

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF EDUCATION

School Act

Ministerial Order No. M248

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 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 on September 12, 2020 there is to be a by-election (the "By-election") to fill a vacancy on the Board of Education for Arrow Lakes School District (School District #10) (the "Board");

AND WHEREAS the Board, having considered the implications of the COVID-19 pandemic, has requested that I, Rob Fleming, Minister of Education, make an order allowing the Board to permit voting by all electors voting in the By-election to be done by mail ballot;

AND WHEREAS I 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 safely 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 appropriate for me to make the order requested by the Board;

July 20, 2020

Date

[Handwritten Signature]
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:

NOW THEREFORE, pursuant to section 167 of the *Local Government Act* and to section 45 of the *School Act*, I HEREBY ORDER THAT, as an exception to section 110 of the *Local Government Act*, and despite any by-law of the Board of Education for Arrow Lakes School District (School District #10), the Board of Education for Arrow Lakes School District (School District #10) may, for the by-election to fill a vacancy on the Board, the general voting day for which by-election is set for September 12, 2020, permit voting by all electors voting in the said by-election to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting.