



Registrar's Draft Rules Comments Needed Within 45 Days

In April, the BC Legislature made changes to the *Administrative Tribunals Act*, modifying the way some administrative tribunals operate. The revisions to the *Administrative Tribunals Act* (ATA) and the *Motor Dealer Act* gave the Registrar of Motor Dealers power to make rules for the processing and review of licence applications and consumer complaints. The changes were made to promote transparency and fairness in all proceedings that occur prior to a hearing.

The Registrar has now drafted the rules to address the new ATA provisions. Before making them effective, the Registrar is asking for any comments and is requesting that all comments be made no later than January 15, 2016.

Comments on the [Draft Rules](#) should be sent to communications@mvsabc.com.

It is important to know that these provisions:

- Do not materially increase the Registrar's investigative powers
- Do not expand the types of complaints the Registrar can review
- Do not increase the administrative penalties the Registrar may impose

The changes do allow the Registrar to:

- Hold hearings through written submissions, by teleconference or video conference
- Allow a Notice of Hearing to be made electronically, such as by email
- Require the production of records for an investigation or hearing
- Summarily dismiss a complaint before a hearing due to lack of jurisdiction or because it is frivolous, vexatious, made in bad faith or other specified reasons
- Dismiss a complaint if records are not produced
- Bring contempt proceedings in BC Supreme Court for uncooperative witnesses
- Set the forms that must be used

The new ATA provisions also require that an application for judicial review of a decision of the Registrar or the Motor Dealer Customer Compensation Fund Board be made to the BC Supreme Court within 60 days of a final decision.

The [May 7, 2015](#) Bulletin detailed these and other changes.

[Full text of the Draft Registrar's Rules](#)