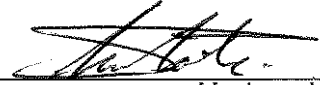


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 933 , Approved and Ordered DEC - 8 2008

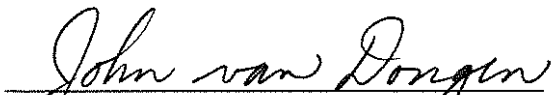


Lieutenant Governor

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:

- 1 Section 3 of the *Miscellaneous Statutes Amendment Act (No. 2), 2005*, S.B.C. 2005, c. 35, is brought into force, except insofar as it enacts section 142.1 (2) (e) of the *Business Practices and Consumer Protection Act*.
- 2 The Debt Collection Industry Regulation, B.C. Reg. 295/2004, is amended as set out in Schedule 1.
- 3 The Telemarketer Licensing Regulation, B.C. Reg. 83/2005, is amended as set out in Schedule 2.
- 4 The Travel Industry Regulation, B.C. Reg. 296/2004, is amended as set out in Schedule 3.


Minister of Public Safety and Solicitor 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:- Miscellaneous Statutes Amendment Act (No. 2), 2005, S.B.C. 2005, c. 35, s. 43;
Business Practices and Consumer Protection Act, S.B.C. 2004, c. 2, s. 142.1

Other (specify):- oics 657/2004, 658/2004 and 298/2005

September 19, 2008

Resub R/538/2008/12

SCHEDULE 1

1 Section 1 of the Debt Collection Industry Regulation, B.C. Reg. 295/2004, is amended

(a) by adding the following definitions:

“**bailiff**” has the same meaning as in section 125 [definitions] of the Act;

“**collection agent**” has the same meaning as in section 125 [definitions] of the Act, but does not include a bailiff;

“**debt pooler**” has the same meaning as in section 125 [definitions] of the Act; , **and**

(b) by repealing the definition of “licence” and substituting the following:

“**licence**” means a licence, as defined in section 1 [definitions] of the Act, to engage in a designated activity designated under section 1.1 of this regulation.

2 The following section is added:

Designated activities

1.1 For the purposes of the definition of “designated activity” in section 142 [Licences] of the Act, the following are designated:

(a) the business and occupation described in the definition of “bailiff” in section 125 of the Act;

(b) the business and occupation described in the definition of “collection agent” in section 125 of the Act;

(c) the business and occupation described in the definition of “debt pooler” in section 125 of the Act.

SCHEDULE 2

1 Section 1 of the Telemarketer Licensing Regulation, B.C. Reg. 83/2005, is amended

(a) in the definition of “licence” by striking out “to act or hold out as a telemarketer.” and substituting “to engage in a designated activity designated under section 1.1 of this regulation;”, and

(b) by adding the following definition:

“telemarketer” means a supplier who engages in the business or occupation of initiating contact with a consumer by telephone or facsimile for the purpose of conducting a consumer transaction.

2 The following section is added:

Designated activity

1.1 The business and occupation described in the definition of “telemarketer” are designated for the purposes of the definition of “designated activity” in section 142 of the Act.

SCHEDULE 3

1 Section 1 of the Travel Industry Regulation, B.C. Reg. 296/2004, is amended

(a) *in the definition of “licence” by striking out “to act or hold out as a travel agent or travel wholesaler.” and substituting “to engage in a designated activity designated under section 1.1 of this regulation;”, and*

(b) *by adding the following definitions:*

“travel agent” means a person who engages in the business or occupation of selling or otherwise providing to the public travel services supplied by another person;

“travel service” means transportation, accommodation or other service for the use or benefit of a traveller, tourist or sightseer;

“travel wholesaler” means a person who engages in the business or occupation of

- (a) supplying the person’s own travel transportation to the public on an irregular basis at nonfixed times,
- (b) purchasing or acquiring from another person rights to travel services for the purpose of resale, or
- (c) dealing with travel agents or other travel wholesalers for the sale of travel services supplied by another person.

2 Part 2 is amended by adding the following section:

Designated activities

1.1 For the purposes of the definition of “designated activity” in section 142 of the Act, the following are designated:

- (a) the business and occupation described in the definition of “travel agent”;
- (b) the business and occupation described in the definition of “travel wholesaler”.