

Highlights as of May 2017

ALBERTA:

Bill 7

Royal Assent This bill amends the Labour Relations Code regarding post-secondary academic bargaining. This Bill moves faculty and graduate student collective bargaining under the *Labour Relations Code*. This means bargaining impasse will be resolved via strike-lockout. The bill came into on May 4th, 2017.

BRITISH COLUMBIA

No Update. Next Session October 2017. The Legislative Assembly adjourned on March 16, and was dissolved on April 11. A Provincial General Election will be held on May 9.

NEW BRUNSWICK

Bill 43

Royal Assent This act repeals and substitutes the definition of "Final average earnings". It also amends section 20, 21, regarding early retirement and guidelines for calculating the pension.

Bill 48

Royal Assent The purpose of this act is to amend s.147 which states vehicles will include bicycles. It also amends s.150 regarding passing on the right hand side of a vehicle. You may pass on the right if: The vehicle being overtaken signals they will be turning left, on a lane highway where there is an obstruction in one or more of the lanes, or on a sufficiently large one way road that supports two or more lines of moving vehicles.

Bill 51

Royal Assent The preamble in the Human Rights Act has been expanded to include marital status, family status, sexual orientation, sex, gender identity or expression. The definitions of mental and physical disability have been amended. There is a prohibited grounds of discrimination list which includes: race, colour, national origin, ancestry, place of origin, creed or religion, age, physical disability, mental disability, marital status, family status, sex, sexual orientation, gender identity or expression, social condition, and political belief or activity.

Bill 60

Royal Assent This act amends s. 35(g)(i) of the Income Tax Act by lowering the deduction for taxable dividends from 3.5% to 3.245%. S.57(b) is also amended by increasing the corporate tax from 2% to 3% where a

corporation was able to make a deduction under s.125(1) of the Federal Act.

NEWFOUNDLAND

No Update. Currently sitting until June 1st, 2017.

NOVA SCOTIA

Bill 59

Royal Assent The purpose of this Act is to (a) ensure that issues related to persons with disabilities are conveyed to and addressed by public sector bodies;(b) ensure that existing measures, policies, practices and other requirements are reviewed with a view to making suggestions to improve accessibility;(c) provide the framework and authority to create accessibility standards; and(d) facilitate the implementation and monitoring of and compliance with accessibility standards

Bill 90

1st Reading This Bill provides presumptive benefits to corrections officers, firefighters, nurses, paramedics, police officers and persons in health-services occupations prescribed by the regulations who are diagnosed with work-related post-traumatic stress disorder and corrects several typographical errors.

Bill 85

1st Reading This Bill amends the Motor Vehicle Act to require the driver of a vehicle to

- (a) reduce the vehicle's speed to no more than 60 kilometres per hour when passing a tow truck stopped at the scene of a fire or an accident and exhibiting a flashing light; and
- (b) not drive in the traffic lane occupied, or partly occupied, by a tow truck stopped at the scene of a fire or an accident and exhibiting a flashing light, or in the traffic lane closest to and not occupied, or partly occupied, by the tow truck, if there is another traffic lane, for traffic moving in the same direction as the vehicle and further from the tow truck, into which the vehicle can safely move.

This would treat tow trucks the same as other emergency vehicles stopped at the scene of a fire or an accident.

NORTHWEST TERRITORIES

NO UPDATE

ADJOURNED UNTIL MAY 25, 2017

MANITOBA

Bill 25

Committee

The federal government has announced that it will introduce legislation that would legalize the non-medical use of cannabis (marijuana). At this time, it is unclear exactly when legalization will occur. This Bill amends several Acts to address health or safety concerns that will arise when cannabis consumption is no longer illegal, and it closes any legislative gaps that might be created when cannabis is no longer considered to be an illegal drug.

The Drivers and Vehicles Act

This Act is amended to require the registrar of motor vehicles to make a determination whether to suspend the licence of a novice driver or a person with a class or subclass of driver's licence prescribed in the regulations if the person receives a 24-hour roadside suspension under the new addition to The Highway Traffic Act for being under the influence of a drug.

The Highway Traffic Act

This Act is amended to create restrictions on the transportation of cannabis in motorized vehicles; prohibit the consumption of cannabis in motorized vehicles on a highway; create a 24-hour roadside suspension when an officer believes on reasonable grounds that as a result of being under the influence of a drug, a person is unable to safely operate a motor vehicle, vessel, aircraft or railway equipment; and mirror the obligation on the registrar of motor vehicles added to The Drivers and Vehicles Act under similar provisions of The Highway Traffic Act.

Bill 28

Committee

This Bill establishes a four-year sustainability period during which the compensation for public sector employees, and the fee payments to physicians and other health professionals, may not be increased except by the percentages permitted by the Bill.

ONTARIO

Bill 65

2nd Reading

The Bill amends the Highway Traffic Act. It addresses the ability of municipalities to set speed limits within their borders and the use of automated speed enforcement systems and red light camera systems.

Bill 108

1st Reading The Bill amends the *Labour Relations Act, 1995* to require employers to provide information regarding strikes, lock-outs and the use of replacement workers to the Minister. The Minister is required to publish the information received.

Bill 127

Royal Assent This Bill is an omnibus containing 33 schedules, encompassing and affecting a wide range of legislation. Most notably, the bill implements budgetary measures and promises to provide Ontarians better Educational Programs, Childcare programs, Health Care Programs, Senior Care Programs, Infrastructure, strengthened tobacco provisions, more power for collecting crown debts, reduced tax on farmers, and more stringent real property regulations.

Bill 134

1st Reading Schedule 2 of the bill amends the Taxation Act 2007 to implement an Ontario seniors' public transit credit. The Ontario seniors' public transit tax credit maximum is \$225 for the 2017 tax year and \$450 for subsequent years.

