

## **Statute Revision in British Columbia**

### **Recent developments from a jurisdiction with a long history of statute revision**

**Janet Erasmus**

British Columbia has a relatively long history of statute revision. Our first was produced in 1877, six years after we joined Canada in 1871. Thereafter, statute revisions have been done at variable intervals ranging between 9 and 19 years. Our most recent general statute revision was the Revised Statutes of British Columbia 1996.

In the past, these have always been revisions of all public Acts of general application. The latest revision encompassing 494 Acts. As will be described in the following, this may change — and we may never do another general statute revision.

#### **What this paper is about**

This paper will —

- briefly describe the historical development in revision authority for British Columbia,
- discuss key concepts and choices that went into our current *Statute Revision Act*,
- describe the organization and techniques used in our 1996 general statute revision and now being applied to our on-going statute revision process, and
- indicate how we are now using the innovative “limited revision” authority, with its potential for never again needing a full statute revision.
- (More complete information regarding the history of our statute revisions is provided in the Appendices to this paper, including the complete text of our current *Statute Revision Act*.)

#### ***B.C. statute revision — developments in authority***

##### **What do we mean by a statute revision**

In British Columbia we use the terms “consolidation” and “statute revision” for distinctly different processes.

A **consolidation** is —

- a statement of the current state of a statute,
- prepared by applying textual amendments to the statute as enacted or, if applicable, as most recently revised.

---

**Janet Erasmus** is a Senior Legislative Counsel with the Office of Legislative Counsel, Province of British Columbia, Canada.

This paper was presented to the CALC Conference, London, September 2005. The views expressed in this article are those of the author, and not of the B.C. Office of Legislative Counsel.

Consolidations are a part of the regular work of the British Columbia Office of Legislative Counsel.

Since 1960, we have worked in conjunction with the Queen's Printer to produce an on-going looseleaf consolidation of public Acts. Under our *Evidence Act*, this printed version has official status in our courts. The Queen's Printer also produces an on-line searchable consolidation that, at this point, is not an official version — although it is certainly one used by counsel in preparing materials for presentation in court.

Consolidations of individual private and local Acts are also prepared by our Office, as occasion demands (such as when one of the drafters needs to work on amending legislation) or by outside request if resources are available.

A *statute revision* is —

- made under the authority of a Statute Revision Act,
- at a historical minimum, a consolidation that renumbers provisions of a statute to eliminate and insertions gaps in numbering,
- often rearranges provisions to improve logic, and
- from very early in our history, included authority to make stylistic changes in language and minor clarifying amendments.

#### **The expanding authority to do more than renumber and rearrange**

Authority for the first statute revision (1877) was limited to consolidation and renumbering. The second (1888) included a law reform mandate, with authority to make recommendations for substantive change. The third (1911) returned to consolidation and renumbering.

It was the fourth revision (1924) that saw the basic broad authority that continues into our current *Statute Revision Act*:

4. In carrying out his work under this Act the Legislative Counsel
  - shall prepare and arrange the said Statutes for publication, and
  - may make such alterations in their language as are requisite in order to preserve a uniform mode of expression, and
  - may make such minor amendments as are necessary
    - to bring out more clearly what is considered to have been the intention of the Legislature, or
    - to correct clerical or typographical errors, ....

Stylistic changes *and* minor amendments for substantive clarification were authorized. The authority for the latter was further expanded for the fifth revision (1936) to include:

- ...such minor amendments as are necessary
  - to bring out more clearly what is considered to have been the intention of the Legislature or
  - to reconcile seemingly inconsistent enactments, or
  - to correct clerical or typographical errors, ....

Broad authority existed, but it remained unused for over 50 years. Then, with the 1979 statute revision, a number of significant changes relying on these powers were made.

