



## **Governance Committee Agenda**

Date: Wednesday, April 29, 2026  
Time: 10:00 am - 3:00 pm  
Location: Electronic Zoom Meeting

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### **Pages**

- 1. CALL TO ORDER**
- 2. AGENDA**
  - 2.1 New Items and Re-Ordering of the Agenda**
  - 2.2 Approval of Agenda**
- 3. PUBLIC COMMENT PERIOD**
- 4. DELEGATIONS**

None.
- 5. CORRESPONDENCE**

None.
- 6. ADMINISTRATIVE COORDINATION**
  - 6.1 Draft Minutes of Previous Meetings**
    - 6.1.1 Governance Committee draft minutes of the regular meeting of January 28, 2026** 4 - 8

For review and approval
    - 6.1.2 Governance Committee draft minutes of the special meeting of February 17, 2026** 9 - 11

For review and approval
  - 6.2 Resolutions Without Meeting**

None.
  - 6.3 Follow up Action List** 12 - 14

For review

**7. CLOSED MEETING**

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90,(i)the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that the recorder and staff [attend/not attend] the meeting.

**8. RISE AND REPORT**

If requested

**9. BUSINESS - WORK PROGRAM ITEMS**

**9.1 Options for Consideration by the Incoming Trust Council to Improve the Existing Trust Council Committee Structure - Briefing** 15 - 18

**9.2 Table of Executive Committee Delegated Authorities - Briefing** 19 - 23

**9.3 Resolution-without-meeting (RWM) Policy and Meeting Procedure Bylaws - Request For Decision** 24 - 26

THAT the Governance Committee request staff to draft amendments to the Trust Council Local Trust Committee Meeting Procedures Bylaw and Trust Council Meeting Procedures Bylaw to include procedures for resolutions-without-meeting;

THAT the Governance Committee request staff to provide recommended model language that can be provided to the Islands Trust Conservancy Board to be considered for addition to the Islands Trust Conservancy Meeting Procedures Bylaw 2004.

**10. BUSINESS - OTHER**

**10.1 Annual Report: Approval of Governance Committee Section - Request For Decision** 27 - 29

That Governance Committee approve the attached text for inclusion in the 2025/26 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

**10.2 Ombudsperson Special Report No. 60 - Open Meetings: Best Practice Guide for Local Governments** 30 - 73

This updated guide (January, 2026) is a resource for local governments and boards to ensure meeting standards and practices demonstrate openness, transparency, and accountability to the public.

**11. BUSINESS - NEW**

**12. WORK PROGRAM** 74 - 74

For review and referral to Trust Council before each quarterly TC meeting

The Review and Update of Trust Council Policy 7.2.1 (Trustee Remuneration) is completed.

**13. NEXT MEETING**

Wednesday, July 15, 2026, from 10:00 a.m. to 3:00 p.m.

**14. ADJOURNMENT**

\*Approximate time is provided for the convenience of the public only and is subject to change without notice.



**DRAFT**

## **Governance Committee Minutes of a Regular Meeting**

**Date:** January 28, 2026  
**Location:** Electronic Meeting

**Members Present:** Judith Gedy, Bowen Island Municipality (Chair)  
Jamie Harris, Salt Spring Island Local Trust Area (Vice-Chair)  
Joe Bernardo, Gambier Island Local Trust Area  
Sam Borthwick, Denman Island Local Trust Area  
Timothy Peterson, Lasqueti Island Local Trust Area  
Lisa Gauvreau, Galiano Island Local Trust Area, and  
Islands Trust Conservancy Chair  
Kate-Louise Stamford, Gambier Island Local Trust Area  
Laura Patrick, Salt Spring Island Local Trust Area, and  
Islands Trust Council Chair, (ex-officio)

**Staff Present:** David Marlor, Director, Legislative Services  
Clare Frater, Director, Trust Area Services  
Robert Barlow, Legislative Services Clerk/Recorder

### **1. CALL TO ORDER**

Chair Gedy called the meeting to order at 10:02 a.m. and provided a territorial acknowledgement.

### **2. AGENDA**

#### **2.1 New Items and Re-Ordering of the Agenda**

The following addition to the agenda was presented for consideration:

- a letter from Andrew Leonard, Mayor of Bowen Island Municipality, in regards to the Trust Policy Statement. Committee discussion included:
  - the letter was addressed to Islands Trust Council
  - not all committee members have had a chance to review it
  - the possibility of adding it to a future meeting agenda
- the potential addition to the agenda was withdrawn

#### **2.2 Approval of Agenda**

**By general consent** the agenda was approved as presented.

### **3. PUBLIC COMMENT PERIOD**

No member of the public expressed an interest in speaking.

**4. DELEGATIONS**

None.

**5. CORRESPONDENCE**

None.

**6. ADMINISTRATIVE COORDINATION**

**6.1 Draft Minutes of Previous Meeting**

6.1.1 Governance Committee minutes of November 3, 2025

**By general consent** the Governance Committee minutes of November 3, 2025 were approved as presented.

**6.2 Resolutions Without Meeting**

None.

**6.3 Follow up Action List**

In regards to the item describing Trust Council direction re: the 2022 Governance Report recommendations, Director Marlор noted that he and CAO Reuben Bronee are working on recommendation #7 (helping trustees fulfill their roles)

**7. BUSINESS - WORK PROGRAM ITEMS**

**7.1 Set Special Meeting to Review Consultant's Report in regards to Trust Council Policy 7.2.1 Trustee Remuneration – Request For Decision**

Director Marlор noted that the meeting is required in February as it may have an impact on the annual budget which will be finalized by Trust Council in March; that February 17 is the most likely date; and that three hours are required.

**GC-2026-001**

**It was MOVED and SECONDED,**

that Governance Committee set an electronic Special Meeting for Tuesday, February 17, 2026, from 3:30 p.m. to 6:30 p.m. to review a consultant's report in regards to Trust Council policy 7.2.1 Trustee Remuneration.

**CARRIED**

**7.2 Roles and Responsibilities of the Executive Committee (EC) – Briefing**

Director Marlор introduced the Briefing. Committee discussion included:

- legislation sets tight time frames for the election of the Executive Committee

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- the timing of that election is problematic as recently elected trustees may not be familiar with Islands Trust processes and other trustees who may be interested in being a candidate
- requesting the Province to change the *Islands Trust Act* in regards to the election of the EC
- improving the opportunities of EC candidates to present themselves
- drafting objective questions for EC candidates to respond to
- allowing endorsements of candidates by other trustees
- providing clear communication as to the role of the EC
- providing more opportunities for discussions with EC candidates
- improving the interaction with EC candidates so that they are more intimate, detailed and friendly
- providing former EC members who are not standing for re-election to speak about their experience (responsibilities/workload) as an EC member
- possible Governance Committee review of Trustee orientation material
- it was noted that there is a “Trustee Onboarding” working group of trustees (which includes Trustees Gedye, Borthwick and Peterson) and Staff who are working on a review of Trustee orientation material
- it may be impossible to simplify the orientation material given that the role of trustees and of EC members is extensive and complex

Committee recessed at 11:27 a.m. and resumed at 11:37 a.m.

Committee discussion continued:

- the responsibilities of the Islands Trust Council Chair, Vice-Chairs, and the EC are extensive and complex
- some of the responsibilities are set by legislation and some by delegation from the Trust Council
- Trust Council is the body that can establish the appropriate roles and responsibilities of the EC
- the owner of a policy (such as the Trust Council) has the ability to identify the correct interpretation of that policy
- a table of delegated authorities to EC might be of value for further discussions of the Governance Committee at the April 29, 2026 meeting
- the role of the EC member and Local Trust Committee (LTC) members to be spokespersons for the LTC may need to be reviewed
- the EC could be described as essentially a coordinating group rather than a leadership group, as their legislative power to set political goals is limited

### **GC-2026-002**

**It was MOVED and SECONDED,**

that Governance Committee request Staff and the Chair of the Governance Committee to prepare a table of delegated authorities to Executive Committee for the next Governance Committee meeting.

**CARRIED**

**8. BUSINESS - OTHER**

**8.1 Consolidation of Resolutions Without Meeting Policies – Request For Decision**

Director Marlor introduced the Request For Decision. Committee discussion included:

- need for staff to make a second attempt to connect with members who have not provided a vote
- the nature of the authority that Trust Council has to impose obligations on Local Trust Committees in regards to Resolutions Without Meeting
- the second sentence in the note in the box on page 2 of the proposed policy needs to clarify that it refers to sections 2-5 of the policy and not to the *Local Government Act*

Committee recessed at 12:33 p.m. and resumed at 1:05 p.m.

**GC-2026-003**

**It was MOVED and SECONDED,**

that Governance Committee request that staff provide Governance Committee with a memorandum that identifies Trust Council's statutory authority to adopt policies that are binding on Local Trust Committees.

**CARRIED**

**8.2 Secretariat Services Policy Update – Request For Decision**

Director Marlor introduced the Request For Decision, noting that Trust Council Policy 2.1.15 (Secretariat Services) was adopted in September of 2015 and staff have identified a number of areas that need review and amendments. Director Frater stated that the substantive change to the policy is to indicate that the authority to provide funding to various groups is with Trust Council, rather than any Council Committee. Committee discussion included:

- possibility of amending the policy to allow the Trust Programs Committee to provide recommendations to Trust Council in regards to the applicants for Secretariat Services support

**GC-2026-004**

**It was MOVED and SECONDED,**

that Governance Committee recommend to Trust Council that it replace the current Policy 2.1.15 Secretariat Services with the draft updated Policy 2.1.15 Secretariat Services dated January 23, 2026 for reference.

**CARRIED**

**9. BUSINESS - NEW**

None.

**10. WORK PROGRAM**

**10.1 Internal Work Matrix**

No comment.

**10.2 Work Program to forward to Trust Council**

No comment.

**11. NEXT MEETING**

Wednesday, April 29, 2026, 10:00 a.m. to 3:00 p.m. to be held electronically.

**12. CLOSED MEETING**

None.

**13. RISE AND REPORT**

None.

**14. ADJOURNMENT**

**By general consent** the meeting was adjourned at 1:28 p.m.

\_\_\_\_\_  
Judith Gedy, Chair

Certified Correct:

\_\_\_\_\_  
Robert Barlow, Legislative Services Clerk/Recorder

**Minutes are not official until adopted at a subsequent meeting.**



## **Governance Committee Minutes of a Special Meeting**

**Date:** February 17, 2026  
**Location:** Electronic Meeting

**Members Present:** Judith Gedye, Bowen Island Municipality, (GC Chair)  
Jamie Harris, Salt Spring Island Local Trust Area, (GC Vice-Chair)  
Joe Bernardo, Gambier Island Local Trust Area  
Sam Borthwick, Denman Island Local Trust Area  
Timothy Peterson, Lasqueti Island Local Trust Area  
Lisa Gauvreau, Galiano Island Local Trust Area, and  
Islands Trust Conservancy Chair  
Kate-Louise Stamford, Gambier Island Local Trust Area  
Laura Patrick, Salt Spring Island Local Trust Area, and  
Islands Trust Council Chair, (ex-officio)

**Others Present:** Paul Murray, Principal Consultant, Brentwood Advisory Group

**Staff Present:** Rueben Bronee, Chief Administrative Officer  
David Marlor, Director, Legislative Services  
Julia Mobbs, Director, Financial and Employee Services  
Robert Barlow, Legislative Services Clerk/Recorder

### **1. CALL TO ORDER**

Vice-Chair Harris called the meeting to order at 3:33 p.m. as Chair Gedye was not present at that time.

### **2. AGENDA**

#### **2.1 Approval of Agenda**

**By general consent** the agenda was approved as presented.

### **3. BUSINESS - WORK PROGRAM ITEMS**

#### **3.1 Trustee Remuneration Review**

Director Mobbs introduced Paul Murray, Principal Consultant of the Brentwood Advisory Group.

Trustee Gedye arrived at the meeting at 3:36 p.m. and assumed the role of chair.

##### 3.1.1 Consultant's Report: Islands Trust Trustee Remuneration Review

Paul Murray provided a presentation of his trustee remuneration review.

Committee discussion included:

- using electoral area director compensation as a comparator for trustee compensation
- Islands Trust processes in regards to reviews of trustee remunerations follow best practices recommended by the Union of British Columbia Municipalities
- some Islands Trust local trust areas have a high recreational/part-time residency which impacts trustee workload
- the level of compensation impacts the likelihood of attracting a wide range of individuals who run for trustee election

**3.1.2 Draft Trust Council Request For Decision: Trustee Remuneration Policy Amendments**

Committee discussion included:

- Section 104 of the Community Charter allows an exception to financial conflict of interest rules when discussing remuneration
- Committee members will forward to Director Marlor suggestions for minor grammatical edits to the draft policy amendments
- trustee workload has increased substantially over several terms
- trustee compensation policy has not undergone an independent review for approximately sixteen years although minor administrative changes to the policy have occurred during that time
- any increase to trustee remuneration will impact the annual budget beginning in April, 2027
- whether the federation model of Islands Trust governance results in fair representation and tax burden to Salt Spring Island residents
- the proposed amendments to the Trustee Remuneration policy incorporate the recommendations of the Review

**GC-2026-005**

**It was MOVED and SECONDED,**

that Governance Committee forward the Request For Decision “Trustee Remunerations Policy Amendments” to the March Trust Council meeting.

**CARRIED**

**4. NEXT MEETING**

Wednesday, April 29, 2026, 10:00 a.m. to 3:00 p.m. to be held electronically.

**5. CLOSED MEETING**

None.

**6. RISE AND REPORT**

None.

