BC Green MLAs will neither move, nor vote non-confidence during the term of this agreement, so long as the principle of good faith and no surprises has been observed.
4. Both parties will ensure that they have all their elected members at all sittings of the House as reasonable, and will vote in favour of the government on confidence motions.
5. While individual bills, including budget bills, will not be treated or designated as matters

of confidence, the overall budgetary policy of the Government, including moving to the committee of supply, will be treated as matters of confidence.

6. BC Green support for policy and legislation which does not relate to confidence or supply is not subject to this agreement and will be decided on an issue by issue basis.

This agreement establishes a dispute resolution process (see Appendix A).

Both caucuses recognize that, in order to promote greater stability, the government must be able to negotiate with the three BC Green Party MLAs as a single, recognized caucus. Similarly, to be a credible partner and fulfill the responsibilities that will be required of them, the BC Green MLAs require access to legislative tools that are only available to recognized political parties and sufficient support staff.

A foundational piece of this relationship is that both caucuses support the adoption of the UN Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission calls-to-action and the Tsilhqot'in Supreme Court decision. We will ensure the new government reviews policies, programs and legislation to determine how to bring the principles of the Declaration into action in BC.

This agreement shall only be amended by mutual consent.

## **Section 2 – Consultation Arrangements**

Consultation will occur in a timely fashion to ensure BC Green Caucus views can be incorporated into final decision-making. Formal consultation will be managed between the Premier's Office and the BC Green Caucus office. Regular meetings will also be established between the Premier and the BC Green Party Leader.

### **1. Overall Consultation**

The BC New Democrat Government will consult the BC Green Party Caucus on:

- Broad outline of the government's legislative programme;
- Legislation to be introduced in the House;
- Major policy issues;
- Broad budget parameters;
- Events/policy changes with provincial or budgetary implications.

To ensure that the BC Green Party Caucus is informed about the policy agenda of the government, the BC New Democrat Government agrees to provide access to key documents and officials.

Both parties agree to establish a process to manage and coordinate the external communication of policy initiatives covered in this agreement, ensuring the principle of good faith and no surprises is maintained through communications.

## **2. Budget**

The BC New Democrat Government will ensure the BC Green Caucus is afforded meaningful consultation on provincial budget priorities in advance of being finalized.

## **3. Confidentiality**

Where briefings or other consultations have been provided to the BC Green caucus in respect to legislation, policy or budgetary matters, all discussions shall be confidential unless otherwise agreed, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

# **Section 3 – Policy Initiatives**

A BC New Democrat Government agrees to advance the following legislative and policy initiatives identified as a condition of support by the BC Green Caucus. These objectives are not an exhaustive list of the policy initiatives the BC New Democrat Government or BC Green Caucus will advance, but are areas where we agree on shared values and outcomes for the people of British Columbia.

## **1. Making democracy work for people**

- a. The Legislature shall be recalled within one month of the swearing in of a BC New Democrat Government.
- b. Proportional Representation
  - i. Both the BC New Democrat Government and the BC Green Caucus are committed to proportional representation. Legislation will be introduced in the 1<sup>st</sup> sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government establishing that:
    - (1) A referendum on proportional representation will take place in the fall of 2018, concurrent with the next municipal election; and
    - (2) The form of proportional representation approved in the referendum will be enacted for the next provincial election.
  - ii. The parties agree that they will work together in good faith to consult British Columbians to determine the form of proportional representation that will be put to a referendum.
  - iii. The parties agree to both campaign actively in support of the agreed-upon form of proportional representation.

**c. Electoral Finance**

- i. The parties agree that legislation will be introduced in the 1<sup>st</sup> sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government to:
  - (1) Ban corporate and union donations and contributions from non-residents of British Columbia;
  - (2) Place limits on individual contributions;
  - (3) Accept loans only from banks or recognized financial institutions;
  - (4) Eliminate any other means by which individuals or entities may wield undue influence over government; and
  - (5) Conduct a review of campaign finance and the Elections Act.

**d. Lobbying Reform**

- i. The parties agree that legislation will be introduced in the 1<sup>st</sup> sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government to:
  - (1) Institute a multi-year prohibition on lobbying for former Senior Public Office Holders;
  - (2) Increase penalties for violations of the *Lobbyists Registration Act*;
  - (3) Initiate a comprehensive review of the *Lobbyists Registration Act*, including the Office of the Registrar of Lobbyists' mandate, to ensure our democratic institutions and the interests of British Columbians are adequately protected from the influence of special interests.

**e. Respect the integrity and independence of a professional public service.**

**f. Ensure more public input into decision-making by making more effective use of committees of the legislature and allowing MLAs an opportunity to have input on policy decisions.**

**g. The parties agree that legislation will be introduced in the 1<sup>st</sup> sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government to shift the formula for the fixed election date from May, to a date in the fall of 2021, and every 4 years after that to provide a more transparent budget process and the passage of a budget prior to an election.**

**h. Require Spring and Fall sittings of the legislature every year.**

**2. Jobs, climate and a sustainable economy that works for everyone**

**a. Climate Action**

- i. Implement an increase of the carbon tax by \$5 per tonne per year, beginning April 1, 2018 and expand the tax to fugitive emissions and to slash-pile burning.
- ii. Deliver rebate cheques to ensure a majority of British Columbians are better off

financially than under the current carbon tax formula.

- iii. Implement a climate action strategy to meet our targets.
- b. Immediately refer the Site C dam construction project to the BC Utilities Commission on the question of economic viability and consequences to British Columbians in the context of the current supply and demand conditions prevailing in the BC market.
- c. Immediately employ every tool available to the new government to stop the expansion of the Kinder Morgan pipeline, the seven-fold increase in tanker traffic on our coast, and the transportation of raw bitumen through our province.
- d. Improve fairness for workers, ensure balance in workplaces, and improve measures to protect the safety of workers at work so that everyone goes home safely and that workers and families are protected in cases of death or injury.
- e. Immediately establish an at-arm's-length Fair Wages Commission that will be tasked with establishing a pathway to a minimum wage of at least \$15 per hour and overseeing regular rate reviews. The commission will bring forward recommendations regarding strategies to address the discrepancy between minimum wages and livable wages. The commission will make its first report on a new minimum wage within 90 days of its first meeting.
- f. Act immediately to improve transit and transportation infrastructure in cooperation with the Mayors' Council and the federal government to reduce emissions, create jobs and get people home faster.
- g. Work with the Mayors' Council consultation process to find a more fair and equitable way of funding transit for the long term.
- h. Invest over four years to support co-op, apprenticeship and work experience programs for high-school and undergraduate students.
- i. Establish an Emerging Economy Task Force (EETF) to address the changing nature of business over the next 10 to 25 years. The EETF will be charged with developing "made-in-BC" solutions that keep our government, our policies and our thinking on the cutting edge. The task force will report to the government within one year of the 1<sup>st</sup> sitting of the next session of the BC Legislative Assembly with a BC New Democrat Government.
  - i. The mandate and funding of the EETF will be jointly established by representatives of both the BC Green Caucus and the BC New Democrat Government.
- j. Establish an Innovation Commission to support innovation and business development in the technology sector, and appoint an Innovation Commissioner with a mandate to be an advocate and ambassador on behalf of the BC technology sector in Ottawa and abroad.

- i. The mandate and funding of the Innovation Commission will be jointly established by representatives of both the BC Green Caucus and the BC New Democrat Government.
  - ii. The Innovation Commission will be created in the 1<sup>st</sup> provincial budget tabled by the BC New Democratic Government.
- k. Reinvigorate our forest sector to improve both environmental standards and jobs for local communities.
- l. Revitalize the Environmental Assessment process in BC and review and address failures in the professional reliance model in BC so that British Columbians' faith in resource development can be restored.
- m. Build needed hospitals, schools and other infrastructure that reduce emissions and increase energy efficiency throughout BC.