As examples of 1979 revision changes —

- The distinction between short and long titles was eliminated — all became short.
- Provisions that were, in effect, duplications of the *Interpretation Act* were not continued.
- Marginal notes, which had been formatted as such, were now presented as bold section headings.
- Capitalization and italics were generally avoided. (For example, “the Minister of Finance” kept its capitalization as a title, but “a minister” was the generic form).

### ***The 1996 Statute Revision***

By 1989, the Office of Legislative Counsel was providing drafters with computers and working on developing a searchable database of the on-going consolidation. It was discussing and adopting plain language drafting techniques. And it was also thinking towards the next statute revision.

A former legislative counsel who had worked on the 1979 Revision was engaged to plan and coordinate the revision project. His work was supported by a Statute Revision Committee consisting of Chief Legislative Counsel, other drafters, legislative editors and the Registrar of Regulations.

The coordinator and committee worked together to develop a new *Statute Revision Act*. It continued the core authority that had been in place since 1924, but had a number of innovations.

The following is a discussion of some of the key concepts and decisions that went into the 1992 *Statute Revision Act* —

- who conducts statute revisions
- plain language rewrite authority
- dealing with outstanding not-in-force amendments
- dealing with forms and schedules
- the enactment process
- corrections by regulation
- limited revisions.

### **Who is responsible for conducting a statute revision**

The choice: Legislative Counsel or someone else, with the “someone else” usually being a Commissioner or Commission.

The first few British Columbia statute revisions were conducted by Commissioners. Change came with the 1924 revision where, in addition to broadened authority, responsibility was transferred to Legislative Counsel. This continued until 1973, when the 1966 *Revised Statutes Act* was amended to transfer this responsibility to a Commissioner.

There is a history behind this move back to the Commissioner model. Dr. Gilbert Kennedy, a former law professor-turned-Deputy Attorney General, was now making a transition towards retirement by being appointed as Statute Revision Commissioner. As described above,

Dr. Kennedy's 1979 statute revision was the first to engage with the expansive powers provided by the authorizing Act.

From the next revision, it was decided this responsibility should be returned to the Office of Legislative Counsel. The benefits of commission independence were more than balanced by the benefits of keeping the revision in-house, particularly as the Office would be living with the results for many years to come:

- A committee allowed discussion of how to approach the aim of applying plain language drafting techniques to the revision, including standardized word replacements (“must” for “shall” being the most debated), list format paragraphing and informative marginal notes to create searchable tables of contents.
- A revision would establish styles and format that Legislative Counsel would need to follow in the future. By working on this aspect within the Office, we were able to use a number of Legislative Sessions leading up to the 1996 to test different format. (I will admit that my now-aging eyes preferred the 12 point Times Roman of one Session's experiment, but the final format went with a smaller font size in the interests of reducing length and paper use.)
- We used the revision to work with Queen's Printer in developing a new process for statute publication, both print and electronic, and in choosing new publishing software that would be shared between our offices.
- Every drafter in the Office worked on revision as time permitted. Each Act was given an initial revision by one drafter (often the Revision Coordinator), then reviewed by another drafter. Sharing the work allowed efficient use of resources. It also meant that each of us kept current on standard revision changes, which could then be incorporated into new Acts that were in process.
- If we came across an apparent ambiguity or uncertainty in current language, we might sometimes be able to go directly to the legislative counsel who drafted the provision, or at least to a drafter who had worked with the legislation and might be aware of contextual information that could assist in clarifying the issue.

### **Plain language rewrite authority**

We wanted a new *Statute Revision Act* for the next revision, one that would provide a clear mandate for plain language changes. That is, we wanted a stronger direction than the 1924 “uniform mode of expression” authority. We also wanted a clear mandate for gender neutral drafting — equality was now expressly protected by the Canadian Constitution *and* (as I had the opportunity to explain to the Legislative Assembly committee that was receiving our revision at the end of the process) gender neutral drafting is plain language drafting: if the law is written as if it only applies to half the population, it is not communicating effectively with its audience.

