

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF EDUCATION

School Act

Ministerial Order No. M171

WHEREAS pursuant to section 167 of the Local Government Act, which pursuant to section 45 of the School Act applies in respect of trustee elections conducted under the School Act, if the Minister of Education considers that special circumstances exist regarding an election, the minister may make any order the minister considers appropriate to achieve the purposes of Part 3 [Electors and Elections] of the Local Government Act as it applies in respect of trustee elections conducted under the School Act;

AND WHEREAS the Board of Education of School District No. 78 (Fraser-Cascade) is required under section 36 of the School Act to hold a by-election to fill a vacancy which occurred on May 4, 2020 (the "by-election");

AND WHEREAS on March 11, 2020 the World Health Organization declared the spread of the coronavirus communicable disease ("COVID-19") to be a pandemic;

AND WHEREAS on March 16, 2020 the British Columbia Provincial Health Officer issued an order prohibiting gatherings in excess of 50 people due to the COVID-19 pandemic;

AND WHEREAS on March 18, 2020 the Minister of Public Safety and Solicitor General declared that a state of emergency exists throughout the whole of the Province of British Columbia;

AND WHEREAS the Lieutenant-Governor-in-Council has, by order, extended the state of emergency;

AND WHEREAS, I, Rob Fleming, Minister of Education, believe that the COVID-19 pandemic constitutes a "special circumstance" for the purposes of section 167 of the Local Government Act, and that in order to achieve the purposes of Part 3 [Electors and Elections] of that Act, as it applies in respect of trustee elections conducted under the School Act, it is necessary to cancel the by-election;

NOW THEREFORE I HEREBY ORDER, that as an exception to section 36 of the School Act, and pursuant to section 167 of the Local Government Act and to section 45 of the School Act, the by-election to fill a vacancy on the Board of Education of School District No. 78 (Fraser-Cascade) is cancelled.

May 26, 2020
Date

Rob Fleming
Minister of Education

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

Authority under which Order is made:

Act and section: School Act, sections 36, 45; Local Government Act, section 167

Other: