

# LOCAL GOVERNMENT ACT

## [RSBC 2015] CHAPTER 1

### Initiating a service review

**357** (1) A participant may initiate a service review under this Division if all the following circumstances apply:

- (a) the participant has been a participant in the service for at least 5 years or, if applicable, the shorter time period provided in the establishing bylaw for the service;
- (b) the service has not been subject to a service review that was initiated within the past 3 years;
- (c) the establishing bylaw does not include provisions under section 340 (1) (e) establishing an alternative review process;
- (d) the participant considers that the terms and conditions of participation in the service are unsatisfactory.

(2) To initiate a service review, a participant must give written notice to the board, all other participants in the service and the minister.

(3) The notice under subsection (2) must

- (a) describe the terms and conditions of participation in the service that the participant finds unsatisfactory,
- (b) give reasons, relating to those terms and conditions, as to why the participant wishes to initiate the service review, and
- (c) describe how the participant has previously attempted to resolve the issues.

(4) A participant who wishes to initiate service reviews for more than one service must give separate notice under this section for each service.

(5) In the case of a service review in relation to the exercise of authority under letters patent, the minister may determine what is to be considered a separate service under that authority for the purposes of this Division.

### Initiating service withdrawal

**361** (1) A participant may initiate service withdrawal if all the following circumstances apply:

- (a) the service has been subject to
  - (i) a service review that was initiated within the past 3 years, or
  - (ii) an alternative review process, in accordance with establishing bylaw provisions under section 340 (1) (e), that was started within the past 3 years;
- (b) the first meeting respecting the review, which in the case of a service review is the first preliminary meeting under section 359, was convened more than 8 months ago;
- (c) the service is not
  - (i) a service referred to in section 338 (2) [*services for which no establishing bylaw required*],
  - (ii) a regulatory service, or
  - (iii) a service prescribed under subsection (6).

(2) A participant may initiate service withdrawal under this Division even if the establishing bylaw provides terms and conditions for withdrawal under section 340 (1) (f).

(3) To initiate service withdrawal, a participant must give written notice to the board, all other participants in the service and the minister.

(4) The notice under subsection (3) must

- (a) describe the terms and conditions of participation in the service that the participant finds unsatisfactory, and
- (b) give reasons, relating to those terms and conditions, as to why the participant wishes to withdraw from the service.

(5) Despite Divisions 3 to 5 of this Part or the establishing bylaw, at any time after receiving a notice under subsection (3) of this section, the minister may determine that a part of the service must be considered a separate service for the purposes of sections 362 to 372.

(6) The Lieutenant Governor in Council may make regulations excluding services from withdrawal under this Division.

(7) Regulations under subsection (6) may be different for different regional districts and different circumstances.