As all drafters will appreciate, when it comes to legislation, clarity is more important than easy readability. The Act was written to provide its plain language authority in the following terms:

- 2 (1) In preparing a revision, the Chief Legislative Counsel may do any or all of the following:
  - (d) alter language and punctuation to achieve a clear, consistent and gender neutral style;

- (e) make minor amendments to clarify the intent of the Legislature, to reconcile inconsistent provisions or to correct grammatical or typographical errors; ....

The 1996 revision made a substantial number of general changes, a number of which were described in a 1997 article for the plain language journal *Clarity*.<sup>1</sup> The benefits of information technology were particularly important in these changes. By 1992 we had a searchable electronic database of our consolidated statutes. We used Microsoft Word with its “Track Changes” function (as it is now known) to be prepare the revision while recording all changes. As an initial revision process for each Act, it would be run through a series of macros that highlighted a number of the identified language change candidates, including “shall”, gender specific terms and archaic legalisms.

Intense revision relying on this new authority was limited to a few targeted Acts that were particularly difficult to read and had high public use. Examples of such legislation included the *Municipal Act*, the *Estate Administration Act* and the *Social Service Tax Act*. This last is our sales tax legislation, and its revision was described in *The Loophole* article “The B.C. statute revision experience: tax law rewrite on a shoestring”.<sup>2</sup>

For these intensely revised Acts, the responsible ministry and their advising Legal Services Branch solicitor were involved throughout the revision process. We also used confidential private bar consultation as described at the 1996 CALC conference.<sup>3</sup> By this process, members of the appropriate section of the Canadian Bar Association were asked to provide comments on an almost complete (not renumbered) draft of the proposed revision changes. Their responses were carefully considered in finalizing the revision.

### **Dealing with outstanding not-in-force enactments**

In the history of British Columbia’s legislation, it is not uncommon to have the commencement section for an Act provide that the Act or some portion of it comes into force by regulation. The result was that, with changing governments and changing priorities, the revision was faced with a substantial amount of enacted legislation that had never been brought into force.

The issue then was how to include these not-in-force provisions in the revision, particularly as they would require substantial rewriting to parallel the plain language revisions aimed at the in-force provisions.

The solution was to include these provisions in a separate “Supplement” to the revision:

- 2 (1) In preparing a revision, the Chief Legislative Counsel may do any or all of the following:
  - (g) include in the revision a supplement containing those Acts or provisions that, although enacted, have not been brought into force, and indicate how they are to come into force; ....

---

<sup>1</sup> J. Erasmus, *Cleaning up our Acts: B.C. statute revision makes room for plain language changes*, *Clarity*, No. 38, January 1997.

<sup>2</sup> J. Erasmus. *The B.C. statute revision experience: tax law rewrite on a shoestring*, *The Loophole*, June 1999.

<sup>3</sup> A. McLean and J. Erasmus, *Confidential review of draft legislation by members of the private bar: a brief discussion of the British Columbia experience*, Commonwealth Association of Legislative Counsel Conference, August 1996, Vancouver, Canada.

In the Supplement, an entire Act was not in force would simply be the original Act as revised. For an Act that had outstanding amendments, the Supplement would look like an amending Act. The Supplement worked, but it has a special citation and many provisions remain unproclaimed today. We are currently looking at a different approach for the continuing limited revision authority.

### **Dealing with forms and schedules**

The problem: many older Acts had forms and schedules that today they would be considered more appropriately dealt with by regulation.

The solution: move them to regulations.

As authorized by the *Statute Revision Act*:

- 2 (1) In preparing a revision, the Chief Legislative Counsel may do any or all of the following:
  - (j) omit forms or schedules from an Act.
- (2) If a form or schedule is omitted under subsection (1) (j), a power to prescribe the form or schedule by regulation may be added to the appropriate Act.

The drafter preparing the revision that omitted a form or schedule would also prepare the regulation that would replace it.

### **Approval and enactment procedure**

The enactment process used from 1924 to 1979 was moderately complex. The new one was streamlined while retaining parliamentary supervision —

- The finalized revision is given to the Clerk of the Legislative Assembly.
- The Clerk arranges for it to be presented to the Select Standing Committee assigned this responsibility by the Legislative Assembly.
- If the Committee approves the revision and recommends that it be brought into force, a copy will be deposited with the Clerk as the official copy.
- The revision will then be brought into force by regulation.

Our *Revised Statutes of British Columbia 1996* was a revision of the public Acts to December 31, 1996. Its 15 volumes were considered and approved in a single morning sitting by the Select Standing Committee on Parliamentary Reform, Ethical Conduct and Private Bills on February 28, 1997. It was brought into force by regulation on April 21, 1997.

### **Correction by regulation**

With over 10 000 pages of legislation, our Legislative Counsel may be perfectionists but we are not perfect — there were bound to be a few revision errors. For past revisions, these would have had to wait until the next legislative session before anything could be done to address the problem.

The proposed solution was to allow immediate correction of a revised Act by regulation, with the possibility of retroactivity to the date of revision —

#### Interim corrections to revision

- 10 (1) The Lieutenant Governor in Council may make regulations to correct, in a manner consistent with the powers of revision in this Act, any error in a revision.
- (2) A regulation under this section may be made retroactive to the coming into force of the revision.
- (3) A regulation under this section ceases to have effect after the last day of the next session of the Legislative Assembly after the regulation is made.

Five regulations were made under this authority, four of these in the two years after the revision. They made just over 50 corrections, with about half of these being cross reference corrections and a number of others being spelling. The regulations were then given continuing effect by statutory validation — see, for example, section 1 of the *Statute Revision Correction and Miscellaneous Amendments Act, 1998*, S.B.C. 1998, c. 19.

#### ***The limited revision authority — the end of general revisions?***

Our 1992 *Statute Revision Act* introduced a concept we had never seen used elsewhere:

#### Preparation of revision

- 1 The Chief Legislative Counsel may prepare
  - (a) a general revision consisting of the public Acts enacted before a date chosen by the Chief Legislative Counsel together with those other Acts considered advisable, or
  - (b) a limited revision consisting of an Act or a portion of an Act.

#### **What is a “limited revision” and why it was proposed**

The “general revision” concept paralleled the standard revision authority to deal with the entire statute book of public Acts. The new “limited revision” concept allowed revisions of single Acts or even part of Acts.

What thinking went into this limited revision concept?

- Our experience was that certain Acts are subject to far more amendment than others (tax statutes spring immediately to mind), and that many of these are also statutes that are subject to much public use. In other words, they are in need of revision long before the general statute book and they would provide far greater public benefit from revision.
- We hoped that, if good choices were made in terms of language and formatting, our revision would stand the test of time — that is, there would be less need for general revisions to provide a “uniform mode of expression”.
- General revisions focussed on public Acts, but we also had a number of private Acts that could benefit from revision.
- Only a few of our public Acts would be given intensive treatment in the general revision. A limited revision authority would permit such work to be done in the future as time permitted.

Most aspects of the *Statute Revision Act* could apply to both general and limited revisions. A couple of matters needed specialized provision for limited revisions.

First, there was the problem that other Acts containing cross-references to the newly revised Act would need change. This was accommodated by authority to make necessary consequential amendments as part of the revision:

- 2 (1) In preparing a revision, the Chief Legislative Counsel may do any or all of the following:
  - (f) for a limited revision, make minor amendments to other Acts required to reconcile them with a revised Act as if the minor amendments were consequential amendments to the revised Act; ....

Second, there was the difficulty that the usual publication and citation rules could not operate. The solution for this one was to have the revision included in an appropriate annual statute volume and assigned a chapter number for that legislative session:

- (2) A limited revision may be given a chapter number as if it were enacted in the current session of the Legislative Assembly or, if the Legislative Assembly is not then in session, in the next session, and the limited revision may be published in the volume of Acts enacted in that session.

