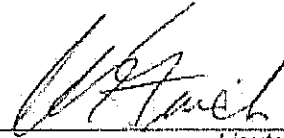


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 534, Approved and Ordered. MAY 26 2004

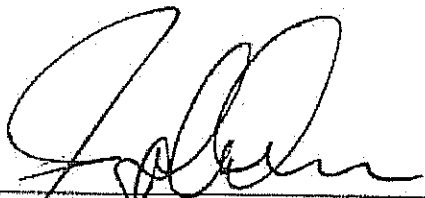


Lieutenant Governor
Administrator

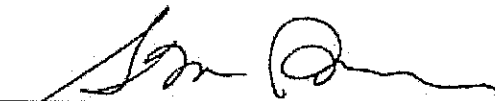
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ Administrator, by and with the advice and consent of the Executive Council, orders that

- (a) the Motor Dealer Act Regulation, B.C. Reg. 447/778, is amended as set out in Schedule 1,
- (b) the Motor Dealer Delegation Regulation, B.C. Reg. 129/2004, is amended as set out in Schedule 2, and
- (c) the Salesperson Licensing Regulation set out in Schedule 3 is made.



Minister of Small Business and
Economic Development



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:- Motor Dealer Act, R.S.B.C. 1996, c. 316, section 24.2, 38 and 39

Other (specify):- oic 2465/78, 319/2004

May 18, 2004

650/2004/12

SCHEDULE 1

- 1 Sections 2, 12, 14 (l) and 21 (2.1), Form 1 of Schedule A and Schedule B of the Motor Dealer Act Regulation, B.C. Reg. 447/778, are repealed.*

SCHEDULE 2

- 1 Section 1 of the Motor Dealer Delegation Regulation, B.C. Reg. 129/2004, is amended by adding the following paragraph:*
- (f) the Salesperson Licensing Regulation.*

SCHEDULE 3

SALESPERSON LICENSING REGULATION

Definition

- 1** In this regulation, “**licence**” means a licence issued under this regulation and includes the renewal of a licence.

Licensing

- 2** (1) The authority may issue a licence to an individual to act as a salesperson.
- (2) A person must not act as a salesperson unless the person holds a licence.

Application

- 3** An individual may apply to the authority for a licence by submitting the form approved by the authority and the fee required by the authority.

Conditions on licence

- 4** (1) The authority may impose conditions on a licence that the authority considers necessary.
- (2) Without limiting subsection (1), the authority may impose the following conditions:
- (a) a licensee must provide the information and records the authority requires under section 8;
 - (b) a licensee must notify the authority of any changes to the licensee’s address;
 - (c) a licensee must not be employed by a motor dealer other than the motor dealer named in the licensee’s licence;

- (d) if the licensee ceases to act as a salesperson, the licensee must immediately surrender his or her licence to the authority and request cancellation of the licence.
- (3) The authority may, on giving written notice to the licensee, add to or alter the conditions on a licence.

Term of licence

- 5 The term of a licence is to be not more than one year.

Refusal, suspension or termination

- 6 If the conduct of an applicant or licensee is, in the opinion of the authority, such that it would not be in the public interest for the applicant or licensee to be licensed or continue to be licensed, the authority may
- (a) refuse to issue the licence,
 - (b) if a person is licensed,
 - (i) cancel the licence, or
 - (ii) suspend the licence for a period of time and subject to conditions the authority considers necessary.

Hearing if requested

- 7 If the authority proposes to
- (a) refuse to issue a licence,
 - (b) cancel a licence, or
 - (c) suspend a licence,
- the authority must notify the applicant or licensee by registered mail that
- (d) he or she has the right to be heard at a date and place specified in the notice, and
 - (e) if the applicant or licensee does not attend at that time and place, the matter may be disposed of in the absence of the applicant or licensee.

Inquiries

- 8 The authority may make inquiries and require information and records the authority considers appropriate or necessary to decide whether or not to issue, cancel or suspend a licence.