**7. ADJOURNMENT**

**By general consent** the meeting was adjourned at 5:20 p.m.

\_\_\_\_\_  
Judith Gedye, Chair

Certified Correct:

\_\_\_\_\_  
Robert Barlow, Legislative Services Clerk/Recorder

**Minutes are not official until adopted at a subsequent meeting.**

## Follow Up Action Report

### Governance Committee

09-Apr-2025

| Progress | Activity                                                                                                                                                        | Responsibility              | Dates               | Status    |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------|-----------|
| 100%     | 1 staff to arrange for the consultant's report in relation to Trustee Remuneration Policy be prepared and ready for Trust Council consideration for March 2026. | David Marlor<br>Julia Mobbs | Target: 15-Mar-2026 | Completed |

13-Aug-2025

| Progress | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Responsibility | Dates               | Status      |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|-------------|
| 20%      | 1 staff to draft a policy combining Trust Council policies, with recommended updates, in priority order:<br>1. 2.2.1 Requests for Decision (RFD)/Reports and 2.2.2 Council Committee Preparation;<br>2. 2.4.1 Executive Committee Terms of Reference, 2.4.3 Executive Committee Election, 2.4.4 Executive Committee Legislative Role and 2.4.6 Executive Committee Meeting preparation;<br>3. 6.2.1 Priority Setting/Review Guidelines, and 6.7.1 Work Program, Follow-up Action List and Priorities Report; and<br>4. 5.4.2 Procedural Fairness in Rezoning, 7.1.1 Administrative Fairness Principles, 7.1.2 Handling of Administrative Fairness Complaints, and 7.1.5 Ombudsperson Referrals. | David Marlor   | Target: 09-Jun-2026 | In Progress |

## Follow Up Action Report

### Governance Committee

18-Sep-2025

| Progress | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Responsibility | Dates               | Status      |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|-------------|
| 25%      | <p><b>1 Trust Council Direction:</b> that the Governance Committee prioritize the following recommendations of the 2022 Governance Report:</p> <ul style="list-style-type: none"> <li>· recommendation 1 [Election of Trust Council leadership];</li> <li>· recommendation 11 [adoption of comprehensive, multi-year planning document], and</li> <li>· recommendation 7 [helping trustees fulfil their roles],</li> </ul> <p>with the understanding that:</p> <ul style="list-style-type: none"> <li>- recommendation 3 [committee membership],</li> <li>- recommendation 4 [committee mandates],</li> <li>- recommendation 5 [roles of committees], and</li> <li>- recommendation 6 [helping trustees understand their roles]</li> <li>- recommendation 8 (secretary to Trust Council) and</li> <li>- recommendation 15 [Trustee Compensation]</li> </ul> <p>will be undertaken by staff as appropriate, and:</p> <ul style="list-style-type: none"> <li>· recommendation 12 [communications and engagement],</li> <li>· recommendation 13 [management alignment with Trust Council] and</li> <li>· recommendation 14 [exploiting the potential for synergy between Islands Trust Conservancy and Islands Trust]</li> </ul> <p>will be undertaken when prioritised by Trust Council.</p> <p><u>AND</u></p> <p>that work not be undertaken any further on the following recommendations of the 2022 Governance Report:</p> <ul style="list-style-type: none"> <li>- recommendation 2 [number of committees and committee mandates];</li> <li>- recommendation 10 [provincial representation]; and</li> <li>- recommendation 9 [First Nations representation]</li> </ul> | David Marlor   | Target: 30-Nov-2025 | In Progress |

## Follow Up Action Report

### Governance Committee

28-Jan-2026

| Progress | Activity                                                                                                                                                                                                                                                    | Responsibility | Dates               | Status    |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|-----------|
| 100%     | 1 Staff and the Chair of the Governance Committee to prepare a table of delegated authorities to Executive Committee for the next Governance Committee meeting.                                                                                             | David Marlor   | Target: 29-Apr-2026 | Completed |
| 100%     | 2 staff provide Governance Committee with a memorandum that identifies Trust Council's statutory authority to adopt policies that are binding on Local Trust Committees.                                                                                    | David Marlor   | Target: 29-Apr-2026 | Completed |
| 100%     | 3 Staff to refer the RFD that indicates that Governance Committee recommend to Trust Council that it replace the current Policy 2.1.15 Secretariat Services with the draft updated Policy 2.1.15 Secretariat Services dated January 23, 2026 for reference. | Robert Barlow  | Target: 13-Feb-2026 | Completed |
| 100%     | 4 Staff to forward the GC Work Plan to the March Trust Council meeting.                                                                                                                                                                                     | Robert Barlow  | Target: 13-Feb-2026 | Completed |

17-Feb-2026

| Progress | Activity                                                                                                                                                                          | Responsibility | Dates               | Status    |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|-----------|
| 100%     | 1 Staff incorporate Governance Committee edits to the Trust Council Request For Decision "Trustee Remunerations Policy Amendments" and forward to the March Trust Council meeting | David Marlor   | Target: 18-Feb-2026 | Completed |

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**To:** Governance Committee      **For the Meeting of:** April 29, 2026  
**From:** Executive Office      **Date Prepared:** April 10, 2026  
**SUBJECT:** Options for consideration by the incoming Trust Council to improve the existing Trust Council committee structure

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## PURPOSE:

To provide an overview of the considerations and options related to the potential changes to the Trust Council committee structure, which would be forwarded to the new Trust Council to consider following the 2026 election.

## BACKGROUND:

At its December 2025 meeting, Trust Council endorsed the recommendations presented in the 2025 Islands Trust Operation Review, including:

Recommendation 5: Trust Council direct staff to work with the Governance Committee to provide Trust Council with options to improve the current committee structure in advance of the 2026 election.

## Legislative and Policy Context

The *Islands Trust Act* requires, in addition to Trust Council, that there be an Executive Committee, local trust committees, and the Islands Trust Conservancy Board. Trust Council [Policy 2.3.1: Council Committee System](#) prescribes the creation of six standing committees in addition to Executive Committee:

1. Regional Planning Committee
2. Financial Planning Committee
3. Trust Programs Committee
4. Governance Committee
5. Chief Administrative Officer Performance Evaluation Committee
6. Accessibility Committee

With the exception of the Accessibility Committee, which is required by the *Accessible British Columbia Act*, these standing committees exist at the discretion of Trust Council.

A standing committee is considered “a regular permanent committee of Trust Council.” They operate with a defined terms of reference and a work plan approved by Trust Council to support its work for the duration of a four-year term. Membership of each standing committee is defined in policy.

Policy 2.3.1 also provides for select committees comprised of trustees elected by Trust Council. A select committee is defined as “a committee established and elected by Trust Council to consider or inquire into any matter and to report its findings, opinions and recommendations to Trust Council.” Select committees, therefore, typically have a narrower mandate and are intentionally more temporary in nature.

Some form of committee system is vital and the use of standing and select committees is a standard practice in local government administration. In the context of Islands Trust, it would be unrealistic to expect effective governance to be managed solely through a 26-member council

that only meets four times a year, or to rely solely on the Executive Committee to govern the organization between those meetings.

However, given the budget and staff time dedicated to supporting committees, it is incumbent on trustees and staff to ensure the effort is yielding the best benefit. Some concerns have been raised during the current term by trustees and staff about the effectiveness of the current complement of standing committees.

### **Historical Context**

The current committee structure has evolved as needs have changed over the years.

Prior to 1998 Trust Council had four committees: Environmental Planning Committee, Policy Planning Committee, Financial Planning Committee, and Local Planning Committee.

In 1998, the Environmental Planning Committee and Policy Planning Committee were combined into the Trust Policy Committee when Trust Council adopted Policy 2.3.1 that established the Local Planning Committee, Financial Planning Committee and the Trust Policy Committee. The Trust Policy Committee was renamed Trust Programs Committee in March 2001.

In August 2020, in response to similar issues to those recently raised, staff presented a recommendation to Council that the Trust Programs and Local Planning Committees be merged into a single committee. Council opted to maintain the existing committee structure. The Local Planning Committee was renamed Regional Planning Committee in December 2020. These committees have remained the same with no change significant changes to their terms of reference since these dates.

The 2022 Islands Trust Governance Review report noted that committees can and should be the “workshops of Trust Council” to deliberate on policy and other issues in detail. That report included three relevant recommendations with regard to the committee structure and role:

Recommendation 2: The Trust Council should undertake a comprehensive review of its committee structure, with the idea of increasing the number of committees with mandates more focused on the subjects and issues that reflect Trust Council priorities. Frequent use should be made of sub-committees and ad hoc committees to address particular topics.

Recommendation 4: Committee mandates should reflect Trust Council's priorities and areas of greatest concern...Establishment of a governance committee with a mandate to ensure that governance best practices are in place at Trust Council is of special importance. (Note The Governance Committee was established in response to this recommendation.)

Recommendation 5: Recommendations from committees to Trust Council should be truly “owned” and championed by the committee; actual proposals are likely to have been developed by staff, but the recommendation as to the disposition of the proposal must belong to the committee.

### **Options for Consideration**

The Governance Review recommendations acknowledge that issues related to the effectiveness of the current committee structure may be partly structural but also related to how committees undertake their work and the extent to which they adhere to their prescribed mandates.

With the transition to a new Trust Council following the October 2026 election, there is an opportunity to reset the committee structure. The following options are presented for consideration in that context. The Governance Committee may choose to recommend one or all for the current Trust Council to, in turn, recommend to a newly elected Council.

#### **Option 1: Stronger Engagement by Trust Council**

Over time, it appears committees have had a tendency to drift from the work plans set out by Trust Council to initiate new projects sparked by committee members' interests. Council is required to review and approve committee work plans at every Trust Council meeting, but typically does so with little engagement or discussion.

This option proposes no change to the existing committee structure, but that Trust Council take a more direct and active role in setting committee priorities, and revising them as needed. This would not require any changes to current policies. Rather it would require Council to be more active in its role as defined in policy of holding standing committees to account for delivering on a defined set of priorities aligned with the mandate set by Council.

Consistent with recommendation 5 of the Governance Review, it would also see Council set a clear expectation that recommendations from a committee be "owned and championed" by committee members when they are presented to Council.

This approach is recommended to be applied under any of the other options outlined below.

**Pros:**

- No change to existing committee structure, and therefore no changes to policy are required.
- Enhances committees' accountability to Council, providing greater clarity and oversight of committee mandates and work plans.
- Should improve the efficiency and effectiveness of committee work.

**Cons**

- Requires more engagement by Council in considering and approving committee work plans.

**Option 2: Realignment of Standing Committees**

The existing standing committees have broadly defined mandates, but there may be potential to more closely align some of these with the identified strategic priorities of Trust Council.

Staff recommend this would not apply to:

- Accessibility Committee, whose mandate is primarily determined by the applicable provincial legislation.
- Chief Administrative Officer Performance Evaluation Committee, whose mandate is already narrowly focused.
- Financial Planning Committee, whose mandate is already focused on financial management issues.

However, there is greater opportunity to consider the roles of the Trust Programs Committee, Regional Planning Committee and Governance Committee. The new Council is expected to engage in a process to identify its strategic priorities early in its term. This could and should then result in a review of the terms of reference and work plans for these three committees in particular to provide as much focus as possible in support of the priorities identified.

This should include consideration of whether these committees would be better replaced by standing committees with more specific strategic mandates. Given the resourcing implications, staff do not recommend creation of additional standing committees. However, Council could consider, for example, the potential for a standing committee focused on Indigenous and intergovernmental relations if that was identified as a strategic priority – possibly in place of the Trust Programs Committee.

**Pros:**

- Could help to mitigate some of the concern about "scope creep" and ensure committee time and energy is more efficiently and effectively supporting priorities for the term.
- Enhances committees' accountability to Council, providing greater clarity and oversight of committee mandates and work plans.

**Cons:**

- Changes to the terms of reference or structure of standing committees would require amendments to policy. Because the timeline for establishing standing committees is set out in policy, the existing committee structure would need to be upheld and initiated under a new Council, with any changes to be made subsequent to that.
- Risk of needing to further amend terms of reference if new issues arise and/or priorities shift that need dedicated committee support.

**Option 3: Replace Some Standing Committees with Select Committees**

Similar to option 2, this option would replace some existing standing committees with select committees to address priority topics and issues as defined by Council.

As noted above, select committees are intended to be primarily single-issue focused and typically time-limited in nature. This can make them a more nimble and flexible mechanism to deal with priority topics and issues that may arise throughout a Council term. Participation in select committees may also be more appealing to trustees who have an interest in a specific topic but are less interested in committing to participate in a standing committee for an entire term.

However, the need to establish and elect members for select committees on a more ad hoc basis at Trust Council, does add a certain amount of administrative work. In contrast, standing committees membership is established at the start of term and only amended if a member steps down from a committee. The absence of more broadly defined standing committees could also risk resulting in Executive Committee by default needing to take on more work as issues arise.

**Pros:**

- Provides greater nimbleness and flexibility in the committee structure, and could ensure committee time and energy is more efficiently and effectively supporting priorities for the term.
- May enhance trustee participation in committees with more defined mandates and timeframes.
- Could reduce the overall volume of meetings and related administrative work over the course of the term.

**Cons:**

- Could unintentionally increase the workload for Executive Committee.
- Could reduce the number of opportunities for trustees to participate in committees.
- Under the remuneration policy, trustees are compensated for participation in standing committees but not select committees. This could be addressed through a minor policy amendment.
- Changes to the terms of reference or structure of standing committees would require amendments to policy. While the provisions for select committees are established, the removal of any standing committees requires policy updates.
- Because the timeline for establishing standing committees is set out in policy, the existing committee structure would need to be upheld and initiated, with any changes to be made subsequent to that.

**FOLLOW-UP:**

Governance Committee may request that staff advance this briefing to Trust Council for consideration as is, or with further analysis if desired.

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**Prepared By: CAO Reuben Bronee**

# BRIEFING

**To:** Governance Committee **For the Meeting of:** April 29, 2026

**From:** Legislative and Information Services **Date Prepared:** April 15, 2026

**SUBJECT:** Table of Executive Committee Delegated Authorities

**PURPOSE:** To provide information on the delegated authorities of the Executive Committee

**BACKGROUND:**

At its regular January 28, 2026 business meeting, the Governance Committee passed the following resolution:

*that Governance Committee request Staff and the Chair of the Governance Committee to prepare a table of delegated authorities to Executive Committee for the next Governance Committee meeting.*

The table below, presented for information, includes the delegated authorities of the executive committee and indicate the source of the authority.

| Executive Committee                                                                                                                                                                                          |  | ITA = Islands Trust Act    BIM = Bowen Island Municipality<br>Letters Patent = Bowen Island Letters Patent |       |                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------|-------|----------------|
| Authority                                                                                                                                                                                                    |  | Legislation                                                                                                | Bylaw | Council Policy |
| <b>ADVOCACY</b>                                                                                                                                                                                              |  |                                                                                                            |       |                |
| Coordinates Trust Council's advocacy direction                                                                                                                                                               |  |                                                                                                            |       | Policy 6.10.3  |
| Encourage a coordinated approach to advocacy and external liaison as part of their appointment to local trust committees and the Islands Trust Conservancy Board                                             |  |                                                                                                            |       | Policy 6.10.3  |
| Direct individual advocacy actions in accordance with the advocacy direction set by Trust Council through resolutions and the Strategic Plan                                                                 |  |                                                                                                            |       | Policy 6.10.3  |
| May assist local trust committees, island municipalities and the Islands Trust Conservancy Board with advocacy if a request for support is referred to the Executive Committee by resolution of those bodies |  |                                                                                                            |       | Policy 6.10.3  |
| Seek a resolution of support from a local trust committee before engaging in advocacy on a local trust area issue                                                                                            |  |                                                                                                            |       | Policy 6.10.3  |
| Include a report on advocacy activities in its quarterly report to Trust Council                                                                                                                             |  |                                                                                                            |       | Policy 6.10.3  |
| Use its annual joint meeting with the Islands Trust Conservancy Board and Bowen Island Municipality to discuss current and emerging advocacy topics of mutual interest                                       |  |                                                                                                            |       | Policy 6.10.3  |