#### **Private Acts benefited from first use of the limited revision authority**

The first use of the limited revision authority came about in relation to a private Bill for amending the *Vancouver Foundation Act*, S.B.C. 1950, c. 94. (The Vancouver Foundation is one of the major charitable foundations in Canada.)

Under our Standing Orders, such Bills are forwarded to Legislative Counsel who will assist the sponsor in bringing it into conformity with current B.C. legislative drafting style. As you might imagine, much had changed in this regard since the Foundation was established some 50 years earlier. After discussing the possibility with Chief Legislative Counsel, I suggested to the Law Clerk of the Legislative Assembly and the sponsor that we might offer a statute revision of the Act.

The nature of this being a private Act presented a few challenges that would not be faced in a general revision. As to content, the Vancouver Foundation wanted to retain a sense of its history within the legislation continuing, for example, to identify the first directors of the Foundation. As to timing, matters did not proceed as quickly as they might in government: legal counsel for the Foundation were acting in a *pro bono* capacity and the Foundation board needed to be consulted for its approval.

But the Foundation did get their revised Act, cited as the "*Vancouver Foundation Act* [Statute Revision], S.B.C. 2000, c. 21", and seem well-pleased with it. Certainly the Law Clerk has taken up the idea, and has since asked us to do more revisions of private Acts.

#### **Dealing with public Acts under the limited revision authority**

We are now engaging with the limited revision authority to deal with public Acts.

Some initial work was done in 2000-2001 in the relative quiet before an anticipated general election. The new government that came into power in the late spring of 2001 established a fixed election date for the next general election (May 17, 2005), so we knew in advance when our next quiet time might be.

The Statute Revision Committee was revived in mid-2004. A permanent administrative support position for on-going revision coordination was established. Language change checklists and procedure flow charts were prepared. Criteria were set for selecting Acts that would be preferred candidates for revision: public use and extent of amendment came at the top.

A list of the top candidates was drawn up and drafters asked to volunteer to take on one or more as first drafter. Work has started as our usual drafting demands eased in the run-up to the election. The election is now past, but revision continues on a corner-of-the-desk basis.

We hope to have our first limited revisions of public Acts ready to place before the Legislative Assembly Committee in the spring 2006 session. We may never need to do a general revision again.

**Appendix 1 – British Columbia Statute Revisions**

	Revision Year	Years Between	Acts	Volumes	Pages	Responsibility	Authorizing Act
1	1877	**	176	1	815	Commissioners	<i>Consolidated Statutes Act, 1877</i> S.B.C. 1877, c. 1
2	1888	11	121	1	989	?	(Acts consolidated)
3	1897	9	195	2	2 213	Commissioners	<i>Revised Statutes Act, 1895</i> S.B.C. 1895, c. 50
4	1911	14	247	3	3 197	Commissioners	<i>Revised Statutes Act, 1909</i> S.B.C. 1909, c. 41
5	1924	13	279	3	4 106	Legislative Counsel	<i>Revised Statutes Act, 1923</i> S.B.C. 1923, c. 62
6	1936	12	313	3	4 635	Legislative Counsel	<i>Revised Statutes Act, 1936</i> S.B.C. 1936, c. 52
7	1948	12	371	4	5 391	Legislative Counsel	<i>Revised Statutes Act, 1948</i> S.B.C. 1948, c. 79
8	1960	12	413	4	5 193	Legislative Counsel	<i>Revised Statutes Act, 1960</i> S.B.C. 1960, c. 50
9	1979	19	437	6	~ 4 800	1966: Legislative Counsel 1973: Commissioner	<i>Revised Statutes Act</i> S.B.C. 1966, c. 42
10	1996	17	494	15	~ 10 000	Legislative Counsel	<i>Statute Revision Act</i> S.B.C. 1992, c. 54
11	? limited revisions					Legislative Counsel	<i>Statute Revision Act</i> R.S.B.C. 1996, c. 440

\*\* British Columbia converted from British colony to a Province of Canada in 1871.

## ***Appendix 2 – Consolidated Statutes of British Columbia 1877***

Authority limited to consolidation and renumbering

### ***Consolidated Statutes Act, 1877***

**S.B.C. 1877, c. 1**

3. The said Commissioners shall be and they are hereby fully authorized and empowered
  - to prepare and arrange for publication the said new edition of the Acts, Ordinances, and Proclamations in force in the Province of British Columbia at the time of the revision and consolidation thereof,
  - to omit
    - all such Acts, Ordinances, and Proclamations and parts of Acts, Ordinances, and Proclamations which have expired, been repealed, or had their effect,
    - and all Acts, Ordinances, and Proclamations, repealing any or any parts of any Acts, Ordinances, and Proclamations, as well as the Acts, Ordinances, and Proclamations, and parts of Acts, Ordinances, and Proclamations repealed, and the Schedules of all such repealed or repealing Acts, Ordinances, and Proclamations, and
  - to alter the numbers of the said Acts, Ordinances, and Proclamations, and the sections thereof.

## ***Appendix 3 – Revised Statutes of British Columbia 1888***

Expanded authority: alteration of language to give better effect to spirit and meaning  
recommendations for amendment

### ***Revised Statutes Act, 1895***

**S.B.C. 1895, c. 50**

3. The said Commissioner or Commissioners shall be and they are hereby fully authorised and empowered
  - to prepare and arrange for publication the said new edition of the laws of British Columbia and statute law of England as aforesaid,
  - to omit
    - all such Acts, Ordinances, and Proclamations which have expired, been repealed, or had their effect, and
    - all Acts, Ordinances, and Proclamations repealing any or any parts of any Acts, Ordinances, and Proclamations, as well as the Acts, Ordinances, and Proclamations repealed, and the Schedules of all such repealed or repealing Acts, Ordinances, and Proclamations, and
  - to alter the numbers of the said Acts, Ordinances, and Proclamations, and the sections thereof, and
  - to revise and alter the language thereof, not so as to change the sense, but so as to give better effect to the spirit and meaning of the law, and
  - to frame and draw new provisions and suggestions for the improvement of the law, and
  - to frame a comprehensive index of the entire work.

***Appendix 4 – Developments in authority 1911 to 1948***

**1911: back to consolidation and renumbering**

**1924: alteration of language for uniform expression  
amendments to clarify intention of Legislature**

***Revised Statutes Act, 1923***

**S.B.C. 1923, c. 62**

4. In carrying out his work under this Act the Legislative Counsel ...
  - may make such alterations in their language as are requisite in order to preserve a uniform mode of expression, and
  - may make such minor amendments as are necessary
    - to bring out more clearly what is considered to have been the intention of the Legislature, or
    - to correct clerical or typographical errors, and ....

**1936: amendments to reconcile seemingly inconsistent enactments  
omit laws that have stopped having legal effect**

***Revised Statutes Act, 1936***

**S.B.C. 1936, c. 52**

4. In carrying out his work under this Act the Legislative Counsel ...
  - may make such minor amendments as are necessary
    - to bring out more clearly what is considered to have been the intention of the Legislature or
    - to reconcile seemingly inconsistent enactments, or
    - to correct clerical or typographical errors, and
  - may also omit from the said revision such public general Statutes and amendments to public general Statutes, whenever passed or however made, as are repealed or stopped from having the effect of law by competent authority under powers delegated by the Legislature or otherwise; and ....

**1948: omit laws that are spent**

***Revised Statutes Act, 1948***

**S.B.C. 1948, c. 79**

3. In carrying out his work under this Act, the Legislative Counsel ...
  - may omit from said revision any Statutes or parts of Statutes that are spent ...

## ***Appendix 5 – Revised Statutes of British Columbia 1979***

Using the language alteration authority

### ***Revised Statutes Act***

**S.B.C. 1966, c. 42**

#### **Provisions governing the carrying-out of work of revision**

3. In carrying out his work under this Act, the Commissioner
  - shall prepare and arrange the said Statutes for publication, and
  - may alter their numbering, and the arrangement of the different sections thereof where considered necessary or advisable, and
  - may make such alterations in their language as are requisite in order to preserve a uniform mode of expression, and
  - may make such minor amendments as are necessary
    - to bring out more clearly what is considered to have been the intention of the Legislature or
    - to reconcile seemingly inconsistent enactments, or
    - to correct clerical or typographical errors, and
  - he may omit from the revision any Statutes or parts of Statutes that
    - are spent or,
    - although printed among the public general Statutes, have reference only to a particular place or municipality, and have no general application throughout the Province; and
  - may also omit from the revision such public general Statutes and amendments to public general Statutes, whenever passed or however made, as are repealed or stopped from having the effect of law by competent authority under powers delegated by the Legislature or otherwise; and
  - shall prepare, or cause to be prepared, a comprehensive index for the whole.

#### **COMMISSIONER'S PREFACE**

HERE THEY ARE AT LAST, the Revised Statutes of British Columbia, 1979, consolidated to December 31, 1979. Earlier consolidations appeared in 1871, 1877, 1888, 1897, 1911, 1924, 1936, 1948 and 1960. Despite the revision powers in the Revised Statutes Acts in this century, changes in language have rarely appeared. This consolidation does include, for the first time, some of the authorized changes in an attempt to carry out the *Revised Statutes Act* mandate "to preserve a uniform mode of expression".

**Appendix 6 – The modern revision authority**

Enacted as the *Statute Revision Act*, S.B.C. 1992, c. 54

**STATUTE REVISION ACT  
RSBC 1996, Chapter 440**

*Section*

- 1 Preparation of revision
- 2 Revision powers
- 3 Revision to be submitted to committee of Legislative Assembly
- 4 Approved revision to be deposited as official copy
- 5 How revision comes into force
- 6 Title and publication of revision
- 7 Repeal of previous version of statutes
- 8 Legal effect of revision
- 9 How references are to be interpreted
- 10 Interim corrections to revision
- 11 *Interpretation Act* applies

**Preparation of revision**

- 1 The Chief Legislative Counsel may prepare
  - (a) a general revision consisting of the public Acts enacted before a date chosen by the Chief Legislative Counsel together with those other Acts considered advisable, or
  - (b) a limited revision consisting of an Act or a portion of an Act.

**Revision powers**

- 2 (1) In preparing a revision, the Chief Legislative Counsel may do any or all of the following:
  - (a) combine Acts or provisions of them;
  - (b) alter the numbering and the arrangement of Acts or provisions;
  - (c) rename an Act or portion of an Act;
  - (d) alter language and punctuation to achieve a clear, consistent and gender neutral style;
  - (e) make minor amendments to clarify the intent of the Legislature, to reconcile inconsistent provisions or to correct grammatical or typographical errors;
  - (f) for a limited revision, make minor amendments to other Acts required to reconcile them with a revised Act as if the minor amendments were consequential amendments to the revised Act;
  - (g) include in the revision a supplement containing those Acts or provisions that, although enacted, have not been brought into force, and indicate how they are to come into force;
  - (h) omit Acts or provisions that are spent, are repealed or have no legal effect;
  - (i) omit Acts or provisions that do not apply throughout British Columbia;
  - (j) omit forms or schedules from an Act.
- (2) If a form or schedule is omitted under subsection (1) (j), a power to prescribe the form or schedule by regulation may be added to the appropriate Act.
- (3) A form or schedule omitted from a revision is repealed on the coming into force of the revision.

- (4) A regulation prescribing a form or schedule may be enacted before a revision comes into force but the regulation has no effect until the revision comes into force.