### **3. Fixing the Services People Count on**

- a. Promote and protect the public healthcare system.
- b. Increase the emphasis on preventative health initiatives and services.
- c. In the first provincial budget tabled by the BC New Democratic Government, develop a proposal to implement an essential drugs program, designed to reduce the costs of prescription drugs and ensure the cost of drugs is not a barrier to health management.
- d. Provide seniors with the right care at the right time to improve health and reduce costs in hospitals.
  - i. Invest in home care to enable seniors and other people who need assistance to stay in their own homes.
  - ii. Ensure the staffing of public and private care homes meets government guidelines, and provide additional funding to address staffing levels in public facilities.
  - iii. Ensure that clear, measurable and enforceable staffing standards for residential care facilities are implemented. Standards will be supported by monitoring and enforcement to ensure they are being met, and there will be annual public reporting.
- e. Expand the use of team-based health care to ensure that people have better access to the type of care they need, including access to services from physiotherapists, nurse practitioners, midwives, dietitians, pharmacists and other health professionals.
- f. Respond to the crisis in mental health and addictions with a dedicated Minister

responsible for developing and implementing a Mental Health and Addiction Strategy and a Youth Mental Health Strategy.

- i. Ensure that the Ministry has sufficient funding to provide frontline services, including funding for early intervention, youth mental health initiatives, supervised injection sites, and community-based centres for mental health and rehabilitation.
  - ii. Develop an immediate response to the fentanyl crisis based on successful programs that invest in treatment-on-demand, drug substitution, early-warning monitoring systems, and coordinated response.
- g. Recognize that education is about lifelong learning and make post-secondary education more accessible and affordable.
- i. Restore funding to Adult Basic Education and English language learning.
  - ii. Implement an agreed upon approach to improving access and reducing the cost of post-secondary education for students.
  - iii. Allocate funding for in-service skills training for workers in small and medium-sized enterprises, and for retraining for those displaced by automation or changing markets.
- h. Fast track enhancement to K-12 education funding to restore faith in public schools after a decade and a half of a government that shortchanged a generation of students.
- i. Priorities for funding include early intervention and Healthy Starts programs.
  - ii. Review the funding model for the K-12 education system with a view to ensuring equitable access for students.
- i. Invest in childcare and early childhood education to improve quality, expand spaces, increase affordability and ensure childcare is accessible for all families, with a focus on early childhood education.
- j. Enhance and improve child protection services to ensure that all children grow up in safe and nurturing environments.
- i. Invest in child protection to hire additional social workers and staff to support social workers, and to implement incentives to attract social workers to rural and underserved regions.
- k. Tighten the rules that protect good landlords and tenants and ensure the resources necessary exist to resolve disputes fairly and in a timely way.

#### **4. Making life more affordable**

- a. Design and implement a province-wide poverty reduction strategy that includes addressing the real causes of homelessness, including affordable accommodation, support for mental health and addictions and income security.
  - i. One aspect of the poverty reduction strategy is to design and implement a basic


income pilot to test whether giving people a basic income is an effective way to reduce poverty, improve health, housing and employment.

(1) This pilot should be funded in the first provincial budget tabled by the BC New Democratic Government.


- b. Develop a genuine progress indicator for British Columbia covering a range of indicators.
  - i. The indicators will be developed in consultation with business and industry, communities, not-for-profit organizations and individuals.
- c. Eliminate regressive MSP premiums.
- d. Make housing more affordable by increasing supply of affordable housing and take action to deal with the speculation and fraud that is driving up prices.

## Section 4 – Signatures

This agreement is signed by the Leaders of the BC Greens and the BC New Democrats on behalf of their caucuses.

  
\_\_\_\_\_  
Leader of the BC New Democrats (Signature)

JOHN HORGAN  
\_\_\_\_\_  
Leader of the BC New Democrats (Print)

  
\_\_\_\_\_  
Leader of the BC Greens (Signature)

Andrew Weaver  
\_\_\_\_\_  
Leader of the BC Greens (Print)

## **APPENDIX A - Consultation and Dispute Resolution between the BC Green Caucus and the BC New Democrat Government**

This agreement is governed by the principle of good faith and no surprises found within the "2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus". In practice, this requires both parties to work together in good faith to:

1. Consult on policy initiatives detailed within the "2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus" and other policy initiatives agreed upon by both parties. Consultation will:
  - a. Occur before final policy decisions have been made to ensure that the BC Green Caucus can contribute to the policy development process;
    - i) Notice of forthcoming issues requiring consultation is given through the Consultation Committee (see below for details regarding the Consultation Committee).
  - b. Commence with adequate time for the BC Green Caucus to review the necessary information and canvass the caucus for positions, taking into consideration the financial and human resource limitations of the BC Green office.
  - c. Include consultation on senior Order-in-Council (OIC) appointments.
2. Guarantee that the BC New Democrat Government will gauge support from the BC Green Caucus for proposed legislative action through the Consultation Committee before legislation is introduced.
3. Ensure that the BC Green Caucus is informed about the policy agenda of the government. The BC New Democrat Government agrees to provide access to:
  - a. Deputy minister and ministry staff briefings;
  - b. Executive summaries and full briefings on key issues as requested by the BC Green Caucus, and 30-60-90 briefing notes;
  - c. Adequate background documents and support information used in the preparation of initiatives;
  - d. Other resources as necessary to enable informed participation by the BC Green Caucus;

The BC Green Caucus and BC New Democrat Government establish three levels to consultation/dispute resolution under the broader "2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus".

1. Where an issue is identified for consultation by the BC Green Caucus, a member of the BC Green Caucus will be identified to the BC New Democrat Government as the point person on the issue. Consultation on the issue occurs directly between the Minister and the BC Green Caucus point person.
2. A Consultation Committee will be established to consider any issues needing consultation, including parliamentary aspects that have not been dealt with in consultations between the Minister and the BC Green Caucus point person. This committee will meet regularly and will have 3 members from each party, including at least one member of caucus.
3. Regular meetings between the Premier and the Leader of the BC Green Party will take place and can dispense of any remaining issues.

In addition to the process laid out above, the following access is provided to the BC Green Caucus:

Representatives from the BC Green Caucus and the BC New Democrat Government will meet frequently to establish the formal and informal methods through which consultation takes place. Both parties acknowledge that consultation will form the basis of ensuring that good relationships can be built, that the principle of good faith and no surprises can be followed, and that a strong, stable and effective minority government can exist.

**Agreement for coordination of External Communications between the BC Green Caucus  
and the BC New Democrat Government**

This agreement is governed by the principle of good faith and no surprises found within the "2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus". In practice this requires both parties to work together in good faith to:

1. Provide adequate notice of public communications on policy covered in the "2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus" or where consultation or collaboration is ongoing.
2. Policy initiatives contained within the "2017 Confidence and Supply Agreement between the BC Green Caucus and the BC New Democrat Caucus" are subject to consultations on the form that external communications will take.

The implementation and maintenance of this policy will be the joint responsibility of both the BC Green Caucus and the BC New Democrat Government. Approval for external communications, notice of communications, and coordination of joint announcements between the two parties is overseen by the designated body:

1. For the BC Green Caucus: Communications Director
2. For the BC New Democrat Government: Communications Director

Where approval is required by one or both parties, it is to be provided in writing (printed or electronic).

The communications teams from both parties will meet frequently to establish the formal and informal methods by which the BC Green Caucus and BC New Democrat Government will manage the external communications coordination, supporting the strength, stability and effectiveness of the minority government.