| Executive Committee                                                                                                                                                                                                                                                                                                                  |  | ITA = Islands Trust Act      BIM = Bowen Island Municipality<br>Letters Patent = Bowen Island Letters Patent |          |                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------|----------|----------------|
| Authority                                                                                                                                                                                                                                                                                                                            |  | Legislation                                                                                                  | Bylaw    | Council Policy |
| AGREEMENTS                                                                                                                                                                                                                                                                                                                           |  |                                                                                                              |          |                |
| Development of protocol agreements                                                                                                                                                                                                                                                                                                   |  |                                                                                                              | Bylaw 65 |                |
| ANNUAL REPORT                                                                                                                                                                                                                                                                                                                        |  |                                                                                                              |          |                |
| Approve outline of the Annual Report                                                                                                                                                                                                                                                                                                 |  |                                                                                                              |          | Policy 6.10.1  |
| APPOINTMENTS                                                                                                                                                                                                                                                                                                                         |  |                                                                                                              |          |                |
| Appointment of Secretary, Treasurer and Bylaw Enforcement officer                                                                                                                                                                                                                                                                    |  |                                                                                                              | Bylaw 3  |                |
| Appointment of auditors                                                                                                                                                                                                                                                                                                              |  |                                                                                                              | Bylaw 3  |                |
| BYLAWS                                                                                                                                                                                                                                                                                                                               |  |                                                                                                              |          |                |
| Consider approval of bylaws from local trust committees                                                                                                                                                                                                                                                                              |  | ITA s.21                                                                                                     |          | Policy 2.4.1   |
| Consider approval of OCP bylaws from Bowen Island Municipality                                                                                                                                                                                                                                                                       |  | ITA s.21                                                                                                     |          | Policy 2.4.1   |
| Consider early referral of bylaws from Bowen Island Municipality                                                                                                                                                                                                                                                                     |  | Letters Patent                                                                                               |          | Policy 2.4.1   |
| Act as a Local Trust Committee for areas not covered by a local trust committee                                                                                                                                                                                                                                                      |  | ITA s.21                                                                                                     |          |                |
| Review and provide recommendations to Trust Council on all Trust Council bylaws.                                                                                                                                                                                                                                                     |  |                                                                                                              |          | Policy 2.4.1   |
| CHIEF ADMINISTRATIVE OFFICER                                                                                                                                                                                                                                                                                                         |  |                                                                                                              |          |                |
| Require, when needed, the Chief Administrative Officer Performance Evaluation Committee (CEOPEC) to undertake recruiting, appointing, and orienting a CAO; to ensure that, prior to appointing a new CAO, the CAOPEC has consulted with the Islands Trust Council and has complied with the terms of reference for such consultation |  |                                                                                                              |          | Policy 2.4.1   |
| Coordinate discipline actions associated with the Chief Administrative Officer, after the initial six-month probationary period, in consultation with the Chief Administrative Officer Performance Evaluation Committee as required                                                                                                  |  |                                                                                                              |          | Policy 2.4.1   |
| Require, if the Executive Committee considers it necessary, the CAOPEC to seek advice from the Public Service Agency and make recommendations to Trust Council about any Executive Committee initiatives to consider termination of a CAO's employment without just cause after the initial six-month probationary period            |  |                                                                                                              |          | Policy 2.4.1   |
| If there is an unplanned departure or absence of the CAO, implement the CAO succession plan                                                                                                                                                                                                                                          |  |                                                                                                              |          | Policy 8.4.1   |
| CODE OF CONDUCT AND ADMINISTRATIVE FAIRNESS                                                                                                                                                                                                                                                                                          |  |                                                                                                              |          |                |
| Assist trustees, Council committees, local trust committees and the Chief Administrative Officer (CAO) in resolving internal conflicts                                                                                                                                                                                               |  |                                                                                                              |          | Policy 2.4.1   |
| Act as a Standards of Conduct Review body for complaints regarding trustees                                                                                                                                                                                                                                                          |  |                                                                                                              |          | Policy 7.1.2   |
| COMMUNICATION AND LIAISON                                                                                                                                                                                                                                                                                                            |  |                                                                                                              |          |                |
| Liaison with Bowen Island Municipality                                                                                                                                                                                                                                                                                               |  |                                                                                                              | Bylaw 72 | BIM Agreement  |
| Liaison with Islands Trust Conservancy                                                                                                                                                                                                                                                                                               |  |                                                                                                              | Bylaw 86 | Policy 2.4.1   |

| Executive Committee                                                                                                                                                                                                                      |  | ITA = Islands Trust Act      BIM = Bowen Island Municipality<br>Letters Patent = Bowen Island Letters Patent |           |                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------|-----------|------------------------------|
| Authority                                                                                                                                                                                                                                |  | Legislation                                                                                                  | Bylaw     | Council Policy               |
| Facilitate financing and service arrangements by the Islands Trust to the Islands Trust Conservancy program                                                                                                                              |  |                                                                                                              |           | Policy 2.4.1                 |
| To work with the Chair in the preparation and facilitation of effective Trust Council meetings and to review and make recommendations on all Trust Council agenda items.                                                                 |  |                                                                                                              |           | Policy 2.4.1                 |
| Facilitate the development of protocol agreements with other agencies to maximize inter-agency cooperation to pursue the Trust's Object                                                                                                  |  |                                                                                                              |           | Policy 2.4.1                 |
| Facilitate an ongoing trustee training and orientation program                                                                                                                                                                           |  |                                                                                                              |           | Policy 2.4.1                 |
| Coordinate an effective public relations program through the development of targeted public communication efforts                                                                                                                        |  |                                                                                                              |           | Policy 2.4.1                 |
| Maximize effective internal communications by facilitating opportunities for trustees, local trust committees, Council Committees, Trust Council and staff consultation and information exchange and provision of services and resources |  |                                                                                                              |           | Policy 2.4.1                 |
| Represent Trust Council when motions of Trust Council are presented at UBCM (Union of British Columbia Municipalities) annual convention                                                                                                 |  |                                                                                                              |           | Policy 6.12.1                |
| GRANTS IN-AID AND SPONSORSHIPS                                                                                                                                                                                                           |  |                                                                                                              |           |                              |
| Make recommendations of funding for grants-in-aid                                                                                                                                                                                        |  |                                                                                                              |           | Policy 2.1.14                |
| Consider recommendations for sponsorship of development applications that have a public interest                                                                                                                                         |  |                                                                                                              |           | Policy 4.1.13                |
| Consider exemptions to grants and donations procedures and steps outlined by policy                                                                                                                                                      |  |                                                                                                              |           | Policy 6.5.4                 |
| Consider grant applications to be made by Islands Trust                                                                                                                                                                                  |  |                                                                                                              |           | Policy 6.5.4                 |
| Consider disposition of donations where use is not specified by the donor                                                                                                                                                                |  |                                                                                                              |           | Policy 6.5.4                 |
| Approve projects that do not meet certain conditions in relation to grant                                                                                                                                                                |  |                                                                                                              |           | Policy 6.5.4                 |
| LEGAL, LEGISLATION AND INDEMNIFICATION                                                                                                                                                                                                   |  |                                                                                                              |           |                              |
| Determine indemnification for petition for disqualification from office or defamatory conduct by trustees                                                                                                                                |  |                                                                                                              | Bylaw 145 |                              |
| Waive confidentiality of specific legal advice                                                                                                                                                                                           |  |                                                                                                              |           | Policy 2.1.6                 |
| Consider requests to access alternate legal counsel                                                                                                                                                                                      |  |                                                                                                              |           | Policy 2.1.6                 |
| Restrict access to legal advice                                                                                                                                                                                                          |  |                                                                                                              |           | Policy 2.1.6                 |
| Ensure the Islands Trust's legislative adherence to Trust bylaws, policies, procedures and guidelines, and relevant provincial and federal legislation                                                                                   |  |                                                                                                              |           | Policy 2.4.1                 |
| Monitor legislation of the federal and provincial government through facilitating Trust input to relevant legislation proposals and the assessment of relevant new legislation                                                           |  |                                                                                                              |           | Policy 2.4.1                 |
| Coordinate Council's legislative amendment program by maintaining a legislative change program of current and possible proposals recommending legislative changes to Trust Council                                                       |  |                                                                                                              |           | Policy 2.4.1                 |
| Approve litigation and funding for legal enforcement of local trust committee bylaws                                                                                                                                                     |  |                                                                                                              |           | Policy 5.5.1<br>Policy 6.9.2 |
| Approve defence of bylaws or other litigation against Islands Trust                                                                                                                                                                      |  |                                                                                                              |           | Policy 6.9.2                 |

| Executive Committee                                                                                                                                                      |          | ITA = Islands Trust Act      BIM = Bowen Island Municipality<br>Letters Patent = Bowen Island Letters Patent |           |                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------|-----------|------------------------------|
| Authority                                                                                                                                                                |          | Legislation                                                                                                  | Bylaw     | Council Policy               |
| MEETINGS PREPARATION AND FOLLOW-UP                                                                                                                                       |          |                                                                                                              |           |                              |
| Determine and provide agenda for meetings of Trust Council                                                                                                               |          |                                                                                                              | Bylaw 101 |                              |
| Direct Secretary to conduct resolutions-without-meetings for Trust Council                                                                                               |          |                                                                                                              | Bylaw 101 |                              |
| Review requests for decisions going to Trust Council                                                                                                                     |          |                                                                                                              |           | Policy 2.2.1                 |
| Review all items and agenda for Trust Council                                                                                                                            |          |                                                                                                              |           | Policy 2.2.2                 |
| To work with the Chair in the preparation and facilitation of effective Trust Council meetings and to review and make recommendations on all Trust Council agenda items. |          |                                                                                                              |           | Policy 2.4.1                 |
| OTHER                                                                                                                                                                    |          |                                                                                                              |           |                              |
| Carry out other duties as Trust Council directs                                                                                                                          | ITA s.21 |                                                                                                              |           |                              |
| POLICY STATEMENT AND GENERAL POLICIES                                                                                                                                    |          |                                                                                                              |           |                              |
| Coordinate review and implementation of the Policy Statement                                                                                                             |          |                                                                                                              | Bylaw 17  |                              |
| Coordinate the Islands Trust policy development program and to review all policy matters presented to Council                                                            |          |                                                                                                              |           | Policy 2.4.1                 |
| STAFF AND OPERATIONS RESOURCES                                                                                                                                           |          |                                                                                                              |           |                              |
| Deal with issues related to staff resources for council committees                                                                                                       |          |                                                                                                              |           | Policy 2.3.1                 |
| Review and provide comment on management's operational procedures development                                                                                            |          |                                                                                                              |           | Policy 2.4.1                 |
| Facilitate feedback on the organizations and/or staff's performance via the CAO and monitor appropriate follow-up action by management                                   |          |                                                                                                              |           | Policy 2.4.1                 |
| Review and provide input to management's operational procedures, proposals, plans and issues                                                                             |          |                                                                                                              |           | Policy 2.4.1                 |
| Decide corrective actions for over-budget expenditures in excess of \$20,000 as reported by staff                                                                        |          |                                                                                                              |           | Policy 6.5.2                 |
| Monitor staff structure as approved by Trust Council and conveyed to the public                                                                                          |          |                                                                                                              |           | Policy 7.1.1                 |
| Approve delegation of management authority for implementation by the Chief Administrative Officer (CAO)                                                                  |          |                                                                                                              |           | Policy 7.1.1                 |
| STRATEGIC PLANNING AND PRIORITY SETTING                                                                                                                                  |          |                                                                                                              |           |                              |
| Monitor the development and implementation of the Trust's work program function                                                                                          |          |                                                                                                              |           | Policy 2.4.1                 |
| Coordinate the development, preparation and implementation of an organizational strategic plan                                                                           |          |                                                                                                              |           | Policy 2.4.1                 |
| Monitoring and reviewing Trust Council's priority setting process.                                                                                                       |          |                                                                                                              |           | Policy 6.2.1<br>Policy 6.7.1 |
| TRUSTEE ORIENTATION, TRAINING AND TRAVEL                                                                                                                                 |          |                                                                                                              |           |                              |
| Facilitate an ongoing trustee training and orientation program                                                                                                           |          |                                                                                                              |           | Policy 2.4.1                 |

| Executive Committee                                                                                                              |  | ITA = Islands Trust Act      BIM = Bowen Island Municipality<br>Letters Patent = Bowen Island Letters Patent |       |                |
|----------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------|-------|----------------|
| Authority                                                                                                                        |  | Legislation                                                                                                  | Bylaw | Council Policy |
| Consider and approve trustee training (unless approval can be made in a timely manner by Trust Council).                         |  |                                                                                                              |       | Policy 6.12.1  |
| Recommend trustee training program to Trust Council                                                                              |  |                                                                                                              |       | Policy 6.12.1  |
| Budget control and approve Executive Committee training and conference attendance                                                |  |                                                                                                              |       | Policy 6.12.1  |
| Approve trustee travel claims submitted outside the travel claim submission window, determine compensation in certain conditions |  |                                                                                                              |       | Policy 7.2.3   |
|                                                                                                                                  |  |                                                                                                              |       |                |

**ATTACHMENT(S):**

**None**

**FOLLOW-UP:**

As requested by the Governance Committee.

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**Prepared By:**            **David Marlor, Director, Legislative and Information Services**

**Reviewed By/Date:** **Chief Administrative Officer/April 2, 2026**



## REQUEST FOR DECISION

**To:** Governance Committee

**For the Meeting of:** April 29, 2026

**From:** Legislative and  
Information Services

**Date Prepared:** April 1, 2026

**SUBJECT:** Resolution-without-meeting (RWM) Policy and Meeting Procedure Bylaws

---

### RECOMMENDATION:

**THAT the Governance Committee request staff to draft amendments to the Trust Council Local Trust Committee Meeting Procedures Bylaw and Trust Council Meeting Procedures Bylaw to include procedures for resolutions-without-meeting;**

**THAT the Governance Committee request staff to provide recommended model language that can be provided to the Islands Trust Conservancy Board to be considered for addition to the Islands Trust Conservancy Meeting Procedures Bylaw 2004.**

### CHIEF ADMINISTRATIVE OFFICER COMMENTS:

---

**1 PURPOSE:** To update local trust committee and Trust Council procedures to ensure that the adoption process for resolutions-without-meeting is consistent, transparent and administratively fair.

**2 BACKGROUND:**

Sections 13 and 26 of the *Islands Trust Act* enable Trust Council and local trust committees (respectively) to consider and vote on certain types of resolutions without meeting (RWM). The Islands Trust Special Voting Regulation (under the Local Government Act) enables such votes by the Executive Committee and the Islands Trust Conservancy Board.

Currently, three separate Trust Council policies outline the processes to be followed when Islands Trust bodies undertake Resolutions Without Meeting:

- 2.2.3 (Trust Council Resolutions Without Meeting),
- 2.4.2 (Executive Committee and Islands Trust Conservancy Board Resolutions without Meeting), and
- 4.1.5 (Local Trust Committee Section 26 Resolutions without Meeting).

A table describing the restrictions of provincial legislation and the three Trust Council policies is provided as Attachment 2.

All the current policies were created in the 1990s and were last amended in 2022, 1994 and 2014 respectively. The language of the current policies mostly predates the organizational use of email communications. The policies currently include practices that rely primarily on the use of physical mail, telephones and facsimile (fax) machines. In practice, trustees and staff now communicate primarily through email, including during the processing of resolutions without meeting.

Procedures for all resolutions-without-meetings address the steps taken to ensure that the vote is fair and transparent. These include requiring:

1. that the Chair first authorise the resolution-without-meeting to proceed
2. that a Call for movers is sent out to all members
3. that the Chair then authorise the call for the vote
4. that the members are given a reasonable time to vote before the chair declares the result
5. that it is clear to all members how and when votes will be considered abstained votes
6. that the Chair then announces the result of the vote.

**Islands Trust Act, Local Government Act, and the Community Charter**

Section 13 of the *Islands Trust Act* requires that Trust Council establish procedures for Trust Council and its committees by bylaw. Section 26 of the *Islands Trust Act* requires that Local Trust Committees establish procedures for its meetings; though this may be overridden by a Trust Council procedure bylaw under s.11 of the *Islands Trust Act*; Trust Council has done this by adopting the Trust Council Local Trust Committee Meeting Procedure Bylaw (Bylaw 197). The Islands Trust Conservancy is required to adopt a meeting procedure bylaw. There is no provision for Trust Council to adopt a meeting procedure bylaw that is binding on the Islands Trust Conservancy.