**Revision to be submitted to committee of Legislative Assembly**

- 3 The Chief Legislative Counsel must give a revision to the Clerk of the Legislative Assembly for presentation to a select standing committee of the Legislative Assembly designated by the Legislative Assembly to examine the revision.

**Approved revision to be deposited as official copy**

- 4 (1) If the select standing committee approves a revision and recommends that it be brought into force, the Lieutenant Governor may direct that a copy of the revision be deposited with the Clerk of the Legislative Assembly as the official copy of the revision.
- (2) The official copy must be signed by the Lieutenant Governor and countersigned by the Clerk of the Legislative Assembly.

**How revision comes into force**

- 5 (1) The Lieutenant Governor in Council may specify by regulation when a revision deposited under section 4 (1) comes into force.
- (2) A revision comes into force for all purposes as if it were expressly included in and enacted by an Act.
- (3) A provision in a supplement to a revision comes into force as provided in the supplement.
- (4) From the time a revision comes into force, the official copy deposited with the Clerk of the Legislative Assembly must be considered to be the original of the statutes of British Columbia replaced by the revision.
- (5) The Clerk of the Legislative Assembly must keep the official copy of the most recent Revised Statutes of British Columbia until the next general revision comes into force.

**Title and publication of revision**

- 6 (1) A general revision may be published with the title Revised Statutes of British Columbia and may include in the title the year of its publication.
- (2) A limited revision may be given a chapter number as if it were enacted in the current session of the Legislative Assembly or, if the Legislative Assembly is not then in session, in the next session, and the limited revision may be published in the volume of Acts enacted in that session.

**Repeal of previous version of statutes**

- 7 (1) When a general revision comes into force,
  - (a) the existing Revised Statutes of British Columbia, and
  - (b) all other Acts and provisions that are included in the general revision but were not included in the existing Revised Statutes of British Columbia are repealed to the extent that they are incorporated in the general revision.
- (2) When a limited revision comes into force, the Acts or provisions it replaces are repealed to the extent that they are incorporated in the limited revision.

**Legal effect of revision**

- 8** (1) A revision does not operate as new law but has effect and must be interpreted as a consolidation of the law contained in the Acts and provisions replaced by the revision.
- (2) If a revised provision has the same effect as a provision replaced by the revision, the revised provision
- (a) operates retrospectively as well as prospectively, and
  - (b) is deemed to have been enacted and to have come into force on the day on which the provision replaced by the revision came into force.
- (3) If a revised provision does not have the same effect as a provision replaced by the revision,
- (a) the provision replaced by the revision governs all transactions, matters and things before the revision comes into force, and
  - (b) the revised provision governs all transactions, matters and things after the revision comes into force.

**How references are to be interpreted**

- 9** (1) A reference in any of the following to an Act or provision included in a revision must be interpreted, in relation to any transaction, matter or thing after the coming into force of the revision, as a reference to the revised Act or provision having the same effect as the Act or provision replaced by the revision:
- (a) an Act or provision that was enacted before the coming into force of the revision and that is not included in the revision;
  - (b) a regulation or other instrument enacted before the coming into force of the revision;
  - (c) a document existing before the coming into force of the revision.
- (2) A reference in any of the enactments or documents referred to in subsection (1) (a) to (c) to the Revised Statutes of British Columbia must be interpreted, in relation to any transaction, matter or thing after the coming into force of a general revision, as a reference to the new Revised Statutes of British Columbia.

**Interim corrections to revision**

- 10** (1) The Lieutenant Governor in Council may make regulations to correct, in a manner consistent with the powers of revision in this Act, any error in a revision.
- (2) A regulation under this section may be made retroactive to the coming into force of the revision.
- (3) A regulation under this section ceases to have effect after the last day of the next session of the Legislative Assembly after the regulation is made.

**Interpretation Act applies**

- 11** The *Interpretation Act* applies to a revision as it applies to other enactments.