**Signatures**

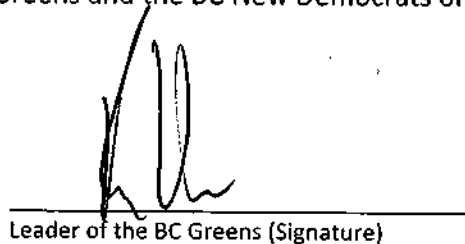
This agreement is signed by the Leaders of the BC Greens and the BC New Democrats on behalf of their caucuses.



Leader of the BC New Democrats (Signature)

JOHN HORGAN

Leader of the BC New Democrats (Print)



Leader of the BC Greens (Signature)

ANDREW WEAVER

Leader of the BC Greens (Print)

Signed this 30 day of MAY, 2017

Signed this 30 day of May, 2017



LEGISLATIVE ASSEMBLY  
of BRITISH COLUMBIA



Dr. Andrew Weaver MLA  
Oak Bay-Gordon Head

27 January 2020

Honourable John Horgan  
Premier and President of the Executive Council  
West Annex Parliament Buildings  
Victoria, BC V8V 1X4

Premier Horgan,

As you know, the Confidence and Supply Agreement (CASA) is an agreement signed by all members of the BC Green Caucus and the Government Caucus.

As I am no longer a member of the Green Caucus, I am writing to you to clarify my intentions regarding my support of this Government and propose a path forward.

I intend to continue to support Government on all matters of confidence and to support the spirit of the CASA. Going forward, my relationship with Government will continue to be based on the founding principles of the CASA, "good faith and no surprises."

As an independent MLA I do not intend to engage on all matters before Government, however I would like to retain the option to meet with Government on a limited number of priority policy areas of key importance to me. I propose that my legislative office will work with CASA Secretariat staff to facilitate such meetings and coordinate follow-up as necessary. I and my legislative staff will happily sign new undertakings of confidentiality with Government to enable continuation of these consultation meetings.

If any serious concerns or issues arise, I propose that I raise them directly with political staff in your office, as I will no longer be party to the CASA Consultation Committee process.

As for my participation in Question Period and the House, I will make any requests to the Government House Leader, with the understanding that allocation of speaking time to independent members is an issue that is negotiated between the House Leaders of all parties.

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**Constituency Office A**

219-3930 Shelbourne St.  
Victoria BC V8P 5P6  
T 250-472-8528  
Andrew.Weaver.mla@leg.bc.ca

**Legislative Office**

Room 028A Parliament Buildings  
Victoria BC V8V 1X4  
T 250-387-8347  
Andrew.Weaver.mla@leg.bc.ca

While the Agreement for Coordination of External Communication between the BC Green Caucus and the BC New Democrat Government will no longer apply to me, I will endeavour to provide the Government with advance notice of any public communications from my office, and I propose that the Government reciprocate on subjects that I have identified as having particular interest to me. I propose that my office continue to work with the CASA Secretariat staff in this regard.

The new Leader of the BC Green Caucus will properly take my place in regular meetings with you, but as partners who have accomplished so much together in the past two and half years, I hope and expect the two of us will still be able to sit down together to advance our common goals, and to find solutions if circumstances require it.

Sincerely,



Andrew Weaver  
MLA Oak Bay – Gordon Head



January 30, 2020

Dr. Andrew Weaver, MLA  
Oak Bay-Gordon Head  
219-3930 Shelbourne Street  
Victoria, BC V8P 5P6

Dear Andrew,

I was pleased to receive your letter of January 27, 2020.

Over the past two and half years, the Confidence and Supply Agreement we signed has delivered so much for the people of British Columbia. I look forward to ongoing work with you in your new capacity as an Independent MLA, in the spirit of that agreement. I welcome and accept the specific proposals for how we will continue to work together, as outlined in your letter.

Going forward, the CASA Secretariat will work with your Legislative Office to manage consultations on policies and initiatives that are of importance to you. If issues or concerns arise, please do not hesitate to contact staff in my office.

I am confident the relationship we have forged will allow us to continue our work to advance common goals, find solutions, and build a better British Columbia.

Sincerely,

A handwritten signature in blue ink, reading "John J. Horgan", with a long horizontal flourish extending to the right.

John Horgan  
Premier



Canada  
Province of British Columbia  
A Proclamation

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom,  
Canada and Her other Realms and Territories, Queen, Head of the  
Commonwealth, Defender of the Faith

**To all to whom these presents shall come – Greeting**

WHEREAS We have thought fit to dissolve the forty-first Legislative Assembly of Our said Province,

NOW KNOW THAT We do, for this end, publish this Our Royal Proclamation, and do hereby dissolve  
the forty-first Legislative Assembly accordingly on September 21, 2020, and the members thereof are  
discharged from further attendance on the same.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of  
Our Province to be hereunto affixed.

WITNESS The Honourable Janet Austin, Lieutenant Governor of Our Province of British Columbia, in  
Our City of Victoria, in Our Province, this twenty-first day of September, two thousand twenty and in the  
sixty-ninth year of Our Reign.

BY COMMAND.



Attorney General  
(counter signature for the Great Seal)

Lieutenant Governor

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

567

, Approved and Ordered

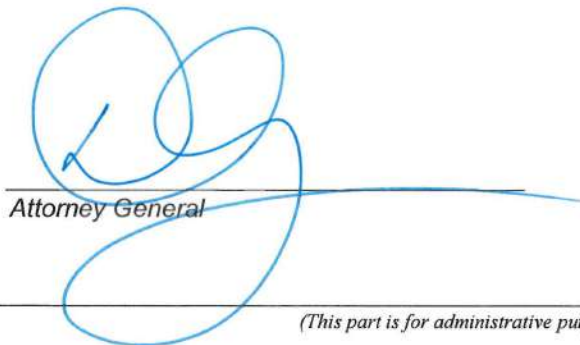
SEP 21 2020

  
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 that a general election be held in all electoral districts for the election of members to serve in the Legislative Assembly and, in relation to this order, that

- (a) the chief electoral officer is directed to issue writs of election for all electoral districts,
- (b) the writs of election are to be issued on Monday, September 21, 2020,
- (c) the general voting day for the election is October 24, 2020, and
- (d) the writs of election are to be returned in accordance with the *Election Act*.

  
Attorney General  
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: Election Act, R.S.B.C. 1996, c. 106, s. 24

Other: \_\_\_\_\_



Cliff #1157407

To: Honourable Adrian Dix, Minister of Health  
Stephen Brown, Deputy Minister, Ministry of Health  
All British Columbia Medical Health Officers  
Dr. Evan Adams, Chief Medical Officer, First Nations Health Authority  
Dr. Brian Emerson, Deputy Provincial Health Officer (acting)  
Dr. Daniele Behn Smith, Deputy Provincial Health Officer, Indigenous Health  
Dr. Reka Gustafson, Vice President, Public Health and Wellness  
Lorie Hryciuk, Executive Lead, Ministry of Health

**Re: Provincial Health Officer Notice**  
***Public Health Act S.B.C. 2008, Chapter 28, section 52 (2)***

Further to the provisions of section 52 (2) of the *Public Health Act*, I hereby provide notice that the transmission of the infectious agent SARS-CoV-2, which has caused cases and outbreaks of a serious illness known as COVID – 19 among the population of the Province of British Columbia, constitutes a regional event as defined under section 51 of the *Public Health Act*.

On the basis of the information that has been reported to me in my capacity as the Provincial Health Officer, I reasonably believe that the following criteria found in section 52 (2) *Public Health Act* exist:

- (a) the regional event could have a serious impact on public health;
- (b) the regional event is unusual or unexpected;
- (c) there is a significant risk of the spread of an infectious agent; and
- (d) there is a significant risk of travel or trade restrictions as a result of the regional event.

The purpose of providing this notice is to enable the exercise of the powers in Part 5 of the *Public Health Act* in responding to the event.