Under s.122 of the *Community Charter* (which applies to Islands Trust bodies), where an enactment states that a power may be enacted by bylaw, that power may only be enacted by bylaw.

To ensure that the meeting procedures are enforceable for all local trust committees, Trust Council and its committees, and the Islands Trust Conservancy, the procedures for resolutions-without-meeting should be added to the relevant meeting procedure bylaws, and the policies rescinded. This would involve:

1. drafting a new section on resolution-without-meeting procedures to add to Trust Council Meeting Procedure Bylaw (Trust Council Bylaw 101) – this would apply to Trust Council, Executive Committee, Committee of the Whole, and council committees;
2. drafting a new section on resolutions-without-meeting procedures to add to the Trust Council Local Trust Committee Meeting Procedures Bylaw (Trust Council Bylaw 197); and
3. drafting a new section on resolutions-without-meeting procedures to add to the Islands Trust Conservancy Meeting Procedures Bylaw 2004 (ITC Bylaw 2).

As the Islands Trust Conservancy Board is separate to Trust Council, staff could draft amendment text, and the Governance Committee could recommend to Trust Council to forward that to the ITC Board for consideration of updating its meeting procedure bylaw.

### **3 IMPLICATIONS OF RECOMMENDATION**

**ORGANIZATIONAL:**

There are no organizational implications.

**FINANCIAL:**

There are no financial costs beyond the staff time to prepare the recommended amendments.

**POLICY:**

The existing policies of Trust Council on resolutions-without-meeting would be redundant and if Governance Committee recommendations are adopted by Council and the Islands Trust Conservancy Board, the policies should be rescinded.

**IMPLEMENTATION/COMMUNICATIONS:**

Draft amendments would be added to an upcoming Governance Committee agenda.

**FIRST NATIONS RELATIONS:**

There are no First Nations Relations implications.

**OTHER:**

There are no other implications.

**4 RELEVANT LEGISLATION:**

Islands Trust Act, sections [13](#) and [26](#)

[Islands Trust Regulation](#)

[Islands Trust Special Voting Regulation](#) (under the Local Government Act)

[Section 225 of the Local Government Act](#)

[Section 122 of the Community Charter](#)

**5 ATTACHMENT:**

None

---

**RESPONSE OPTIONS**

**Recommendation:**

THAT the Governance Committee request staff to draft amendments to the Trust Council Local Trust Committee Meeting Procedures Bylaw and Trust Council Meeting Procedures Bylaw to include procedures for resolutions-without-meeting;

THAT the Governance Committee request staff to provide recommended model language that can be provided to the Islands Trust Conservancy Board to be considered for addition to the Islands Trust Conservancy Meeting Procedures Bylaw 2004.

**Alternative:**

As requested by the Governance Committee.

---

**Prepared By:** David Marlor, Director, Legislative and Information Services

**Reviewed By/Date:** Chief Administrative Officer/April, 1, 2026



## REQUEST FOR DECISION

**To:** Governance Committee      **For the Meeting of:** April 29, 2026  
**From:** Trust Area Services      **Date Prepared:** April 14, 2026  
**SUBJECT:** 2025/26 ANNUAL REPORT – APPROVAL OF GOVERNANCE COMMITTEE SECTION

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**RECOMMENDATION:** That Governance Committee approve the attached text for inclusion in the 2025/26 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

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- 1 PURPOSE:** Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2026 without further editing from staff or trustees at the Trust Council meeting.

**BACKGROUND:** Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.1](#). The Executive Committee approved the format and outline of the 2025/26 Annual Report at its meeting on January 14, 2026.

**2 IMPLICATIONS OF RECOMMENDATION**

**ORGANIZATIONAL:** Under Trust Council's Policy, all local trust committees and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 2026 meeting.

**FINANCIAL:** None.

**POLICY:** No implications for existing policy

**IMPLEMENTATION/COMMUNICATIONS:** The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.1. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive and consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Housing and Municipal Affairs and circulate it as indicated in Trust Council's policy.

**FIRST NATIONS:** Information about First Nations relations may be included within committee reports.

**OTHER:** None.

- 3 RELEVANT POLICY:** Trust Council's Annual Report policy 6.10.1  
**4 ATTACHMENT:** Governance Committee input to Annual Report (draft)
-

## **RESPONSE OPTIONS**

**Recommendation:** That Governance Committee approve the attached text for inclusion in the 2025/26 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

**Alternative:** That Governance Committee approve the attached text for inclusion in the 2025/26 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Housing and Municipal Affairs.

**Prepared By:** Morgana van Niekerk, A/Communications Specialist

**Reviewed By/Date:**

## Governance Committee

### Role

The Governance Committee focuses on strengthening Islands Trust Council governance by developing and recommending effective governance and management approaches, frameworks, and practices. It also leads processes that support and evaluate the performance of Islands Trust Council and its committees, ensuring they function effectively and in alignment with best practices.

### Members

The Governance Committee consists of seven members of Islands Trust Council who have been elected by Islands Trust Council, and two ex-officio members.

### Members serving in 2025/26

Judith Gedye, Bowen Island Municipal Trustee (Chair)

Jamie Harris, Salt Spring Island Local Trust Area Trustee (Vice-Chair)

Joe Bernardo, Gambier Island Local Trust Area Trustee

Sam Borthwick, Denman Island Local Trust Area Trustee

Lisa Gauvreau, Galiano Island Local Trust Area Trustee, Islands Trust Conservancy  
Board member (became a voting member December, 2025)

Lee Middleton, Saturna Island Local Trust Area Trustee (resigned November, 2025)

Laura Patrick, Salt Spring Island Local Trust Area Trustee (Trust Council Chair - ex-officio)

Timothy Peterson, Lasqueti Island Local Trust Area Trustee

Kate-Louise Stamford, Gambier Island Local Trust Area Trustee

### 2025/26 Highlights

During 2025/26, the Governance Committee oversaw a comprehensive review of the Trustee Remuneration Policy, which was carried out by an independent consultant. The consultant examined current remuneration levels, comparator information, and remuneration-setting methodologies appropriate to the Islands Trust's unique governance structure. As part of the review, sitting trustees were surveyed to provide insight into workload, responsibilities, and the practical demands of the role. The consultant's findings informed a series of recommendations that the committee reviewed and refined before recommending them to Islands Trust Council. A new remuneration policy was subsequently approved by Islands Trust Council in March 2026 and is scheduled to take effect on April 1, 2027.

The Governance Committee also reviewed and recommended an amended Secretariat Services Policy to Islands Trust Council to make the link between the program and legislation clearer, retain approval of funding with Islands Trust Council, and establish a method to accept application, review and allocate the funds that is more manageable for staff, Executive Committee and Islands Trust Council.

In addition, the Governance Committee continued its broader initiative to modernize Islands Trust Council's policies. The Committee is prioritizing updates to policies that guide the functioning of Islands Trust Council and its committees. The Committee's efforts aim to ensure that Islands Trust Council's policies remain current, coherent, and effective in supporting Islands Trust Council's decision-making and oversight roles.

# OPEN MEETINGS:

Best practice guide for local governments

SECOND EDITION



**OMBUDSPERSON**  
BRITISH COLUMBIA

Special Report No.60  
January 2026

As an independent officer of the legislature, the Ombudsperson investigates complaints of unfair or unreasonable treatment by provincial and local public bodies and provides general oversight of the administrative fairness of government processes under the *Ombudsperson Act*. The Ombudsperson conducts three types of investigations: investigations into individual complaints, investigations that are commenced on the Ombudsperson's own initiative, and investigations referred to the Ombudsperson by the Legislative Assembly or one of its committees.

Under the *Public Interest Disclosure Act* (PIDA) the Ombudsperson investigates allegations from current and former public sector employees of wrongdoing in or relating to a public body covered by the Act as well as complaints of reprisal.

The Ombudsperson has a broad mandate to investigate allegations of wrongdoing or complaints of reprisal involving provincial ministries, provincial boards and commissions, Crown corporations, health authorities, schools and school boards, and colleges and universities. A full list of the public bodies covered by PIDA can be found on our office's website. The Office of the Ombudsperson also provides advice to those public bodies and their employees about the Act and the conduct of wrongdoing investigations.

We offer educational webinars, workshops and individual consultation with public bodies to support fairness and continuous improvement across the broader provincial and local public sector.

For more information about the Office of the Ombudsperson and for copies of published reports, visit [bcombudsperson.ca](http://bcombudsperson.ca).

Our office is located on the traditional lands of the Lək'wəŋən (Lekwungen) People and ancestors and our work extends across the homelands of the First Nations Peoples within what we now call British Columbia. We honour the many territorial keepers of the lands and waters where we work.



**OMBUDSPERSON**  
BRITISH COLUMBIA

January 2026

The Honourable Raj Chouhan  
Speaker of the Legislative Assembly  
Parliament Buildings  
Victoria BC V8V 1X4

Dear Mr. Speaker,

It is my pleasure to present the Ombudsperson's Special Report No. 60 *Open meetings: Best practice guide for local governments, 2nd edition*.

The report is presented pursuant to section 31(3) of the *Ombudsperson Act*.

Yours sincerely,

Jay Chalke  
Ombudsperson  
Province of British Columbia

## Contributors to the 2<sup>nd</sup> Edition

Zoë Jackson

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## MESSAGE FROM THE OMBUDSPERSON

Open meetings are fundamental to fair, accountable and transparent local government decision-making. When members of the public can observe their elected representatives at work, it fosters trust, confidence and, in the words of the Supreme Court of Canada, “robust democratic legitimacy.”<sup>1</sup> For these reasons, the Legislative Assembly has strictly limited the circumstances in which a local government body can hold meetings that are closed to the public.

The first edition of this guide, released in 2012, grew out of my office’s investigations into complaints about whether local government bodies had followed the open meetings rule. We saw recurring challenges and wanted to offer clear, practical guidance to help local government bodies meet their obligations.

While the core purpose of the open meetings rule has not changed in the past decade, the environment in which local governments carry out their work has evolved. Remote and hybrid meeting technologies have become common, particularly in the wake of COVID-19. Many local governments are advancing reconciliation by strengthening relationships with First Nations and collaborating on development projects. We are also seeing an increased focus on accessibility, with local governments striving to ensure their meeting practices are inclusive of all community members.

This updated guide provides best practices to support local governments in meeting the open meetings rule, reflecting legislative changes and real-world developments since the first edition was released. These practices reflect the same values my office works to uphold every day: openness, transparency and accountability. I hope this revised guide continues to assist local government bodies in ensuring their decision-making processes remain fair, accessible and open to the public.

A handwritten signature in black ink, appearing to read "Jay Chalke". The signature is stylized with a large initial "J" and a long, flowing line extending to the right.

Jay Chalke  
Ombudsperson  
Province of British Columbia

---

<sup>1</sup> *London (City) v. RSJ Holdings Inc.*, 2007 SCC 29 at para 38.

# BC'S OPEN AND CLOSED MEETINGS FRAMEWORK

## Introduction

In BC, meetings of local government boards, councils, committees, and other bodies must be open to the public except in specific circumstances. Open meetings support public confidence in local government, and enhance local governments' integrity and democratic legitimacy.<sup>2</sup>

Open meetings also enable and promote public participation, which is an important part of local government decision-making. Public participation, when it is a component of local government decision-making, creates an opportunity for input from a range of participants. This diversity allows for richer consideration of the issues to be addressed in any decision. As a recent report on public hearings described,

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Public participation processes enable decision-makers to hear and consider the needs of people with diverse lived experiences, especially groups who have faced historic and ongoing under-representation in decision-making processes due to overt exclusion and/or systemic marginalization through physical, societal, financial or other barriers.<sup>3</sup>

The legal requirement that local government meetings be open to the public has existed for more than 130 years. The first open meeting requirement in British Columbia was introduced in the *Municipality Act* of 1881.<sup>4</sup>

Local government bodies exercise broad powers delegated to them by the province.<sup>5</sup> In this way, they are different from federal and provincial governments whose structure, role, and authority are constitutionally entrenched.<sup>6</sup> Federal and provincial governments pass laws following open debate in a legislature. The democratic legitimacy of local government bodies arises from “a decision-making process that is transparent, accessible to the public, and mandated by law.”<sup>7</sup> Members of local government bodies must operate within the powers granted to them by the provincial legislature.<sup>8</sup>

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<sup>2</sup> *London (City) v. RSJ Holdings Inc.*, 2007 SCC 29.

<sup>3</sup> Renovate the Public Hearing Initiative, [Final Report and Recommendations](#), December 2024, 11.

<sup>4</sup> *Municipality Act*, S.B.C. 1881, c. 16.

<sup>5</sup> Pursuant to *Constitution Act, 1867*, s.92(8).

<sup>6</sup> *Constitution Act, 1867*.

<sup>7</sup> *London (City) v. RSJ Holdings Inc.*, 2007 SCC 29 at para 38.

<sup>8</sup> *London (City) v. RSJ Holdings Inc.*, 2007 SCC 29 at para 37.

Sometimes, local government bodies may need to meet in private. However, private (or “closed”) meetings can be inconsistent with the democratic principles of openness, transparency, and accountability. For this reason, the law strictly limits the circumstances where local government bodies can hold closed meetings and requires specific procedures to be followed before closing a meeting.

The current open meetings rule is found in the *Community Charter* and, for the City of Vancouver, the *Vancouver Charter*. The electronic meeting requirements in both the *Community Charter* and *Vancouver Charter* were updated during the COVID-19 pandemic, when public health measures necessitated a sudden shift to virtual meetings.

In recent years, the Legislative Assembly has passed two significant pieces of legislation that affect how local governments apply the open meetings rule:

1. the *Declaration on the Rights of Indigenous Peoples Act* (*Declaration Act*)
2. the *Accessible British Columbia Act* (*Accessible BC Act*)

Adopted in 2019, the *Declaration Act* is BC's framework for Reconciliation with Indigenous Peoples. All laws in BC must be interpreted as upholding the rights of Indigenous Peoples, as affirmed in s.35 of the *Constitution Act, 1982*, and as being consistent with the UN Declaration on the Rights of Indigenous Peoples.<sup>9</sup> This has implications for local governments in their consideration of the open meetings requirements, as we will discuss later in this guide. Further, in October 2025 the Legislative Assembly passed amendments to the open meetings provisions that permit or require certain meetings involving Indigenous knowledge or interests to be closed to the public.<sup>10</sup>

### A note about terminology

Given the many different local government structures in BC, we have tried to ensure that the language used in this report is clear, consistent, and accurate. In this guide we have primarily used the term “local government body” to mean a board, council, committee, advisory body or other decision – or recommendation–making group of any local government in BC – including municipalities, regional districts or Islands Trust committees. Unless otherwise stated, the term does not apply to an improvement district board or committee, as improvement districts are subject to different legislative requirements than other local government bodies.

Where necessary, for clarity and accuracy, we have referred specifically to councils, boards, and/or committees.

<sup>9</sup> *Interpretation Act*, R.S.B.C. 1996, c. 238, s.8.1.

<sup>10</sup> Bill 27 – 2025, *Miscellaneous Statutes Amendment Act (No. 2)*, 2025, 1<sup>st</sup> Sess, 43<sup>rd</sup> Parl (2025). See pages 28 and 30-31 for discussion of these amendments.

The *Accessible BC Act* has applied to local governments since September 1, 2023.<sup>11</sup> It requires local governments to take steps to identify, remove, and prevent barriers experienced by people living with disabilities in their engagement or interaction with local government. In our view, this includes barriers people experience attending and participating in open meetings.