PRINCE EDWARD ISLAND

Bill 67

Royal Assent **SECTION 1** removes the mandatory requirement to sound a vehicle horn when passing, and instead requires it only if necessary to alert the driver being passed. It also replaces a reference to the mandatory requirement. **SECTION 2** requires a driver of a motor vehicle that is passing a bicycle to leave a distance of at least one metre, or as near to that as is possible in the circumstances, between the motor vehicle and the bicycle and details how that distance is to be measured. It also permits a vehicle to cross a solid line or centre line, or to pass contrary to a sign, in order to pass a bicycle, if it can be done safely. **SECTION 3** amends the Highway Traffic Act to prohibit a person from opening the door of a vehicle if doing so creates a hazard for other traffic. It also amends the Act to recognize that regulations may regulate what types of traffic may drive in or use bicycle lanes. **SECTION 4** adds a regulation-making power to the Act to authorize regulations respecting bicycle safety and the shared use of highways by bicycles and other traffic. **SECTION 5** amends the Schedule of Penalties for the Act to add descriptions and related penalties for the new offence provisions in this Act. **SECTION 6** provides for the commencement of this Act.

QUEBEC

NO UPDATE

Bill 69

Royal Assent

An amendment to section 5 is required to ensure that the appropriate percentage, the lowest Saskatchewan tax rate on individuals, is updated to include the tax rate reductions announced in the 2017-18 Budget.

Effective July 1, 2017 Saskatchewan will be reducing each of its tax rates (11%, 13%, 15%) by one half percentage point, with a second half-point reduction effective July 1, 2019. Individual income taxes are assessed on a calendar year basis, therefore the legislation must properly align the tax rate changes with the appropriate taxation year. The individual income tax rate reductions will be legislated as four separate quarter-point rate reductions over taxation years 2017 to 2020.

The top provincial tax rate for individuals is applied to trusts. Therefore, an amendment to subsection 9(1) will reduce the tax rate on trusts in lock step with the income tax rate reduction schedule for individuals.

The charitable credit in section 21 is being amended in response to the tax rate reductions announced in the 2018-19 Budget. Charitable gifts in excess of \$200 are credited at the highest personal income tax rate.

The dividend tax credit rate for eligible dividends (dividends in respect of corporate income taxed at the general rate) is being reduced in quarter-point increments over the 2017 through 2020 taxation years to reflect the reductions in the general corporate income tax rate. This change will reduce the effective dividend tax credit rate for eligible dividends from the current 11% to 10% by 2020, thereby maintaining the current degree of integration between the provincial corporate and personal income tax systems for eligible dividend income.

The general corporate income tax rate is being reduced by a half-point effective July 1, 2017 and by another half-point effective July 1, 2019. Rate changes will apply on a prorated basis for corporations whose taxation years may straddle these effective dates.

Section 56.3 is being amended to phase out the special provision that allows credit unions to apply the small business tax rate to taxable income in excess of the \$500,000 small business threshold. The phase-out will occur over four years beginning in 2017.

Section 60.1 is being amended to increase the rate of the refundable manufacturing and processing investment tax credit on new equipment from 5% to 6% as of March 23, 2017.

Section 64.6 is being added to provide for the tax rebate administrative provisions related to the new Saskatchewan Commercial Innovation Incentive (SCII) tax incentive. The SCII eligibility criteria are set out in *The Saskatchewan Commercial Innovation Incentive (PatentBox) Act*, which allows eligible corporations to claim a rebate of income taxes paid.

YUKON

Bill 4 *2nd Reading*

This enactment amends the Human Rights Act to add gender expression and gender identity as prohibited grounds of discrimination.

This enactment amends the Vital Statistics Act and Vital Statistics Regulations to:

- permit a change of sex on a person's registration of birth, whether or not the person has had sex reassignment surgery; and
- allow for a person's sex to be recorded as something other than male or female.

PARLIAMENT OF CANADA

C-7 *Committee Report Presented without Amendment in the Senate (2017-05-18):*

This enactment amends the Public Service Labour Relations Act to provide for a labour relations regime for members of the Royal Canadian Mounted Police and reservists. It provides a process for an employee organization to acquire collective bargaining rights for members and reservists and includes provisions that regulate collective bargaining, arbitration, unfair labour practices and grievances. It also amends the Royal Canadian Mounted Police Act to bar grievances related to the interpretation and application of a

collective agreement or arbitral award, which are to be filed in accordance with the Public Service Labour Relations Act. It changes the title of the Public Service Labour Relations Act and the Public Service Labour Relations and Employment Board Act and the name of the Public Service Labour Relations and Employment Board. It also amends that latter Act to increase the maximum number of full-time members of the Board and to require the Chairperson, when making recommendations for appointment, to take into account the need for two members with knowledge of police organizations.

C-30

Royal Assent

This enactment implements the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, done at Brussels on October 30, 2016. The general provisions of the enactment set out rules of interpretation and specify that no recourse may be taken on the basis of sections 9 to 14 or any order made under those sections, or on the basis of the provisions of the Agreement, without the consent of the Attorney General of Canada.

Part 1 approves the Agreement and provides for the payment by Canada of its share of the expenses associated with the operation of the institutional and administrative aspects of the Agreement and for the power of the Governor in Council to make orders in accordance with the Agreement.

Part 2 amends certain Acts to bring them into conformity with Canada's obligations under the Agreement and to make other modifications. In addition to making the customary amendments that are made to certain Acts when implementing such agreements, Part 2 amends the:

- Export and Import Permits Act;
- Patent Act,
- the Trade-marks Act;
- the Investment Canada Act; and
- Coasting Trade Act.