Signed this 17 day of March, 2020

SIGNED:

Bonnie Henry  
MD, MPH, FRCPC  
Provincial Health Officer

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC  
SAFETY AND SOLICITOR GENERAL

*Emergency Program Act*

Ministerial Order No. M073

WHEREAS the COVID-19 pandemic poses a significant threat to the health, safety and welfare of the residents of British Columbia, and threatens to disproportionately impact the most vulnerable segments of society;

AND WHEREAS prompt coordination of action and special regulation of persons or property is required to protect the health, safety and welfare of the residents of British Columbia, and to mitigate the social and economic impacts of the COVID-19 pandemic on residents, businesses, communities, organizations and institutions throughout the Province of British Columbia.

NOW THEREFORE I declare that a state of emergency exists throughout the whole of the Province of British Columbia.

March 18, 2020  
Date

  
Minister of Public Safety and Solicitor  
General

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

Authority under which Order is made:

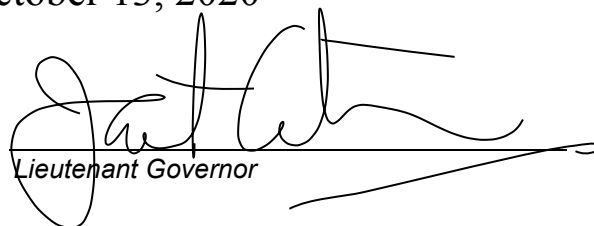
Act and section: Emergency Program Act, R.S.B.C. 1996, c. 111, s. 9(1)

Other: \_\_\_\_\_

**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

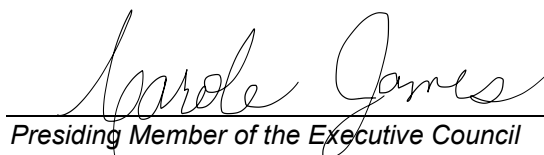
Order in Council No. 571

, Approved and Ordered October 13, 2020

  
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 that the attached declaration of a state of emergency throughout the whole of the Province of British Columbia made by the Minister of Public Safety and Solicitor General on March 18, 2020 is extended for a further period, to the end of the day on October 27, 2020, due to the threat the COVID-19 pandemic poses to the health, safety or welfare of people.

  
Presiding Member of the Executive Council

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

**Authority under which Order is made:**

Act and section: Emergency Program Act, R.S.B.C. 1996, c. 111, s. 9 (4)

Other: M073/2020; OIC 155/2020; OIC 173/2020; OIC 207/2020; OIC 241/2020; OIC 264/2020;  
OIC 310/2020; OIC 351/2020; OIC 389/2020; OIC 436/2020; OIC 458/2020; OIC 482/2020;  
OIC 494/2020; OIC 506/2020; OIC 570/2020

**PROVINCE OF BRITISH COLUMBIA**

**ORDER OF THE MINISTER OF PUBLIC  
SAFETY AND SOLICITOR GENERAL**

***Emergency Program Act***

Ministerial Order No. M073

WHEREAS the COVID-19 pandemic poses a significant threat to the health, safety and welfare of the residents of British Columbia, and threatens to disproportionately impact the most vulnerable segments of society;

AND WHEREAS prompt coordination of action and special regulation of persons or property is required to protect the health, safety and welfare of the residents of British Columbia, and to mitigate the social and economic impacts of the COVID-19 pandemic on residents, businesses, communities, organizations and institutions throughout the Province of British Columbia.

NOW THEREFORE I declare that a state of emergency exists throughout the whole of the Province of British Columbia.

March 18, 2020  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Minister of Public Safety and Solicitor  
General

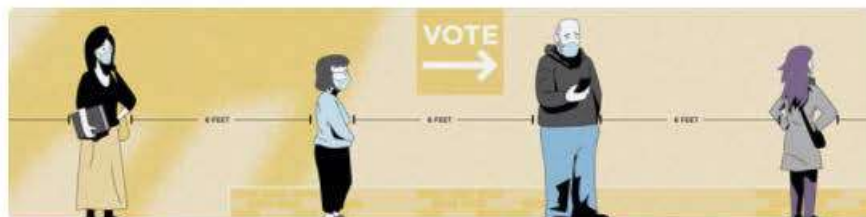
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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: Emergency Program Act, R.S.B.C. 1996, c. 111, s. 9(1)  
Other: \_\_\_\_\_

## Voting

[Register to Vote](#)[Voting Safely and COVID-19](#)[Where to Vote](#) >[How to Vote by Mail](#) >[DEO Office Locations](#)[Voter ID](#)[Voting Accessibility](#) >[Voters List](#) >

## VOTING SAFELY AND COVID-19

A Provincial General Election has been called for Saturday, October 24. We've been working with the Office of the Provincial Health Officer and WorkSafeBC to make sure it's conducted safely for voters, candidates and election workers. We want to make sure that voters don't have to choose between safeguarding their health and exercising their right to vote.

### What you can expect at in-person voting places

All voting places and district electoral offices will have protective measures in place, including:

- Physical distancing
- Capacity limits
- Election officials wearing personal protective equipment (such as masks and face-visors)
- Protective barriers
- Hand sanitizing stations
- Frequent cleaning of voting stations and frequently touched surfaces
- Election workers trained on safe workplace guidelines and pandemic protocols

Voting places will follow the practices outlined in our [voting place safety plan](#) (PDF) which includes input provided by WorkSafeBC.

Some familiar voting procedures may be different. For example, you will show your identification without handing it to an election official, and you will make a verbal declaration of your eligibility to vote instead of signing a voting book.

### Do your part to vote safely!

Follow the instructions from election officials and signage in the voting place to help maintain physical distancing. You will be asked to sanitize your hands before and after voting. You may use your own pen or pencil to mark your ballot, if you wish.

You are welcome to wear a face mask, if you wish. You will not be asked to remove your mask to vote.

If you are ill or self-isolating, **do not visit a voting place**. Request a [vote-by-mail package](#) or call Elections BC at 1-800-661-8683 for assistance.

### Ways to vote

**Vote in person:** You may vote in person on General Voting Day on Saturday, October 24, in advance from Thursday, October 15 to Wednesday, October 21, or at a district electoral office from now until 4 p.m. on Saturday, October 24. We have added additional advance voting opportunities to reduce the number of voters in voting places. Find out more about [Where to Vote](#) or check the [Where to Vote app](#) for regular updates.

**Vote by mail:** October 17 was the last day to request a vote-by-mail package online or by phone. For more information on voting by mail, including how to return your vote-by-mail package, visit our [How to Vote by Mail](#) page.

**Accessible voting** for at-risk voters and voters with disabilities: These options include curbside voting, assisted telephone voting, and site-based voting.



## PROVINCE OF BRITISH COLUMBIA

### ORDER OF THE CHIEF ELECTORAL OFFICER

Order Number: EA-ORD006-2020

Office of the Chief Electoral Officer, Victoria

#### Circumstances in which Order is Made

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency situation and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act) and that the limitations on election expenses under ss 183 and 203 of the Act have been adversely affected by the COVID-19 pandemic.

Due to the emergency situation the Provincial Health Officer has issued direction requiring physical distancing, hand sanitation and the use of masks, shields or other barriers when physical distancing cannot be accomplished. I find that the application of the categorization and limitation of election expenses provisions of the Act would limit the purchase and use of non-partisan personal protective equipment, presenting risks to personal and public health during these extraordinary circumstances.

In my opinion, these circumstances make the following Order necessary.

#### Application of Order

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

This Order applies to the following expenses under the Act:

- Election expenses under s. 183; and
- Expenses not to be included as election expenses subject to limit under s. 203.

This Order is issued under the authority of s. 280 of the Act.

### **Exceptions provided by Order**

Despite the requirements of s. 183 of the Act, and the list of election expenses which are not subject to the spending limit established under s. 203, the value of non-partisan personal protective equipment used to prevent the spread of COVID-19 is not subject to the election expense spending limit. This exception only applies if that personal protective equipment does not include any partisan branding, election advertising, partisan messaging or partisan images of any kind, in which case that personal protective equipment is an election expense subject to the spending limit.



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Anton Boegman  
Chief Electoral Officer

*September 21, 2020*



**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE CHIEF ELECTORAL OFFICER**

**Order Number: EA-ORD007-2020**

**Office of the Chief Electoral Officer, Victoria**

**Circumstances in which Order is Made**

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act). I also find that the requirements for the content of the notice required under s. 28(2)(a) have been adversely affected by the COVID-19 pandemic.

Due to the pandemic emergency there are difficulties and delays in obtaining suitable offices for district electoral officers. Further, due to the pandemic many newspapers in the province have reduced their printing schedule and are no longer printing on a daily basis. I find that these extraordinary circumstances may impede the ability to provide the required information within the required time limit for the notice of election to be issued under s. 28(2)(a) of the Act. Specifically, these circumstances may impact the timely ability to provide dates, times and places at which nominations will be received by the district electoral officer during the nomination period.

In my opinion, these circumstances make the following Order necessary.

**Application of Order**

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

This Order applies to the following requirements for notices under the Act:

- The notice of election under s. 28(2)(a);

This Order is issued under the authority of s. 280 of the Act.

### **Exceptions provided by Order**

Despite the requirements of s. 28(2)(a) of the Act, the notice of election is not required to include the place at which nominations will be received by the District Electoral Officer during the nomination period if a location for the office of the district electoral officer has not been established. In place of the requirements of s. 28(2)(a), the content of the notice must include the address of an Elections BC authorized internet site that will be updated to include the information required by s. 28 (2)(a).



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Anton Boegman  
Chief Electoral Officer

*September 21, 2020*



## PROVINCE OF BRITISH COLUMBIA

### ORDER OF THE CHIEF ELECTORAL OFFICER

Order Number: EA-ORD008-2020<sup>1</sup>

Office of the Chief Electoral Officer, Victoria

#### Circumstances in which Order is Made

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency situation and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act* R.S.B.C. 1996, c. 106 (the Act), and the requirements and processes applicable to alternative absentee voting under ss 75(3), 87, 102, 105, 106, 107, 134, 257 and 274(2) of the Act have been adversely affected by the COVID-19 pandemic.

Due to the emergency situation, extraordinary circumstances and Provincial Health Officer direction resulting from the ongoing pandemic, I find that the requirements currently in place for alternative absentee voting under the Act are inadequate to address the anticipated significant and material increase in demand for alternative absentee voting. I also find that the current processes for alternative absentee voting would require shared touch points between individuals and election officials, presenting risks to personal and public health and to the ability to carry out the functions of the election. Further, the modifications established in this Order will reduce the need for voters who may be at risk of contracting or transmitting COVID-19 from attending to vote in person.

In my opinion, these circumstances make the following Order necessary.

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<sup>1</sup>Order revised to address typographical error.

## **Application of Order**

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

This Order applies to the following provisions relating to alternative absentee voting under the Act:

- Contents of ballots, specifically counterfoils and stubs under ss 87(2) and (3);
- Ballots used under s. 87(6);
- Certification envelopes used for alternative absentee voting under s. 87(5);
- Who may vote by alternative absentee voting under ss 102 and 87(5)(c);
- Process of obtaining an alternative absentee voting package under s. 105;
- Use of counterfoils and stubs under s. 105(7)(a) and (b)(ii);
- Process to vote using alternative absentee voting packages under s. 106;
- Removal of the requirement for witnesses to be involved in the alternative absentee voting process under s. 106(1);
- Locations that can receive alternative absentee voting packages under s. 106(1)(i);
- Process of receipt of alternative absentee voting package under s. 107;
- Use of counterfoils under ss 107(1)(c) and 274(2);
- Timing of the consideration of certification envelopes used in alternative absentee voting packages under s.134(1); and
- Possibility of replacement alternative absentee voting packages under ss 105(3) and 257;
- Individuals requiring assistance completing an alternative absentee voting package under s. 109;
- Voter participation information about alternative absentee voting package requests and returns under ss 105 and 107.

This Order is issued under the authority of s. 280 of the Act.

## **Exceptions provided by Order**

### ***Section 87 of the Act***

Despite the requirements of ss 87(2) and (3) of the Act, ballot papers prepared for alternative absentee voting packages do not require a counterfoil or stub and are not required to be prepared in books of a number of ballot papers.

Despite the requirements of s. 87(2) of the Act, the Chief Electoral Officer must produce ballot papers for alternative absentee voting packages substantially in the form of Forms 2 and 3 in the Schedule to the Act.

Despite the requirements of s. 87(6) of the Act, following the declaration of candidates in accordance with the Act, alternative absentee voting packages may be prepared containing ordinary ballots, which must be substantially in the form of Form 2. If the alternative absentee voting package contains an ordinary ballot as described within this Order, the package must not contain a write-in ballot under 87(6)(a) of the Act.

Despite the requirements of s. 87(6)(b) of the Act, alternative absentee voting packages may include a secrecy sleeve instead of a secrecy envelope.

Despite the requirements of s. 87(5) of the Act, certification envelopes for use in alternative absentee voting packages must be prepared with spaces in which the date of birth of the individual voting is to be recorded. The Chief Electoral Officer may include an identifier on the certification envelope to assist in confirming that the individual returning the package under s. 107(1)(c) is the individual to whom the package was issued.

### ***Section 102 of the Act***

Despite the requirements of s. 102 of the Act, any individual qualified to vote in an election for an electoral district under the Act may vote by alternative absentee voting, and therefore, despite the requirement of s. 87(5)(c) of the Act, certification envelopes do not require a printed declaration that the individual is eligible to vote by alternative absentee voting.

### ***Sections 105 and 257 of the Act***

Despite the requirements of s. 105(1) of the Act, an application for an alternative absentee voting package may be made to the Chief Electoral Officer or District Electoral Officer of the electoral district for which the individual is a voter or of another electoral district for which an election is being conducted at the same time. The application may be made at any time up until 4 hours before the time set by s. 75(3) for the close of general voting.

Despite the requirements of s. 105(3) of the Act, an individual who,

- (a) receives an alternative absentee voting package with an incorrect name or misspelled name of the individual or an incorrect residential address,
- (b) loses, mutilates or destroys the alternative absentee voting package,
- (c) spoils a ballot or certification envelope before it is delivered in accordance with s. 106, or
- (d) has applied requesting a voting package in accordance with s. 105, but who did not receive an alternative absentee voting package,

may apply to the Chief Electoral Officer or District Electoral Officer to request a replacement alternative absentee voting package. That request is subject to the

other requirements under s. 105 of the Act and the exceptions provided for in this Order. Further, if a replacement alternative absentee voting package is provided, the Chief Electoral Officer or District Electoral Officer must designate the replaced alternative absentee voting package as cancelled on the record maintained for that purpose. The Chief Electoral Officer or District Electoral Officer must instruct the individual on what is to be done with the cancelled alternative absentee voting package. Any of the foregoing replacement alternative absentee voting packages do not constitute a contravention of s. 105(3) or s. 257(1)(c).

Despite the requirements of s. 105(4)(b) and 105(5)(b) of the Act, there is no requirement to provide any statement of circumstances that qualify the individual to vote by alternative absentee voting or for the election official responsible to satisfy themselves that the applicant meets the circumstances. Pursuant to this Order, the qualifications and/or circumstances under s. 102 are not required to be met.

Despite the requirements of s. 105 of the Act, the Chief Electoral Officer or District Electoral Officer is not required to mail an alternative absentee voting package to an individual who has applied if the officer considers that there is insufficient time for the alternative absentee voting package to be received by the individual and returned to a location specified by the Chief Electoral Officer before the close of general voting.