## The general rule: meetings must be open

All local government meetings in BC must be open to the public unless expressly authorized to be closed by the governing legislation. This rule, known as the “open meetings rule,” applies to elected councils and boards, committees, advisory bodies, boards of variance, and other administrative bodies.<sup>12</sup>

## What makes a meeting open?

An open meeting is one where the public can watch, hear and, when permitted by statute or bylaw, participate in, local government deliberations and decision-making.<sup>13</sup>

Local governments can support openness and accessibility by holding meetings at a regular time and place, with dates, times and agendas posted in advance on its website and other public notice posting places established by bylaw.<sup>14</sup> Local governments should provide information on their website and elsewhere about how the public can request to participate in meetings – whether that participation is in person, in writing or by other means.

Meetings should be held in an accessible location such as a council chamber or other room in a public building. “Accessible,” in this context, means that the meeting space is open to the public and that – in accordance with local governments’ obligations under the *Accessible BC Act* – barriers to access are proactively identified and removed. This may include ensuring that everyone can enter, navigate, and use the meeting space and participate fully and equitably.

<sup>11</sup> *Accessible British Columbia Regulation*, B.C. Reg. 105/2022, s. 3(b)(iv) and (vii).

<sup>12</sup> *Community Charter*, S.B.C. 2002, c.26, s.89 and 93; *Vancouver Charter*, S.B.C. 1953, c.55, s.165.1 and 165.7.

<sup>13</sup> For further discussion of procedural fairness and participation in public body decision-making, see Office of the Ombudsperson, “[Fairness facts: the essentials of procedural fairness](#),” 2025. The open meetings rule does not create a general right of the public to participate in meetings of local government bodies; however, some decision-making processes of council require a public hearing, and many local governments provide opportunities for public participation (such as appearing before council as a delegation) in their procedures bylaws: Sukh Manhas, Nick Falzon and Nathan Ruston, [Governance: Common Issues](#), Young Anderson, November 8, 2024, 13-15.

<sup>14</sup> The *Community Charter* requires a council to publish a regular meeting schedule on an annual basis (s.127); in addition, it must give notice of any special meetings (s.127(2)). Notice procedures for any committee meeting must be established by a procedure bylaw (s.124(2)(c)). The form of notice can be either publication in a newspaper or reasonable equivalent, or in accordance with the means set out in a bylaw (s.94). A council may also provide “any additional notice... that it considers appropriate, including by the internet or other electronic means” (s.94(3)).

Local government bodies can support openness by considering other factors related to the community they serve. Providing childminding services during meetings can help to support the attendance of caregivers of young children.<sup>15</sup> Translating materials into other languages can allow a local government body to receive input from a broader range of community members.<sup>16</sup> The usual format of public participation in local government decision-making – one person speaking, in public, for a limited amount of time – can be a barrier for some people, including those for whom English is not their first language, people with communication challenges, and those not comfortable with public speaking. Local governments should consider other ways of hearing from the public.<sup>17</sup> It is important for local governments to apply an equity lens in considering whether their meetings are truly accessible – in other words, to consider on an ongoing basis who in their community is, and is not, able to attend and participate in open meetings and to address any identified barriers. Barriers can be addressed in many ways: for example, through technology, changes to the meeting space or flexibility in the application of participation rules.

The ability for the public to attend meetings remains critical to the democratic process of local governments. In addition to in person meetings, government meetings are often livestreamed, and recordings made available on the local governments' website. These practices foster accountability in local government decision-making.

Meetings cannot be considered closed merely because no members of the public attended an otherwise open meeting,<sup>18</sup> or because the time allotted for discussion of a particular issue was brief.<sup>19</sup>

## When can a meeting be closed to the public?

When a local government body wants to close a meeting to the public, it can only do so if it passes a resolution, in an open meeting, which states:

- that a meeting or part of a meeting is to be closed; and
- the legislative basis for closing the meeting.<sup>20</sup>

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<sup>15</sup> See, for example: City of Victoria, "[Childminding at Council Meetings](#)."

<sup>16</sup> Renovate the Public Hearing Initiative, *Final Report and Recommendations*, December 2024, 102.

<sup>17</sup> BC Law Institute, [Report on Renovating the Public Hearing](#), BCLI Report No. 99, March 2025, 98.

<sup>18</sup> *Suman v Invermere (District)*, 2013 BCSC 2166.

<sup>19</sup> *Lepiarczyk v. West Vancouver (District)*, 2013 BCSC 1474.

<sup>20</sup> *Community Charter*, s. 92; *Vancouver Charter*, s.165.3.

The basis for closing the meeting must be one authorized by the legislation. Some of the reasons for closing a meeting are discretionary – that is, a local government body *may* close a meeting to the public. Some reasons are mandatory – a meeting must be closed to the public. There are 16 circumstances when a meeting *may* be closed (15 in the case of the City of Vancouver) and four circumstances when a meeting *must* be closed.<sup>21</sup> See pages 25-31 where we discuss some of the discretionary and mandatory exceptions to the open meetings rule.

## Removing individuals from meetings

Local government bodies may sometimes be called on to manage situations where one or more individuals are disrupting an open meeting. The person presiding at such a meeting is authorized to order a person to be removed from a meeting if the person is “acting improperly.”<sup>22</sup>

For the purposes of this guide, three points are important to note.

1. If the person presiding at the meeting orders a person or people to be removed from a meeting it does not mean that the meeting itself is closed. So long as all other members of the public can see and hear the meeting, and unless the local government body takes the required steps to properly close the meeting, it remains open.
2. The need to manage disruptive or challenging behaviour at a meeting cannot be used as a rationale for closing a meeting to the public entirely. In other words, a local government body must continue to meet in a manner accessible to the public once the disturbance has been addressed. If necessary, the local government body may adjourn a meeting to a different day or time but it must continue the open meeting at that time unless the meeting is properly authorized to be closed, and all applicable procedures are followed.<sup>23</sup>
3. Local government bodies must not unreasonably or arbitrarily restrict attendance at meetings.<sup>24</sup> It is not appropriate for a local government body to choose which members of the public can and cannot attend an open meeting, absent a specific concern about an individual who is “acting improperly.” In cases where many people wish to attend a meeting, local governments should provide online broadcasts and means of participating virtually and/or consider holding the meeting in a larger venue.<sup>25</sup>

<sup>21</sup> *Community Charter*, s. 90(1) and (2); *Vancouver Charter*, s.165.2(1) and (2).

<sup>22</sup> *Community Charter*, s.133; *Vancouver Charter*, s.165.5

<sup>23</sup> If restricting an individual's access to a publicly available meeting, there are steps that the local government can take to ensure that the access is restricted in a way that is fair. For more information on this, please see our Respectful Engagement Guide (forthcoming; will be available on our [website](#)).

<sup>24</sup> *The Nation (Municipality) (Re)*, 1016 ONOMBUD 6 (CanLII) at para 37.

<sup>25</sup> *The Nation (Municipality) (Re)*, 1016 ONOMBUD 6 (CanLII) at para 44.

## What can be discussed in a closed meeting?

Only the subject matter listed in the closed meeting provisions of the *Community Charter* (or *Vancouver Charter*) may be discussed in a closed meeting; all other topics are governed by the open meetings rule.

While some topics may or must be discussed in a closed meeting, local governments may have to formalize decisions resulting from that discussion by passing resolutions in an open meeting. For example, all bylaws must be read and voted on in open meetings.<sup>26</sup>

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<sup>26</sup> *Community Charter*, s.89(2); *Vancouver Charter*, s. 165.1(2).

# WHAT IS A MEETING?

To fully comply with the open meetings rule, it is important to know when it applies. There are three factors that local government bodies must consider when determining whether a gathering qualifies as a meeting and is therefore subject to the open meetings rule:

1. the nature of the group
2. the nature of the discussion
3. the nature of the gathering

## 1. The nature of the group

The open meetings rule applies to regular and special meetings of a local government body, including:

- the council or board
- council or board committees
- a commission<sup>27</sup>
- a parcel tax roll review panel
- a board of variance<sup>28</sup>
- an advisory body established by council or a board
- a body that under an Act may exercise the powers of a local government, council or board
- a body prescribed by regulation<sup>29</sup>

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<sup>27</sup> A commission must be established by council under section 143 of the *Community Charter*. Section 143 allows a local government to establish and appoint a commission to operate services; undertake operation and enforcement in relation to the council's exercise of its authority to regulate, prohibit and impose requirements; and manage property and licences held by the municipality.

<sup>28</sup> Established by a local government under Division 15 of Part 14 of the *Local Government Act: Community Charter*, s. 93(d).

<sup>29</sup> *Community Charter*, s. 93.

## What is a meeting?

In the City of Vancouver, the open meetings rule applies to regular and special meetings of:

- council
- a public auditorium or museum board or commission
- the building board of appeal
- the park board
- the board of variance
- heritage commission
- a Court of Revision under the *Vancouver Charter*
- other administrative bodies
- an advisory committee, or other advisory body, established by council under an Act
- a prescribed body<sup>30</sup>

The open meetings rule applies to a wide range of local government bodies – formal, informal, and ad hoc. Three points are important:

1. Given the broad definitions in the legislation, the name of the body may be less important than its function – for example, a “mayor’s task force,” if established by council to provide advice on a matter related to municipal decision making, is likely an “advisory body” subject to the open meetings rule.
2. Local governments should proactively assess whether the open meetings rule applies to a body, and establish processes that support compliance – for example, by establishing expectations in the body’s terms of reference.
3. Local government bodies should provide their members with information, training, and guidance on how to comply with the open meetings rule, particularly if they include members of the public.

Importantly, any gathering of members of a local government body where the members make decisions or move toward making decisions is likely a meeting.<sup>31</sup> Local government bodies must therefore be alert to the possibility that any gathering may constitute a meeting subject to the open meeting rule.

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<sup>30</sup> *Vancouver Charter*, s. 165.7.

<sup>31</sup> The term “meeting” is not defined in the *Community Charter* or the *Vancouver Charter*. This definition comes from: Province of British Columbia, “[Local government meetings](#),” updated February 28, 2024.

A gathering is more likely to constitute a meeting if it includes the full membership of, or a quorum<sup>32</sup> of members of, a local government body. If quorum is not met, the gathering is less likely to be a meeting, because without quorum, no decision can be made.<sup>33</sup> A gathering that includes people who are not part of a local government body can also be considered a meeting if the other requirements are met.

Gatherings of groups that exercise decision-making authority are more likely to be considered meetings than groups that study issues or recommend action – unless that group is an advisory body established by council, in which case it is covered by the open meetings rule.

The open meetings rule applies to local government bodies where members belong to political parties or elector organizations.<sup>34</sup> Party caucuses or other gatherings that include a quorum of members of the local government body cannot be used to materially advance decision-making on local government matters. Such gatherings would circumvent the open meetings rule: as the Vancouver integrity commissioner has stated, “the mere fact that members of a municipal council might belong to the same elector organization does not, on its own, narrow the application or rationale of the open meeting requirement in British Columbia.”<sup>35</sup> The open meetings rule applies regardless of who calls the meeting, what the group is called (e.g., whether it is called a “caucus meeting” or not), or the topic of the meeting.<sup>36</sup> The rule still applies even if not all of the members of the local government body are invited to a gathering.<sup>37</sup>

<sup>32</sup> A quorum is the minimum number of members of a local government body required to be present for that body to use its decision-making power or authority. It is defined in the *Community Charter* as “the majority of the number of members of the council” (s.129(1)). The size of council is determined based on the population of a municipality (s.118). Similarly, the *Local Government Act* confirms that “a majority of trustees” of an improvement district board constitutes a quorum (s.683(4)). The *Vancouver Charter* states that the quorum for council is six of the eleven members (ten councillors plus the mayor) (s.137(1)). Vancouver council may, by bylaw, establish quorum for meetings of its committees (s.165).

<sup>33</sup> Office of the Integrity Commissioner for the City of Vancouver, [Report to City of Vancouver Council, Complainant, and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Recommendations](#), August 22, 2025, 55.

<sup>34</sup> The term “elector organization” is defined in the *Vancouver Charter*, s.7.

<sup>35</sup> Office of the Integrity Commissioner for the City of Vancouver, [Report to City of Vancouver Council, Complainant, and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Recommendations](#), August 22, 2025, 52. See also Office of the Integrity Commissioner for the Vancouver Park Board, [Report to Vancouver Park Board, Complainant and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Decision](#), February 21, 2025.

<sup>36</sup> Office of the Integrity Commissioner for the City of Vancouver, [Report to City of Vancouver Council, Complainant, and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Recommendations](#), August 22, 2025, 5.

<sup>37</sup> Office of the Integrity Commissioner for the City of Vancouver, [Report to City of Vancouver Council, Complainant, and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Recommendations](#), August 22, 2025, 57.

## 2. The nature of the discussion

A gathering where participants only discuss information informally<sup>38</sup> or receive a one-way briefing from staff or consultants to prepare them for public meetings<sup>39</sup> or about other matters relating to local government business<sup>40</sup> may not be a meeting.

However, any gathering that discusses matters within a local government body's jurisdiction<sup>41</sup> in a capacity that deprives the public of "the opportunity to observe a material part of the decision-making process"<sup>42</sup> is a meeting. A gathering in which a quorum of members of the local government body make progress in their decision-making on matter(s) within the local government's jurisdiction, or lay the groundwork for subsequent voting,<sup>43</sup> is very likely to be a meeting. A gathering may still be considered a meeting even if a desired result or decision is not achieved, if the purpose of the gathering is to make progress towards the decision or desired result. Similarly, an informal meeting of a majority of council members before a regularly scheduled meeting where they discuss or decide how they will vote on matters on the agenda, whether or not they have a party affiliation, is also a meeting.<sup>44</sup>

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<sup>38</sup> *Vanderkloet et al. v. Leeds & Grenville County Board of Education*, 1985 CanLII 1976 (ON CA).

<sup>39</sup> *Queen Elizabeth Annex (QEA) Parents' Society v. Vancouver School District No. 39*, 2023 BCSC 2123 at paras 42-48; aff'd on appeal: *Queen Elizabeth Annex (QEA) Parents' Society v. Vancouver School District No. 39*, 2025 BCCA 160 at para 71. In this case, members of a school board attended a 'workshop' where they received a briefing about an upcoming public consultation process related to a potential school closure. The court found that these were not meetings. The proposed closure itself was not discussed at the workshops.

<sup>40</sup> Office of the Integrity Commissioner for the City of Vancouver, [Bulletin 2025-01: Are staff briefings considered meetings?](#) In this bulletin, the integrity commissioner states, "we do not consider staff briefings to be 'meetings'... [because] council members do not materially move city business forward in the overall spectrum of a council decision... council members do not share opinions, discuss the topics, give directions to staff, or engage in the decision-making process. As a result, staff briefings do not deprive the public of the opportunity to observe a material part of council's decision-making process." See also Office of the Integrity Commissioner for the City of Vancouver, [Report to City of Vancouver Council, Complainant, and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Recommendations](#), August 22, 2025, 46.

<sup>41</sup> *Southam Inc v. Hamilton-Wentworth (Regional Municipality) Economic Development Committee* (1988), 66 OR (2d) 213, 54 DLR (4th) 131 (CA) at para 135.

<sup>42</sup> *Southam Inc v. Hamilton-Wentworth (Regional Municipality) Economic Development Committee* (1988), 66 OR (2d) 213, 54 DLR (4th) 131 (CA) at para 12.

<sup>43</sup> Office of the Integrity Commissioner for the Vancouver Park Board, [Report to Vancouver Park Board, Complainant and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Decision](#), February 21, 2025.

<sup>44</sup> William A. Buholzer, *Local Government: A B.C. Handbook*, Tenth Edition, July 2024, s.7.4, p. 158.

If the participants in a gathering take a vote of any sort, the gathering is likely a meeting.<sup>45</sup> The “heart of the matter” cannot be seen to have been decided at a gathering, shielded from the view of the public.<sup>46</sup> Instead, local governments should allow for public discussion and consideration of a matter before holding any final vote.<sup>47</sup> The open meetings rule is not met if there is a later public vote on a matter that has been inappropriately discussed and materially advanced in private. In such cases, the public is still “deprived of the opportunity to observe... decision-making work.”<sup>48</sup>

A break during a regular meeting so that the chair and vice chair can receive procedural advice from staff is not in itself a meeting.<sup>49</sup>

### 3. The nature of the gathering

Where a gathering happens, and how it is conducted, are less significant but still relevant factors in determining whether it is a meeting.

Generally, if a gathering has some features of a regular meeting, this may indicate that the gathering is in fact a meeting.<sup>50</sup> However, even gatherings that do not include such features may be meetings: training or planning sessions, retreats, workshops, “shirt sleeve sessions” or other informal gatherings can meet the criteria to be considered a meeting. For example, as the Vancouver Park Board integrity commissioner has observed, an informal retreat where a quorum of councillors “discuss, in a structured way, matters that would ordinarily be the subject of council business, in part at least to make action-taking decisions, and materially move along a number of council matters” was a meeting subject to the open meetings rule.<sup>51</sup> In that case, a private gathering deprived both non-attending councillors and the public the opportunity to observe and participate in the discussion.<sup>52</sup>

<sup>45</sup> *City of Yellowknife Property Owners Assn. v. Yellowknife (City)*, [1998] NWTJ No. 74 at para 12 (NWTSC) at paras 17 and 19.

<sup>46</sup> *3714683 Canada Inc. v. Parry Sound (Town)*, [2004] OJ No. 5061 at para 66 (Ont SCJ).

<sup>47</sup> *London (City) v. RSJ Holdings Inc.*, 2007 S.C.C. 29, [2007] 2 SCR 588.

<sup>48</sup> Office of the Integrity Commissioner for the City of Vancouver, [\*Report to City of Vancouver Council, Complainant, and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Recommendations\*](#), August 22, 2025, 56.

<sup>49</sup> *3L Developments Inc. v. Comox Valley (Regional District)*, 2019 BCSC 1342.

<sup>50</sup> See, for examples, *City of Yellowknife Property Owners Assn. v. Yellowknife (City)*, [1998] NWTJ No. 74 at para 12 (NWTSC); *Southam Inc v. Hamilton-Wentworth (Regional Municipality) Economic Development Committee* (1988), 66 OR (2d) 213, 54 DLR (4th) 131 (CA).

<sup>51</sup> Office of the Integrity Commissioner for the Vancouver Park Board, [\*Report to Vancouver Park Board, Complainant and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Decision\*](#), February 21, 2025.

<sup>52</sup> Office of the Integrity Commissioner for the Vancouver Park Board, [\*Report to Vancouver Park Board, Complainant and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Decision\*](#), February 21, 2025.

## Summary: what is a meeting?

A gathering is **more likely** to be a meeting if any of the following criteria are met:

- there is a quorum of council, board or committee members
- it takes place at the council or board's normal meeting place or in an area completely under the control of the council or board
- it is a regularly scheduled event
- it follows formal procedures
- the attendees vote on any matters
- the attendees are discussing matters that would normally be part of the local government body's business and are dealing with the matters in a way that moves them toward a possible decision, including discussing voting intentions

A gathering is **less likely** to be a meeting if any of the following criteria are met:

- there is no quorum of board, council or committee members
- it takes place in a location not under the control of the local government body
- it is not a regularly scheduled event
- it does not follow formal procedures
- the attendees do not vote on any matters
- the attendees are gathered strictly to receive information or to receive or provide training
- the attendees are not advancing decision-making on matters within their jurisdiction

# ELECTRONIC MEETINGS

Before 2020, local government bodies could only conduct special meetings electronically, and members who were unable to attend in person could attend only special meetings virtually. In the early days of the COVID-19 pandemic, when in person meetings were restricted for public health reasons, the provincial government permitted local government bodies to hold all meetings virtually.<sup>53</sup> While local governments have now returned to primarily in person meetings, the pandemic resulted in a permanent expansion of the circumstances where local government bodies can meet electronically, or members can join an in person meeting virtually.<sup>54</sup>

Electronic communication can present challenges to the transparency and accountability of local government deliberations and decision-making, and to the open meetings rule generally. In this section, we discuss those challenges and relevant best practices.

## Recognizing electronic meetings

The same factors that help determine whether an informal gathering is a meeting apply to electronic communications or virtual gatherings. Generally, if members of a local government body are, through electronic means, advancing decision-making on matters within their jurisdiction, the open meeting rules apply.

This means that the open meetings rule may apply to:

- video or audio gatherings held on virtual communications platforms, such as Zoom or Microsoft Teams
- teleconferences

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<sup>53</sup> *Local Government Meetings and Bylaw Process (COVID-19) Order*, M.O. 83/2020; *Local Government Meetings and Bylaw Process (COVID-19) Order No. 2*, M.O. 139/2020; *Local Government Meetings and Bylaw Process (COVID-19) Order No. 3*, M.O. 192/2020. The orders were given legal effect through the *COVID-19 Related Measures Act*, S.B.C. 2020, c. 8.

<sup>54</sup> Bill 10, *Municipal Affairs Statutes Amendment Act, 2021*, amended the *Community Charter* and *Vancouver Charter* to expand the circumstances under which meetings may be conducted electronically.

- asynchronous communications methods such as email chains, using official or personal accounts, whether or not all members who are part of the group contribute to the discussion<sup>55</sup>
- group texts, including conversations hosted on instant messaging platforms such as iMessage, Signal or WhatsApp<sup>56</sup>

Local government bodies are responsible for recognizing when virtual gatherings of members are subject to the open meetings rule, and when they are, ensuring that the rule is followed. Because it is simply not possible to make some of the above communications methods (email, texts) open to the public in a broadly accessible way, they should be avoided as a way of discussing matters that must be addressed in an open meeting. Equally, they should be avoided as a way of discussing matters that should or must be addressed in a meeting that is closed in accordance with the legislation.

## Holding electronic meetings

A local government body can hold regular or special electronic meetings. Further, a member of a local government body who is unable to attend an in person meeting may participate electronically.

The *Community Charter* governs electronic meetings held by municipal councils, committees and other bodies.<sup>57</sup> Equivalent provisions in the *Vancouver Charter* govern electronic meetings of Vancouver's council, committees, boards and advisory bodies.<sup>58</sup> Similar provisions govern electronic meetings of regional district boards and committees<sup>59</sup> and Islands Trust bodies.<sup>60</sup>

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<sup>55</sup> Office of the Integrity Commissioner for the City of Vancouver, [Report to City of Vancouver Council, Complainant, and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Recommendations](#), August 22, 2025. The commissioner found that council members “regularly communicated in quorum about City business over email. City business was discussed, including motions and amendments on upcoming Council and committee meetings” (45). With respect to specific email chains, this was a breach of the open meeting requirement, even though not everyone on the email chain participated (see, for example, 62-63).

<sup>56</sup> An investigation by the integrity commissioner of a complaint about meetings of the Vancouver Park Board found that a chat on the platform Signal was used for discussion and coordination, and that membership in the chat met quorum: Office of the Integrity Commissioner for the Vancouver Park Board, [Report to Vancouver Park Board, Complainant and Respondents in this matter of An Integrity Commissioner Investigation: Allegations, Findings, and Decision](#), February 21, 2025, 13.

<sup>57</sup> *Community Charter* sections 128-128.3 apply to meetings of local government councils and council committees; s. 145.1 applies to a list of other local government bodies.

<sup>58</sup> *Vancouver Charter*, s. 164.1, 165.9, and 165.91.

<sup>59</sup> *Local Government Act*, R.S.B.C. 2015, c. 1, s.221 authorizes the lieutenant governor in council to make regulations permitting board or committee meetings to be held electronically, subject to any conditions, limits or requirements. For regional districts, these requirements are set out in the *Regional Districts Electronic Meetings Regulation*, B.C. Reg. 271/2005, amended by B.C. Reg. 236/2021.

<sup>60</sup> *Islands Trust Electronic Meetings Regulation*, B.C. Reg. 283/2009, amended by B.C. Reg. 236/2021.

The legislation establishes five requirements for holding electronic meetings. Electronic meetings are only permitted if:

1. holding the meeting electronically is authorized by a procedure bylaw
2. the meeting is conducted in accordance with the applicable procedure bylaw
3. the meeting's participants can hear, or watch and hear the meeting
4. the public can hear, or watch and hear, the meeting and any members joining virtually
5. the public is provided advance notice of the meeting which includes a description of how the meeting will be conducted, and the place where the public may attend to hear the parts of the meeting that are open to the public<sup>61</sup>

Local governments may decide to hold an electronic meeting if meeting in person is impossible or impractical. For example, if a special meeting is scheduled with only 24 hours advance notice, electronic communication can quickly connect participants, especially in geographically larger jurisdictions where travel to a central meeting location might be difficult. Similarly, if a member is unable to be physically present with the group, electronic communication can allow them to participate in the meeting.

Given the flexibility of the electronic meeting rules, local governments should clearly outline in a policy or bylaw when and how electronic meetings will be conducted. It is particularly helpful to establish a technology policy to guide the local government in responding if the technology used during the meeting fails.<sup>62</sup> Importantly, if a technology failure makes it impossible for the public to continue listening to or watching deliberations, the meeting may no longer comply with the open meetings rule.

Local government bodies must also ensure that any members attending a meeting electronically can be heard by both in person and remote attendees, including any members of the public.

As they must do in all cases, local governments must maintain minutes of electronic meetings. There is no requirement to post video or audio recordings of electronic meetings, but local governments may decide to do so because it supports greater public accessibility and transparency.

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<sup>61</sup> Under the *Vancouver Charter*, the council must establish bylaws that require advance public notice of the time, place and date of council and committee meetings and establish procedures for giving that notice (s.164.1(1)(d)) but the electronic meetings section of the *Vancouver Charter* does not contain equivalent requirements specific to electronic meetings.

<sup>62</sup> Local Government Management Association of BC and Ministry of Municipal Affairs, [Procedure Bylaw Guide: For B.C.'s Local Governments](#), October 2022, 18.

## What is a meeting?

Some local governments have developed a specific bylaw for electronic meetings,<sup>63</sup> while others have included electronic meetings sections in their general procedure bylaw.<sup>64</sup> The Local Government Management Association of BC and the Ministry of Housing and Municipal Affairs have developed comprehensive guidance for local governments on holding electronic meetings, including suggestions to support the accessibility of electronic meetings.<sup>65</sup>

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<sup>63</sup> See, for example, City of Fort St. John, [Council Policy No. 96/03, Electronic Meetings and Participation by Members](#), January 1, 2004.

<sup>64</sup> See, for example, City of Pitt Meadows, [Procedure Bylaw No. 2456, 2010, A Bylaw of the City of Pitt Meadows to set Council Procedure](#).

<sup>65</sup> Local Government Management Association of British Columbia and Ministry of Municipal Affairs, [Electronic Meetings and Public Hearings: Considerations for Local Governments in British Columbia](#), July 2022.

# COMPLYING WITH THE OPEN MEETINGS RULE – BEST PRACTICES

The best way for local governments to comply with the open meetings rule is to regularly hold open, accessible public meetings. However, there are situations where a closed meeting is necessary. In these situations, local governments must carefully consider whether a meeting needs to be closed, and if so, follow all procedural rules.

The Ontario Ombudsman summarizes the spirit of that province's open meetings law as follows: when in doubt, open the meeting.<sup>66</sup> BC's local governments should be guided by the same approach.

## Providing public notice of meetings

Clear, accessible, and adequately detailed advance public notice of meetings is an important first step for local governments to ensure openness and transparency.<sup>67</sup>

## Publishing a schedule of meetings and waiving notice

Municipalities and Islands Trust bodies are required to establish, and make available to the public, a schedule of the date, time, and place of all regular meetings of the board or council and any committees.<sup>68</sup> In addition, boards or councils may schedule special meetings on an ad hoc basis if certain conditions are met, including posting a public notice that includes the date, time, and place of the meeting, and a general description of the purpose of the meeting.<sup>69</sup>

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<sup>66</sup> Ontario Ombudsman, [Open Meetings Guide for Municipalities: Information and Best Practices](#), Fifth Edition, 2023, 2.

<sup>67</sup> Notice is an essential element of a procedurally fair decision-making process. See Office of the Ombudsperson, ["Fairness facts: the essentials of procedural fairness,"](#) 2025.

<sup>68</sup> *Community Charter*, s.124(2)(d) and 127; *Vancouver Charter*, s.164.1. Parts of s.127 apply to Islands Trust bodies: *Islands Trust Regulation*, B.C. Reg. 119/90, s. 11. It does not appear that s.127 of the *Community Charter* applies to regional district boards. However, section 225(1)(b) of the *Local Government Act* requires a regional district board to "provide for advance public notice respecting the date, time and place of board and board committee meetings and establish the procedures for giving that notice."

<sup>69</sup> *Community Charter*, s.127(2). The Vancouver Park Board must give 48 hours advance notice of a special meeting except by unanimous consent of all the board members: *Vancouver Charter*, s. 495. In respect of the City of Vancouver, procedures for special meetings are found in the city's *Procedure By-Law No. 12577*, s. 2.5, which was enacted pursuant to the *Vancouver Charter*, s.165. Section 11(2) of the *Islands Trust Regulation* requires a trust body to provide public notice of special meetings in accordance with *Community Charter* s.127(2) and (3), but does not provide authority to waive notice.

The *Vancouver Charter* and the *Community Charter* set minimum requirements for notice of meetings, and also allow municipal bodies to provide additional notice about a matter “that it considers appropriate, including by the internet or other electronic means.”<sup>70</sup> These legislative provisions suggest that municipalities can be creative in identifying ways to communicate about meeting times and topics, including by social media, community newsletters, and other similar communications channels, as long as they are also complying with the mandatory meeting notice requirements. In considering where to post meeting information, local governments should consider both social media and non-digital options, including making information available at recreational centres, community halls or other community gathering places. Such methods of distributing information can be particularly important in areas where there is no local newspaper.

Public notice must be posted at least 24 hours in advance of the meeting unless the council or board unanimously waives the requirement for notice.<sup>71</sup>

The vote to waive notice must happen before the meeting itself. A council might waive notice in emergencies where a meeting must be held without delay. However, we are also aware of cases where notice was waived for meetings used to discuss annual budgets and other topics. In these cases, the need to waive notice is not as clear.

Although the legislation does not limit the grounds for waiving notice, local government bodies should use this authority sparingly as doing so may have the effect of closing the meeting to the public and thereby allowing the local government body to discuss subjects *in camera* that would otherwise not be permitted. If notice must be waived, it is also best practice to document, and make public, the reasons for the waiver to demonstrate the local government body used this authority reasonably, and to release the minutes of the meeting as soon as possible.

### Notice of topics to be discussed

Providing information about the nature and purpose of meetings in public notices supports openness and accountability in local government decision-making, especially if the council or board intends to close the meeting.

Generally, local governments meet this requirement by posting information about upcoming meetings on their public notice posting places and websites, including agendas and any relevant documents. In some communities, residents can subscribe to receive email notifications of upcoming meetings and the anticipated topics of discussion.

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<sup>70</sup> *Community Charter*, s. 94(3); *Vancouver Charter*, s.3(3).

<sup>71</sup> *Community Charter*, s. 127(4).

Local government bodies will sometimes hold a closed meeting immediately in advance of a regular meeting. In those circumstances, the local government must still provide a separate meeting notice in the same way as any other special council meeting.<sup>72</sup> If part of a regular council meeting is closed to the public, or the closed portion of a council meeting occurs at the end of a meeting, a separate notice is not required. However, if part of a meeting is expected to be closed to the public, it is best practice to include the statutory provision that authorizes the closure and information about the matters to be discussed on the agenda.

The spirit of the open meeting provisions will be satisfied most effectively if local government bodies avoid regularly scheduled closed meetings. Instead, it is preferable to close part of a regular meeting if the subject matter being considered falls under one of the specific exemptions in the legislation and the need for confidentiality outweighs the benefits of openness and transparency.

### **Best practices: providing public notice**

Best practices with respect to notice of meetings include:

- posting meeting notices with sufficient and specific information to enable an understanding of the purpose of the meeting and the matter(s) to be discussed
- posting meeting schedules, notices, and agendas in advance of meetings in as many ways as practicable
- providing the option for members of the public to subscribe to receive automatic notice of all meetings, through email or other means
- providing more than the minimum 24 hour advance notice of special meetings, where possible
- using the authority to waive notice only when the urgency of the matter or other circumstances clearly require that action, and documenting the reasons for the waiver

### **The process to close a meeting**

The decision to close a meeting to the public should not be made without careful consideration of the principles and values that underlie the open meetings rule.

### **Discussing whether a closed meeting is appropriate**

Before holding a closed meeting, a local government body must pass a resolution to that effect in an open meeting.<sup>73</sup> The authorizing resolution does not need to be passed immediately before the closed meeting, but it must be done in public in advance of the closed meeting.

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<sup>72</sup> In accordance with the requirements of section 127(2) of the *Community Charter*.

<sup>73</sup> *Community Charter*, s. 92; *Vancouver Charter*, s. 165.3.

Sometimes members of a local government body may disagree about whether it is appropriate or necessary to close a meeting to discuss a particular matter. In those cases, the body may close the meeting to consider whether the matter should also be discussed in a closed meeting.<sup>74</sup> Using this provision to allow frank discussion and debate amongst members can be an effective way of ensuring meetings are not improperly closed to the public. The use of this provision is limited to that discussion, and no details of any other subject matter should be debated.

If the local government body decides that the matter is appropriate for a closed meeting, it must pass a further resolution to that effect in an open meeting before proceeding to discuss the matter in a closed meeting.

### Resolution to close a meeting

A resolution must include two elements:

1. that a meeting or part of a meeting is to be closed
2. the basis on which the meeting will be closed

In practice, resolutions to close meetings generally reference the relevant paragraph of the legislation as the basis for closing a meeting but do not further describe the rationale. As a best practice, it is helpful for local government bodies to provide additional information about the reasons for closing a meeting, such as a general description of the issue to be discussed.<sup>75</sup> This can limit speculation, increase public trust, and enhance the credibility of the local government without undermining the reasons for closing the meeting.<sup>76</sup> Providing reasons for a decision to close a meeting is particularly helpful when a local government is relying on a broadly-worded section of the legislation to close the meeting.

Local governments can demonstrate their commitment to transparency by providing clear and appropriately detailed information about the matters to be discussed in a closed meeting, rather than simply including a reference to the relevant section of the authorizing legislation.

It is helpful when local government bodies read the resolution to close the meeting aloud and, if the meeting is being livestreamed, to post a copy of the resolution on the screen or make an electronic version otherwise available. This ensures that those in attendance at the open meeting – either in person or virtually – are informed of the basis and the authority for the resolution.

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<sup>74</sup> *Community Charter*, s. 90(1)(n); *Vancouver Charter*, s. 165.2(1)(m).

<sup>75</sup> Ontario Ombudsman, *Open Meetings Guide for Municipalities: Information and Best Practices*, Fifth Edition, 2023, 10.

<sup>76</sup> Providing meaningful and appropriately detailed reasons for how a decision is made is an integral aspect of administrative fairness. Individuals are often more likely to accept a decision when they can understand why it was made. For more on this fairness topic, see Office of the Ombudsperson, “[Fairness facts: The reason for reasons](#),” 2025.

In addition, after passing a resolution to close part of the meeting, it is useful for a local government body to inform those in attendance at an open meeting whether the body intends to reconvene the open meeting. If there are plans to reconvene, informing attendees of the expected duration of the closed portion is a good idea. This allows the public to make informed choices about whether to stay for the subsequent open portion of the meeting.

### Best practices: process to close a meeting

Best practices with respect to closing a meeting include:

- if there is reason to discuss whether it is necessary to close the meeting, closing the meeting to have that discussion first
- providing as much detail as possible about the basis for closing the meeting without undermining the reason for closing the meeting
- including a description of each distinct matter to be discussed and the authorizing provision in the resolution to close the meeting
- reading the resolution to close the meeting aloud and sharing it on-screen if the meeting is being livestreamed
- stating whether the body will reconvene the meeting at the end of the closed portion, and if so, the expected length of the closed portion

## Applying the discretionary exceptions to the open meetings rule

The *Community Charter* lists 16 circumstances where a council may exercise its discretion to close a meeting, and the *Vancouver Charter* lists 15 such circumstances.<sup>77</sup>

Determining whether a matter is covered by one or more of the discretionary exceptions to the open meetings rule is only the start of the decision-making process. A local government body must also consider whether a meeting should be closed. The discretionary nature of these provisions gives local government bodies flexibility to keep meetings open, even if the discussion will cover one of these subjects.<sup>78</sup>

Generally, it is appropriate to close a meeting where discussion of a subject in an open meeting raises a reasonable and identifiable possibility of harm to the interests of the local government, the public or a third party. It is not best practice to regularly or routinely close any local government meeting. Instead, local governments must consider whether, in the circumstances, a closed meeting is both authorized and appropriate.

<sup>77</sup> *Community Charter*, s. 90(1); *Vancouver Charter*, s. 165.2(1).

<sup>78</sup> Ontario Ombudsman, *Open Meetings Guide for Municipalities: Information and Best Practices*, Fifth Edition, 2023, 5.

This approach is consistent with the legislation and with the underlying principles of openness and transparency which require that wherever possible, meetings be open and accessible to the public.

The following sections offer guidance on how local government bodies can apply some of the discretionary exceptions to the open meetings rule.

### **Disclosure could reasonably be expected to harm an investigation or the interests of the local government**

A local government body may close a meeting if the subject matter concerns:

- law enforcement, and the local government body determines that discussion in an open meeting could reasonably be expected to harm the conduct of an investigation under an enactment, or the enforcement of an enactment<sup>79</sup>
- land acquisition, disposition or expropriation, and the local government body determines that discussion in an open meeting could reasonably be expected to harm the interests of the local government<sup>80</sup>
- preliminary negotiations about the proposed provision of services, and discussion in an open meeting could reasonably be expected to harm the interests of the local government<sup>81</sup>

Each of these exceptions require the local government body to decide that discussion in an open meeting could cause harm to specific interests. To use one of these provisions to close a meeting, local government bodies should “first make an express determination (by resolution) that such discussion would be harmful, and then adopt a resolution to deal with the matter in the absence of the public.”<sup>82</sup> When dealing with sensitive matters, it may be useful for the local government body to hold a closed meeting for the purpose of assessing and deciding whether open discussion would be harmful. In other circumstances, the local government body can demonstrate its commitment to transparency by having this initial discussion of harm in an open meeting.<sup>83</sup>

In this context, “harm” might be the foreseeable consequence of the local government body discussing sensitive topics where “the glare of publicity” may undermine or negatively impact the local government’s negotiating position on unresolved matters.<sup>84</sup>

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<sup>79</sup> *Community Charter*, s. 90(1)(f); *Vancouver Charter*, s. 165.2(1)(f).

<sup>80</sup> *Community Charter*, s. 90(1)(e); *Vancouver Charter*, s. 165.2(1)(e).

<sup>81</sup> *Community Charter*, s. 90(1)(k); *Vancouver Charter*, s. 165.2(1)(k).

<sup>82</sup> William A. Buholzer, *Local Government: A British Columbia Legal Handbook*, Tenth Edition, July 2024, s.7.4.

<sup>83</sup> Using section 90(1)(o) of the *Community Charter* (or section 165.2(1)(m) of the *Vancouver Charter*). See William A. Buholzer, *Local Government: A British Columbia Legal Handbook*, Tenth Edition, July 2024, s.7.4.

<sup>84</sup> *Community Association of New Yaletown v. Vancouver (City)*, 2015 BCCA 227 at para 73; *Kits Point Residents Association v. Vancouver (City)*, 2023 BCSC 1706 at paras 185-187.

In this respect, the interests of a local government are defined not just by reference to the interests of its residents, but also in relation to the local government as a legal entity.<sup>85</sup> This can include the local government's reputational and financial interests, and, where relevant, the relationship between the local government and a First Nation.

In one case, the court found that it was reasonable for the City of Vancouver to consider the “interests of the city” as including its relationship with the Squamish Nation, and the city appropriately invoked the closed meeting provisions to discuss a service agreement being negotiated with the Nation.<sup>86</sup> More broadly, the court said that where the subject matter of a meeting concerns a local government–First Nations relationship, the local government body must adopt an interpretation of the closed meetings provisions that is consistent with the *Declaration on the Rights of Indigenous Peoples Act* and the *United Nations Declaration on the Rights of Indigenous Peoples*.<sup>87</sup> This case was decided before the recent amendments to the open meetings rule, discussed below, which require local governments to close a meeting to consider confidential information related to negotiations between the local government and a First Nation or prescribed Indigenous entity.

### Discussing subjects relating to litigation or potential litigation

A local government body can close a meeting to discuss matters that relate to litigation or potential litigation.<sup>88</sup>

Factors that might indicate appropriate use of this basis to close a meeting include:

- actual litigation
- a specific threat of litigation
- advice from legal counsel that there is a likelihood of litigation and the local government's interests may be prejudiced by public discussion

Conversely, where potential litigation appears to be remote or speculative, it may not be appropriate to close the meeting. Further, local government bodies should not interpret “relates to” and “potential litigation” so broadly that it precludes public discussion of any contentious issue that might conceivably result in litigation, as this would not advance the principles of openness and transparency. Similarly, a meeting should not be closed for this reason where litigation has ended.<sup>89</sup>

<sup>85</sup> *Kits Point Residents Association v. Vancouver (City)*, 2023 BCSC 1706 at para 182.

<sup>86</sup> *Kits Point Residents Association v. Vancouver (City)*, 2023 BCSC 1706 at paras 173-190.

<sup>87</sup> *Kits Point Residents Association v. Vancouver (City)*, 2023 BCSC 1706 at paras 169-172 and 182-184. In this case, relevant UNDRIP articles included Article 3, Article 4, Article 5 and Article 23 (para 171).

<sup>88</sup> *Community Charter*, s. 90(1)(g); *Vancouver Charter*, s. 165.2(1)(g).

<sup>89</sup> Ontario Ombudsman, *Open Meetings Guide for Municipalities: Information and Best Practices*, Fifth Edition, 2023, 24.

## Protecting the rights of Indigenous People

A local government can close a meeting if the subject matter relates to:

- information that is prohibited from disclosure under section 18.1 of the *Freedom of Information and Protection of Privacy Act* (FIPPA) or
- information that, if presented in a document, would be prohibited from disclosure under section 18.1 of FIPPA<sup>90</sup>

Information is protected from disclosure under section 18.1 of FIPPA if it could reasonably be expected to harm the rights of an Indigenous People – First Nations, Inuit or Métis – to maintain, control, protect or develop their cultural heritage, traditional knowledge, traditional cultural expressions, and manifestations of sciences, technologies or cultures.<sup>91</sup> This may include information about sensitive cultural or medicine-gathering sites within a local government's boundaries.<sup>92</sup> As an example:

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...if a local government is considering a land-use decision that could affect a First Nation's traditional bathing site along a river, the First Nation may not want to share the exact location in a public meeting, to protect the site from vandalism, increased public use or unauthorized removal of culturally significant items.<sup>93</sup>

In those circumstances, a local government could close a meeting under this exception.

Section 18.1 does not apply if the Indigenous People has consented to the disclosure in writing.<sup>94</sup> For example, local governments cannot use this exception to close a meeting if a First Nation has consented in writing to the information being disclosed.

This exception is intended to support local governments and Indigenous People in building relationships and working together by protecting confidential and culturally sensitive information.<sup>95</sup> Local governments can support these relationships by being attentive to, and understanding, the views and interests of Indigenous People whose right to maintain, control, protect or develop their knowledge, heritage or culture could be harmed by disclosure, when considering closing a meeting under this exception.

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<sup>90</sup> *Community Charter*, s. 90(1)(i.1); *Vancouver Charter*, s. 165.2(1)(i.1).

<sup>91</sup> *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. s. 18.1(1). The term "Indigenous People" is defined with reference to the *Declaration on the Rights of Indigenous Peoples Act* which in turn adopts the definition in s.35 of the *Constitution Act, 1982*. As such, it includes First Nations, Inuit and Métis peoples of Canada.

<sup>92</sup> Hon. Christine Boyle, Legislative Assembly of British Columbia, Hansard, October 21, 2025, [3682](#).

<sup>93</sup> Ministry of Housing and Municipal Affairs, "[New meeting rules will strengthen Indigenous, local government relations](#)," news release, October 9, 2025.

<sup>94</sup> *Freedom of Information and Protection of Privacy Act*, s. 18.1(1).

<sup>95</sup> Hon. Mike Farnworth, British Columbia Legislative Assembly, Hansard, 9 October 2025, [3489](#).

## Protecting the business interests of a third party

A local government body can close a meeting if the discussion relates to:

- information that is prohibited from disclosure under section 21 of FIPPA
- information that, if presented in a document, would be prohibited from disclosure under the same section of FIPPA<sup>96</sup>

Before closing a meeting under this exception, the local government body must consider whether the information it plans to discuss would be protected under s.21 of FIPPA. Section 21 prohibits the disclosure of information gathered for the purpose of determining tax liability or collecting a tax, as well as information that would or could reasonably be expected to harm the business or financial interest of a third party. Examples include information that would reveal trade secrets, harm the competitive position of a third party or result in undue financial loss to any person.

If the local government body determines that the information would be protected, it must then determine whether the affected third party has given consent to disclosure. Section 21 does not apply if the affected third party has consented to the disclosure. If the third party has consented to disclosure, then the local government body cannot use this provision to close a meeting.

## Discussing municipal objectives, measures and progress reports for the purpose of preparing an annual report

A local government body may close a meeting to discuss matters related to “municipal objectives, measures, and progress reports,” but only if those discussions are for “the purposes of preparing an annual report under section 98.”<sup>97</sup> The City of Vancouver’s council, boards and committees may not close a meeting for this reason, as there is no equivalent provision in the *Vancouver Charter*.