If an application under s. 105 is made in the last 10 days before general voting for the election in which the individual is voting, the individual who has applied is responsible for arranging delivery of the alternative absentee voting package to the Chief Electoral Officer or District Electoral Officer.

Despite the requirements of s. 105(7) of the Act, before sending out an alternative absentee voting package, the Chief Electoral Officer or District Electoral Officer must make a record that an alternative absentee voting package has been mailed to the individual that has applied, and that requirement is in place of the requirements set out in s. 105(7)(a)(b) and (c) that have been affected by this Order.

Despite the requirements of s. 105 of the Act, the Chief Electoral Officer may provide voter participation information to candidates about applications for alternative absentee voting packages by voters residing in the candidate's electoral district.

### ***Section 106 of the Act***

Despite the requirements of ss 87(6)(b) and 106(1) of the Act, a secrecy sleeve may be used instead of a secrecy envelope in accordance with this Order and any requirement under the Act pertaining to a secrecy envelope must be read as pertaining to a secrecy sleeve for the purposes of this Order.

Despite the requirements under s. 106(1)(d) and (e) of the Act, a witness is not required to participate in the alternative absentee voting process. Instead, there will be a shared secret requirement to verify alternative absentee voting packages, which will require the voter to provide their date of birth on the certification envelope.

Despite the requirements under s. 106(1)(i) of the Act, the Chief Electoral Officer may establish and specify additional locations or additional classes of locations to which the voter may deliver their alternative absentee voting packages.

Despite the requirements of s. 106(1) of the Act, the process for voting using an alternative absentee voting package is as follows:

In order to vote using an alternative absentee voting package, an individual must do the following:

- (a) mark the ballot in accordance with s. 91 and the directions provided in the alternative absentee voting package;
- (b) place the marked ballot in the secrecy envelope or secrecy sleeve, and if a secrecy envelope is provided, seal this secrecy envelope;
- (c) follow the directions provided in the alternative absentee voting package in respect of the following:
  - (i) the individual's completion of the certification envelope,
  - (ii) the individual's signing of a declaration that the individual  
(A) is registered as a voter for the electoral district for which the individual is voting or is applying to register as such in conjunction with voting, and  
(B) has not previously voted in the election and will not afterwards vote again in the same election;
  - (iii) the individual's provision of the date of birth of the individual voting;
- (d) place the certification envelope in the outer envelope provided;
- (e) if the individual is registering as a voter in conjunction with voting or is updating voter registration information, enclose in the outer envelope
  - (i) the application form and documents required by s. 41(2) and (3) or the copies permitted by s. 106 (2) of the Act, or
  - (ii) the application form and solemn declarations required by s. 41.1(2) and (3);
- (f) seal the outer envelope;

- (g) arrange for the sealed outer envelope containing the applicable materials referred to in paragraphs (a) to (e) above to be delivered
  - (i) to the address of the office of the election official printed on it, so that it is received before the time set by s. 75(3) for the close of general voting for the election, or
  - (ii) if the individual is concerned that the envelope will not be received at the address of the office of the election official printed on it before the time set by s. 75(3) for the close of general voting, to a class of locations specified by the Chief Electoral Officer for receipt of alternative absentee voting packages.

The provisions of s. 106(2) of the Act authorizing an individual to enclose copies rather than originals of documents with an application for registration or for updating voter registration information apply to the revised process for voting by alternative absentee voting package created in this Order.

### ***Sections 107 and 108 of the Act***

Despite the requirements of ss 107 and 108 of the Act, the references to ss 106 and 106(1) are to be read as amended for the process for alternative absentee voting established by this Order.

Despite the requirements of ss 107(1)(c) and (d) of the Act to use a voting book and counterfoil, if an envelope is received as required in accordance with this Order before the time set by s. 75(3) for the close of general voting, the election official receiving the envelope must be satisfied that the individual identified on the certification envelope is the individual to whom the envelope was provided under the processes established in s. 105 of the Act as modified by this Order. In such circumstances, the election official must follow the other requirements of s. 107(1)(c) and (d) as applicable and other procedures specified by the Chief Electoral Officer, and this Order modifies the method of proof that an individual has voted as provided for in s. 274(2).

Despite the requirements of s. 107 of the Act, if it is not possible to deal with an envelope received under s. 107(1) immediately on receipt, the Chief Electoral Officer or District Electoral Officer may deal with these envelopes during the preparations for the final count in accordance with s. 107. The Chief Electoral Officer must establish procedures for identifying and separating envelopes received prior to the close of general voting and envelopes received after the time set by s. 75(3) for the close of general voting.

Despite the requirements of s. 107 of the Act, the Chief Electoral Officer may provide voter participation information to candidates regarding alternative absentee voting packages received from voters residing in the candidate's electoral district.

### ***Section 109 of the Act***

Despite the requirements of s. 109 of the Act, a voter who is unable to mark a ballot or request an alternative absentee voting package because of physical disability or difficulties with reading or writing, or requiring the assistance of a translator, may be assisted in requesting or completing their alternative absentee voting package by another individual.

- (a) An individual who is assisting a voter must:
  - (i) preserve the secrecy of the ballot in accordance with s. 90;
  - (ii) if needed, mark the ballot in accordance with the directions of the voter; and
  - (iii) refrain from attempting in any manner to influence the voter as to how the voter should vote.
- (b) If a voter is unable to sign the declaration or enter their date of birth as required on the certification envelope, the individual assisting the voter must:
  - (i) sign the declaration that the voter is registered as a voter for the electoral district for which the voter is voting or is applying to register as such in conjunction with voting, and has not previously voted in the election and will not afterwards vote again in the election;
  - (ii) enter the date of birth of the individual voting in the required spaces on the certification envelope on behalf of the voter; and
  - (iii) provide information in accordance with the directions in the alternative absentee voting package.
- (c) The signature of the individual assisting the voter is considered to be the signature of the voter who is assisted in voting under this exception.
- (d) An individual must not assist more than one voter in an election unless they are a member of the individual's family, or the individual providing assistance is an election official.
- (e) An individual must not provide assistance as a translator under this section unless the individual is able to make the translation and makes it to the best of their abilities.
- (f) An individual is not considered to have voted or to have applied for an alternative absentee voting package by assisting a voter in accordance with these requirements.

***Section 134 of the Act***

Despite the requirements of s. 134 of the Act, the Chief Electoral Officer or District Electoral Officer may consider certification envelopes which were received in accordance with the Act and this Order prior to the close of general voting. The Chief Electoral Officer must establish processes and procedures to ensure that a subsequent evaluation in relation to s. 134(1)(d) occurs prior to the certification envelopes being opened during the proceedings at the final count.

A handwritten signature in dark ink, appearing to be 'AB', is written over a horizontal line.

Anton Boegman  
Chief Electoral Officer

*September 21, 2020*



**PROVINCE OF BRITISH COLUMBIA**

**ORDER OF THE CHIEF ELECTORAL OFFICER**

**Order Number: EA-ORD009-2020<sup>1</sup>**

**Office of the Chief Electoral Officer, Victoria**

**Circumstances in which Order is Made**

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency situation and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act). I find that the number of election officials, candidate representatives and/or scrutineers normally required or allowed at each voting place under ss 82(2), 88(1), 93(2) of the Act has been adversely affected by the COVID-19 pandemic.

Due to the emergency situation and extraordinary circumstances, and the direction of the Provincial Health Officer for physical distancing, I find that that the prescribed number of election officials and candidate representatives or scrutineers required in each voting place at a voting opportunity would require work in close proximity to other persons, presenting risks to personal and public health. I also find that the entitlement of candidate representatives to inspect voting materials during voting proceedings would pose a further risk to personal and public health.

In my opinion, these circumstances make the following Order necessary.

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<sup>1</sup>Revised to address typographical error

## **Application of Order**

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

This Order applies to the following requirements and allowances for individuals in a voting place at a voting opportunity under the Act:

- Candidate representative entitlements to inspect a voting book, list of voters or list of voter numbers at voting proceedings under s. 72(3);
- Election officials present at a voting station under s. 82(2);
- Election official assignments under s. 88(1);
- Candidate representatives, including scrutineers, present at a voting place under s. 93(2)(d), with application to voting opportunities outlined in ss 96, 97, 98, 99, 100, 101 and 104;
- Election officials present at a voting opportunity;
- Candidates and candidate representatives entitled to be present at initial count under s. 119(1)(b) and (c);
- Candidates and candidate representatives entitled to be present at final count under s. 130 (1)(b), (c) and (d); and
- Candidate representative requirements to comply with Chief Electoral Officer and/or District Electoral Officer direction regarding personal protective equipment and voting place safety under s. 72.

This Order is issued under the authority of s. 280 of the Act.

## **Exceptions provided by Order**

Despite the requirements of s. 72 of the Act, candidate representatives are not entitled to inspect a voting book, list of voters or list of voter numbers being used in voting proceedings, even in the event that such an inspection would not interfere with the proceedings.

In addition to the requirements of s. 72 of the Act, candidate representatives present during voting proceedings must adhere to the voting place safety requirements established by the Chief Electoral Officer and/or District Electoral Officer, including requirements to wear personal protective equipment and maintain a two-meter distance from other persons.

Despite the requirements of s. 82(2) of the Act, for each voting station there must be one election official and that election official will be the voting officer responsible for the ballot box.

Despite the requirements of s. 88(1) of the Act, for each voting station at a voting place, the District Electoral Officer must assign one voting officer as the election official responsible for the ballot box and is not required to assign another election official to assist the voting officer.

Despite the requirements of s. 93(2)(d) of the Act, if authorized by the Chief Electoral Officer, the District Electoral Officer may limit the number of scrutineers who may be present in a voting place during voting proceedings, subject to the requirement that at least two scrutineers must be allowed to be present. If the number of scrutineers permitted to be present is limited under this exception to the Act, the scrutineers must be selected

- (a) by agreement among the candidates in the election, or
- (b) if agreement cannot be reached, by lot conducted by the District Electoral Officer to select the candidates who may each designate one scrutineer to attend a voting place, and

this exception extends to voting places providing voting opportunities established by ss 96, 97, 98, 99, 100, 101, and voting proceedings under s.104 of the Act.

Despite any provisions or orders to the contrary, there must be at least two election officials present during voting and counting proceedings at any voting place for a voting opportunity established by ss 96, 97, 98, 99, 100, 101 and 104 of the Act. Further, the District Electoral Officer must designate one of the election officials as a supervising election official with additional responsibilities regarding supervision of the voting opportunity.

Despite the requirements of s. 119, limits may need to be placed on the number of candidate representatives who may be present at the initial count. Candidate representatives are entitled to be present during the initial count unless the combined number of candidate representatives would exceed the safe capacity of the counting location or contravene public health guidance. The District Electoral Officer may limit the number of candidate representatives present during the initial count proceedings. The number of candidate representatives entitled to be present during the initial count must not be reduced beyond what is necessary to comply with safe capacity limits or public health guidance. If a limit to the number of candidate representatives present is required, the District Electoral Officer must select representatives by agreement or lot draw.

Despite the requirements of s. 130(1)(b), (c) and (d), limits may need to be placed on the number of candidate representatives who may attend the final count. Candidate representatives are entitled to be present during the final count unless the combined number of candidate representatives present would exceed the safe capacity of the counting location or contravene public health guidance. The District Electoral Officer may limit the number of candidate representatives present during the final count proceedings. The number of candidate representatives entitled to be present during the final count must not be reduced beyond what is necessary to comply with safe capacity limits or public health guidance. If a limit to the number of candidate representatives present is required, the District Electoral Officer must select representatives by agreement or lot draw.



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Anton Boegman  
Chief Electoral Officer

*September 21, 2020*



**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE CHIEF ELECTORAL OFFICER**

**Order Number: EA-ORD010-2020<sup>1</sup>**

**Office of the Chief Electoral Officer, Victoria**

**Circumstances in which Order is Made**

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency situation and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act). I also find that the requirements for the provision of certain declarations and/or solemn declarations under ss 268(1), 96(2)(a), 97(2)(c), 98(3)(a), 98(3)(c), 99(2)(a) and 104(3)(a) and the limitations on vouchers under s. 41.1(4)(a) of the Act have been adversely affected by the COVID-19 pandemic.

Due to the emergency situation and extraordinary circumstances, and due to the direction of the Provincial Health Officer for physical distancing, I find that the requirements for certain signed declarations and solemn declarations would require close contact and shared touch points between individuals and election officials. I find that pandemic-related limits on visitors in site-based voting areas, assisted or long-term care facilities and acute care facilities would constrain the ability of voters in these facilities to prove their identify through vouching if the legislated limits on the number of voters an individual may vouch for remain in place.

In my opinion, these circumstances make the following Order necessary.

**Application of Order**

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

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<sup>1</sup>Order revised to address typographical error.

This Order applies to the following requirements for the provision of declarations and/or solemn declarations and the limitations on vouchers under the Act:

- Procedures and requirements for receiving solemn declarations under s. 268(1) with the exception applying to ss 41.1(3), 50(2)(a), 50(2)(b), 72(2), 93(4), 109(5), 111(3), 111(4), 112(2) and 269(4);
- Declarations that an individual is entitled to vote under ss (96)(2)(a), 97(2)(c) and 98(3)(a);
- Declarations on certification envelopes under ss 98(3)(c), 99(2)(a) and 104(3)(a); and
- Number of applicants a voucher can confirm under s. 41.1(4)(a).

This Order is issued under the authority of s. 280 of the Act.


### **Exceptions provided by Order**

Despite the requirements of s. 268(1) of the Act, whenever a solemn declaration related to voting processes or voter registration is required, the solemn declaration of the individual may be accepted as an oral declaration made on oath or affirmation before an election official or voter registration official as allowed under s. 268(2), and that election official or voter registration official must make a record that the individual made an oral declaration. This exception is only applicable to solemn declarations under ss 41.1(3), 50(2)(a), 50(2)(b), 72(2), 93(4), 109(5), 111(3), 111(4), 112(2) and 269(4) of the Act.

Despite the requirements of ss 96(2)(a), 97(2)(c) and/or 98(3)(a) of the Act, whenever a written declaration is required to confirm an individual's entitlement to vote in the election, the individual may make an oral declaration that the individual is entitled to vote in the election, and the election official responsible must make a record that the individual made an oral declaration.

Despite the requirements of ss 98(3)(c), 99(2)(a) and 104(3)(a) of the Act, when there is a requirement under those sections for an individual to sign the declaration printed on a certification envelope, the individual may make an oral declaration as to the validity of the information on the certification envelope, and the election official responsible must make a record that the individual made an oral declaration. This exception does not apply to s. 106(d) of the Act.

Despite the requirements of s. 41.1(4)(a) of the Act, a voucher described in s. 41.1(2)(b)(i) may make a confirmation under s. 41.1(3) in the same election in respect of more than one applicant if they are vouching during voting proceedings at a site-based voting area, assisted or long-term care facility or acute care facility.



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Anton Boegman  
Chief Electoral Officer

*September 21, 2020*



**PROVINCE OF BRITISH COLUMBIA**

**ORDER OF THE CHIEF ELECTORAL OFFICER**

**Order Number: EA-ORD011-2020**

**Office of the Chief Electoral Officer, Victoria**

**Circumstances in which Order is Made**

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency situation and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act), and the requirements for the particular use of certain certificates, counterfoils and voting books during in person voting opportunities under sections

- 87(4),
- 96(2)(b),
- 96(4)(d),
- 97(2)(a),(b) and (d),
- 97(3),
- 97(4)(b) and (g),
- 97(6),
- 98(3)(b),
- 99(2)(b),
- 104(3)(b),
- 126(3)(d), and
- 274(1)

have been adversely affected by the COVID-19 pandemic.

Due to the emergency situation and extraordinary circumstances, and the direction of the Provincial Health Officer for physical distancing, I find that the requirements for the use of certain physical, in-person voting mechanisms and/or procedures would require close contact and shared touch points between individuals and election officials, presenting risks to personal and public health.

In my opinion, these circumstances make the following Order necessary.

## **Application of Order**

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

This Order applies to the following physical use of certain voting mechanisms and/or procedures relating to voting under the Act:

- Use of advance voting certificates under ss 87(4), 97(2)(a)(b) and (d), 97(3), 97(4)(b) and (g), 97(6) and 126(3)(d);
- Procedure and use of counterfoils under s. 96(4)(d) with application to ss 97(5), 98(5) and 99(4); and
- Signing in the voting book under ss 96(2)(b), 97(2)(d), 98(3)(b), 99(2)(b), 104(3)(b) and 274(1).

This Order is issued under the authority of s. 280 of the Act.

## **Exceptions provided by Order**

Despite the requirements of ss 87(4), 97(2)(a)(b) and (d), 97(3), 97(4)(b) and (g), 97(6) and 126(3)(d) of the Act, the use of advance voting certificates is not required for advance voting in the election. The voting officer must initial the stub and counterfoil of a ballot paper before handing the ballot to the voter. The District Electoral Officer must arrange for a note to be made in the applicable voting book to be used for general voting against the name of each individual who voted at an advance voting opportunity based on the information recorded in the advance voting book.

Despite the requirements of s. 96(4)(d) of the Act, an individual must directly return with the folded ballot to the election official responsible and display the counterfoil to the election official. The election official must then confirm from the counterfoil that the ballot is the one that was given to the individual. The voter must then remove the counterfoil in the presence of the election official and discard the counterfoil in a bag provided for that purpose. If a voter is unable to remove the counterfoil from the ballot themselves, the election official is permitted to do this for them.

Despite the requirements of ss 96(2)(b), 97(2)(d), 98(3)(b), 99(2)(b), 104(3)(b) and 274(1) of the Act, there is no requirement for the individual voting to sign the voting book opposite the requisite information. The election official responsible will instead make a record in the voting book opposite the requisite information that the voter has voted.



Anton Boegman  
Chief Electoral Officer

*September 21, 2020*



**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE CHIEF ELECTORAL OFFICER**

**Order Number: EA-ORD012-2020**

**Office of the Chief Electoral Officer, Victoria**

**Circumstances in which Order is Made**

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency situation and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act), and the suitability of the number of advance voting opportunities under s. 76(1) of the Act has been adversely affected by the COVID-19 pandemic.

Due to the combined emergency situation and extraordinary circumstances, and due to the direction of the Provincial Health Officer for physical distancing, I find that the number of days prescribed for advance voting opportunities are not sufficient to ensure that individuals are able to maintain physical distancing, presenting risks to personal and public health. I also find that an increase in days for advance voting opportunities will spread out the voting activity over a greater number of days.

In my opinion, these circumstances make the following Order necessary.

**Application of Order**

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

This Order applies to the following requirement for advance voting opportunities under the Act:

- The length of the period during which advance voting opportunities will be available under s. 76(1).

This Order is issued under the authority of s. 280 of the Act.

## Exceptions provided by Order

Despite the requirements of s. 76(1)(a)(b) and (c) of the Act, advance voting opportunities must be held

- (a) during a period that consists of 7 consecutive days and commences 9 days before general voting day for an election,
- (b) if general voting day for an election falls on a Monday, during a period that consists of 7 consecutive days and commences 10 days before general voting day for the election, or
- (c) if one or more of the dates for an advance voting opportunity to be held in accordance with this Order falls on a holiday other than a Sunday, on 7 days during a period established by the Chief Electoral Officer that
  - (i) commences 13 days before general voting day for the election, and
  - (ii) ends at least 2 days before general voting day for the election.



Anton Boegman  
Chief Electoral Officer

*September 21, 2020*



**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE CHIEF ELECTORAL OFFICER**

**Order Number: EA-ORD013-2020<sup>1</sup>**

**Office of the Chief Electoral Officer, Victoria**

**Circumstances in which Order is Made**

In response to the COVID-19 pandemic, a provincial health emergency and a general state of emergency have been declared in British Columbia.

I find that an emergency situation and extraordinary circumstances exist within the meaning of s. 280 of the *Election Act*, R.S.B.C. 1996, c. 106 (the Act). I also find that the requirements for the provision of nominator signatures under s. 54 of the Act as they relate to standing nominations and ordinary nominations submitted under ss 57 and 56 of the Act have been adversely affected by the COVID-19 pandemic.

Due to the emergency situation and extraordinary circumstances, and due to the direction of the Provincial Health Officer for physical distancing, I find that the requirements for the collection of nominator signatures would require close contact and a high level of shared touch points between potential nominators and individuals being nominated. This would present risks to personal and public health and would pose a barrier to the completion of nomination documents and the accessibility of the nomination process. The requirements of an oral declaration for nominators must be expanded due to the extraordinary circumstances created by the pandemic, including the need to ensure the integrity of the process when nominator declarations are administered remotely.

In my opinion, these circumstances make the following Order necessary.

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<sup>1</sup>Order revised to address typographical error.

## **Application of Order**

This Order applies to the administration and proceedings of the 42<sup>nd</sup> Provincial General Election for the Province of British Columbia.

This Order rescinds any previous Orders for the provision of nominator signatures for standing nominations under s. 57 of the Act, including EA-ORD005-2020.

This Order applies to the following requirements for the completion of nomination documents under the Act:

- Declarations and requirements for the completion of nominator signatures under s. 54(1)(2) and (3)(a) for standing nominations submitted under s. 57;
- Declarations and requirements for the completion of nominator signatures under s. 54(1)(2) and (3)(a) for ordinary nominations submitted under s. 56; and
- Declarations and requirements of the individual collecting information from the nominator under s. 54(1)(2) and (3).

This Order is issued under the authority of s. 280 of the Act.

## **Exceptions provided by Order**

Despite the requirements of s. 54(1)(2) and (3)(a) of the Act, a nominator may make an oral declaration as to their qualifications as a voter for the electoral district. An oral declaration made in accordance with this exception replaces the requirement that the declaration be made in writing and signed by the nominator.

The oral declaration must include the nominator's name, the name of the individual being nominated in the nominator's electoral district and in accordance with the requirements of s. 53(2) of the Act, a confirmation that the nominator will not and/or has not nominated another individual.

At the time of administering an oral declaration, the individual collecting the nominator's oral declaration must provide to the prospective nominator the information which is required under s. 54(2)(a)-(f). The individual administering the nominator's declaration and providing the required information under s. 54(2)(a)-(f) must make a record that the nominator made an oral declaration and record the information required under s. 54(2)(g).

Despite the requirements of s. 54(3) of the Act and the exceptions provided for in this Order, oral nominator declarations must be accompanied by the name and signed declaration of the individual who administered the oral declarations, and must attest to the fact that the information collected from the nominators is accurate.

The prospective nominee on behalf of whom the individual is collecting nominations, or the prospective nominee's registered political party, must retain contact information for nominators that have completed an oral nominator declaration until the next election for the electoral district.

A handwritten signature in dark ink, appearing to be 'Anton Boegman', is written over a horizontal line.

Anton Boegman  
Chief Electoral Officer

*September 21, 2020*