Because this exception is limited to discussion for the purpose of preparing an annual report, it is implied that other council, board or committee meetings to discuss municipal objectives, measures, and progress reports will be open to the public. If meetings about municipal objectives, measures, and progress reports deal with substantive matters rather than the process of preparing an annual report, they may not fall under this exception.<sup>98</sup>

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<sup>96</sup> *Community Charter*, s. 90(1)(j); *Vancouver Charter*, s. 165.2(1)(j).

<sup>97</sup> *Community Charter*, s. 90(1)(l).

<sup>98</sup> William A. Buholzer, *Local Government: A B.C. Legal Handbook*, Tenth Edition, July 2024, s.7.4, 158.

## Public may be excluded under another enactment

A local government body can close a meeting to the public if the closure is authorized by another enactment. We are not aware of a current enactment that would justify the use of this exception.

## Applying the mandatory exceptions to the open meetings rule

There are four mandatory exceptions to the open meetings rule:

1. consideration of a request under the *Freedom of Information and Protection of Privacy Act*, if the local government body is designated as head of the local public body for the purposes of FIPPA
2. consideration of confidential information relating to negotiations with another order of government
3. a matter being investigated under the *Ombudsperson Act*, where the local government has been notified of the investigation
4. a matter that, under another enactment, is such that the public must be excluded from the meeting<sup>99</sup>

Most of the above provisions are clear and easily applied and for this reason, we do not discuss them in this guide. Below, we discuss the mandatory exception relating to negotiations with another order of government.

### Confidential information relating to negotiations with another order of government

Local government bodies must close a meeting if the subject matter relates to “the consideration of information received and held in confidence relating to negotiations” between the local government and:

- the provincial or federal government, or both
- other local governments
- a First Nation or a prescribed Indigenous entity<sup>100</sup>

This provision also applies to discussion of confidential information about negotiations between the local government, another local government or another order of government, and a third party.

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<sup>99</sup> *Community Charter*, s. 90(2); *Vancouver Charter*, s. 165.2(2).

<sup>100</sup> *Community Charter*, s. 90(2)(b); *Vancouver Charter*, s. 165.2(2)(b). “Indigenous entity” means an Indigenous entity that exercises government functions. This may include an entity that carries out administrative, legislative and financial functions on behalf of its members, or an organization that provides a representative function on behalf of an Indigenous peoples. Indigenous entities may be prescribed by regulation, at the request of a local government.

This provision is intended to support effective and respectful cross-government relationships,<sup>101</sup> and to advance reconciliation.<sup>102</sup> Accordingly, it is necessarily used for legitimate and specific negotiations to be discussed.

This provision cannot be used as a means of holding a private meeting with officials from another government that is not related to a specific negotiation. And, it does not require a local government to close a meeting when considering confidential information related to the local government's negotiations with a non-governmental third party.

## Conducting a closed meeting

During a closed meeting, a local government body should only discuss subjects authorized by the resolution to close the meeting. They must also comply with the prohibition against voting on the reading or adoption of bylaws. Finally, the local government body must ensure that it keeps detailed minutes of the discussion.

### Inviting others to attend a closed meeting

When a local government body closes a meeting to the public, it may nonetheless invite any person to attend if the body considers it necessary.<sup>103</sup> This may include, for example, a lawyer who is providing legal advice to a local government body. While it is important for a local government body to receive information relevant to its discussions, it is equally important that it does not use this provision to selectively hear from third parties about a matter under discussion. There is a risk that local government bodies may be seen as biased or improperly influenced if, for example, one party involved in a matter is included in a closed meeting but other involved parties are excluded.

As a best practice, where there is a risk that a local government body may be perceived to be improperly influenced or biased in a decision, discussions with third parties should occur in an open meeting.

### Discussing only authorized topics

During closed meetings, local government bodies should only discuss subjects listed in the resolution to close the meeting. Local government bodies can close a meeting to discuss more than one subject, provided that all the subjects are covered in the legislation and identified in the resolution to close the meeting.

<sup>101</sup> Hon. Mike Farnworth, British Columbia Legislative Assembly, Hansard, 9 October 2025, [3489](#).

<sup>102</sup> Ministry of Housing and Municipal Affairs, "[New meeting rules will strengthen Indigenous, local government relations](#)," news release, October 9, 2025.

<sup>103</sup> *Community Charter*, s. 91(2)(b); *Vancouver Charter*, s.165.21(2)(b).

The default presumption is that all meetings are open to the public. If the conversation strays from the topic covered by the paragraph(s) referenced in the resolution, the closed meeting may no longer be authorized.

If a matter arises that is not covered by the resolution authorizing the closed meeting, the local government body should postpone discussion of the item until the members return to an open meeting. If the subject is one requiring a confidential discussion, a new authorizing resolution must be passed in an open meeting.

The courts have suggested that it is “disingenuous” for a local government body to pass a resolution to close a meeting for one stated purpose and then discuss unrelated matters in the same closed meeting, even if those matters would also be appropriate for discussion in a closed meeting.<sup>104</sup>

### Voting on resolutions

A local government body “must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.”<sup>105</sup> Local government bodies may, however, vote on resolutions in closed meetings.<sup>106</sup> Sometimes the confidentiality of closed meetings is needed for a local government body to pass resolutions that allow the local government body to move matters forward. Some matters must be discussed entirely in confidence.

However, the power to pass resolutions in closed meetings can never be used to conceal the decision-making process from the legitimate gaze of the public. Resolutions passed in a closed meeting should be made public during an open meeting as soon as possible. It is not always necessary, when making such decisions public, to share the factors, considerations or reasons behind them. However, local government bodies should always try to provide as much information as possible about any resolutions passed during closed meetings. This includes, if appropriate, the considerations on which the resolutions were based.

A local government body should determine on a case-by-case basis how much information to disclose, keeping in mind the importance of transparency. For example, the decision-making process for some resolutions may require withholding only a few specific details while the general factors, considerations, and reasons can still be disclosed. On the other hand, some resolutions may require the decision-making process to be completely withheld from the public.

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<sup>104</sup> *Barnett v. Cariboo (Regional District)*, 2009 BCSC 471 at para 31.

<sup>105</sup> *Community Charter*, s.89(2); *Vancouver Charter*, s. 165.1(2).

<sup>106</sup> A resolution is “a formal expression of opinion or a decision made by council on a specific matter.”  
A bylaw is “a document that formalizes a regulation made by council.” See Union of BC Municipalities, [Fact Sheet #4: Meetings](#), updated September 2022, 1.

## Recording minutes

Local government bodies must record minutes for closed meetings.

Minutes of a meeting or part of a meeting closed to the public must record the names of all persons in attendance.<sup>107</sup> In addition, the minutes should include a detailed description of the discussion, any specific documents considered, any motions, resolutions or votes, and any directions issued.

Minutes provide a reference for attendees and, when the minutes are eventually released (see below), demonstrate that the matter was properly discussed in a closed meeting and that procedural requirements were satisfied. Even if a local government body needs to redact certain information in minutes when releasing them publicly, it is better to take detailed minutes and redact confidential information as authorized, than to take vague or non-specific minutes because the matters discussed in a closed meeting are sensitive.

## Deciding what information can be released publicly

A local government body can support the subsequent release of information about a closed meeting by considering what information to release during the closed meeting itself. As set out in the *Procedure Bylaw Guide: For B.C.'s Local Governments*:

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It is best practice to determine if any of the decisions made during the meeting could be made public by agreeing to “rise and report” at the next regular (open) council or board meeting. Providing a regular report about decisions made in closed meetings provides council an opportunity to regularly consider whether a decision can be made public, subject to the legislation or privacy rules.<sup>108</sup>

Integrating this practice into every closed meeting supports openness in the local government decision-making process by ensuring members properly consider whether and when they can report publicly on closed meeting decisions. It will also help to support the release of minutes and other records from the public meeting, discussed further below.

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<sup>107</sup> *Community Charter*, s. 91(3); *Vancouver Charter*, s. 165.3(2).

<sup>108</sup> Local Government Management Association of British Columbia and Ministry of Municipal Affairs, *Procedure Bylaw Guide: For B.C.'s Local Governments*, 2022.

## Best practices: conducting a closed meeting

Best practices with respect to conducting a closed meeting include:

- restricting discussion to subjects authorized by the resolution to close the meeting
- only passing resolutions directly related to the authorized subject matter
- keeping detailed minutes of closed meetings, including who attended, what was discussed, and what decisions were made
- publicly reporting on resolutions passed in a closed meeting as soon as practicable

## Releasing information after a closed meeting

After any closed meeting, a local government body should consider releasing minutes and other records prepared for or created during the closed meeting. Local government bodies should release as much information as possible to support openness, transparency, and accountability without compromising the interests of the local government, the public or a third party.

## Releasing minutes and other records

Many subjects only require the confidentiality of a closed meeting for a limited amount of time. Local government bodies should regularly review the information prepared for, and produced at, closed meetings and identify information that can be released without undermining the rationale for the closed meeting.

Local governments can release information from closed meetings in various ways:

- by assigning staff the responsibility for reviewing and releasing minutes of closed meetings and related information that no longer requires confidentiality, and publishing records from closed meetings on a dedicated page of their website<sup>109</sup>
- by releasing key decisions and documents from closed meetings, organized by subject matter<sup>110</sup>
- by adopting policies and practices to support the regular release of resolutions, agendas, minutes, and reports from closed meetings<sup>111</sup>

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<sup>109</sup> For example, the City of Vancouver has a [page on its website](#) dedicated to *in camera* meeting information releases.

<sup>110</sup> For example, the City of Kamloops has released information on its website about [land transactions](#) and [legal matters](#) involving the city.

<sup>111</sup> For example, City of Nanaimo, "[Routine Release of 'In Camera' Agendas](#)," *Council Policy Manual*, Policy No. 1.0560.01. See also District of Fort St. James, [Council Procedures Bylaw No. 1015, 2019](#), s.16 which contains procedures for reviewing in-camera meeting minutes and decisions for public release.

Even if it is not appropriate to release all information related to a closed meeting, it is often better to release incomplete information rather than to wait for a time when all information can be released. Local government bodies should strive to release as much information from closed meetings as possible as often as possible. By doing this, local governments will demonstrate their commitment to the principles of transparency and accountability, and receive the benefit of an informed, engaged, and trusting public.

### Withholding information that would reveal the substance of deliberations

The *Freedom of Information and Protection of Privacy Act* allows a local government to refuse to disclose information that would reveal the substance of deliberations of a closed meeting.<sup>112</sup> However, if the information in question has been discussed at an open meeting or is at least 15 years old, the information is not protected from disclosure under FIPPA.

To rely on FIPPA to withhold information, a local government body must show that a meeting was held, it was authorized to be closed, and the disclosure would “reveal the substance of deliberations at that meeting,”<sup>113</sup> either directly or by enabling accurate inferences to be drawn about those deliberations.

Normally the dates, times, locations, and names of attendees will not be protected by FIPPA, nor will the general subjects addressed in a closed meeting. Only information that, whether by itself or when combined with other publicly available information, reveals “the substance of deliberations” will be protected.<sup>114</sup> It is also important to note that this is a discretionary power – a local government body can still choose to release information publicly, despite being authorized to withhold it under FIPPA.

### Duty to respect confidentiality

Members of a local government body must maintain the confidentiality of information considered in a closed meeting.<sup>115</sup> Specifically, a current or former member must, unless specifically authorized by the local government body, keep in confidence information that was considered in a lawfully closed meeting until that information has been discussed at an open meeting or otherwise released to the public. However, a member of a local government body may disclose confidential information from a closed meeting to a lawyer to obtain legal advice on matters that affect them personally.<sup>116</sup>

<sup>112</sup> *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c.165, s. 12.

<sup>113</sup> *City of Coquitlam, Re*, 2002 CanLII 42444 (BC IPC).

<sup>114</sup> *Vancouver Police Board in Camera Meeting Minutes, Re*, 2000 CanLII 10836 (BC IPC). The Information and Privacy Commissioner has authority over matters under FIPPA.

<sup>115</sup> *Community Charter*, s. 117. Section 117 of the *Community Charter* applies to Regional Districts pursuant to section 787.1 of the *Local Government Act*. There is no equivalent provision in the *Vancouver Charter*.

<sup>116</sup> *Anderson v. Strathcona (Regional District)*, 2024 BCCA 23, leave to appeal to Supreme Court of Canada dismissed: *Strathcona Regional District v. Noba Anderson*, 2024 CanLII 80686 (SCC).

Members must respect this obligation regardless of their opinion on whether a matter should have been discussed in a closed meeting, or their opinion on any resulting decisions.

This is an individual obligation, distinct from the best practices discussed elsewhere in this guide that encourage the release of information generated or discussed in a closed meeting. Those best practices apply to local government bodies as a whole – not to individual members.

### **Best practices: after a closed meeting**

Best practices for actions after a closed meeting include:

- establishing a process for reviewing and releasing minutes of closed meetings and related information no longer requiring confidentiality
- releasing as much information as possible once confidentiality is no longer required
- releasing information as often as possible

# OPEN MEETING REQUIREMENTS FOR IMPROVEMENT DISTRICTS

Improvement districts are not subject to the open meetings rule contained in the *Community Charter*.<sup>117</sup> However, this does not mean that improvement district boards and committees are not required to meet openly.

Each annual general meeting of an improvement district board must be open to the public. Improvement district boards have no discretion to close any of the annual general meeting to the public.<sup>118</sup>

In addition, an improvement district board must establish, by bylaw, procedures for calling and conducting meetings, including meetings of any committees of the board. Those bylaws must include procedures for providing advance public notice of the date, time and place of meetings.<sup>119</sup> Improvement district boards may meet electronically, in emergency circumstances, if their meeting procedure bylaw authorizes it and the bylaw is registered with the inspector of municipalities.<sup>120</sup> Improvement district boards must keep minutes of all meetings and make minutes of open meetings available to the public on request.<sup>121</sup>

The Ministry of Housing and Municipal Affairs' improvement district manual states:

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Board of trustee and committee meetings must generally be open to the public to promote transparency and public participation. Persons other than members and officers may be excluded from a special meeting if, in the opinion of the board, the public interest requires it. These meetings are known as in camera or closed meetings and are only used when discussing legal matters, property acquisition or personnel matters.<sup>122</sup>

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<sup>117</sup> The *Local Government Act* empowers Cabinet to, by regulation, make the *Community Charter*'s open meetings provisions apply to improvement district boards, committees and any other body established by an improvement district board; however, that authority has not been used to date. *Local Government Act*, R.S.B.C. 2015, c. 1, s. 687(a).

<sup>118</sup> *Local Government Act*, s. 690(2).

<sup>119</sup> *Local Government Act*, s. 686.

<sup>120</sup> Province of British Columbia, "[Improvement District Meetings](#)," updated October 5, 2023.

<sup>121</sup> *Local Government Act*, s. 695.

<sup>122</sup> Province of British Columbia, "[Improvement District Meetings](#)," updated October 5, 2023. See also British Columbia Ministry of Community Services, [Improvement District Manual](#), March 2006, which contains sample bylaws and guidance on governance and standards.

## Open meeting requirements for improvement districts

Although the open meetings rule in the *Community Charter* does not apply to improvement districts, it provides a useful model for improvement districts to consider when developing meeting procedures. Establishing appropriate meeting procedures demonstrates an improvement district's commitment to openness, transparency, and accountability.

# CONCLUSION

The open meetings rule supports open government by guaranteeing, with specified exceptions, that the public can attend meetings of local government bodies. Open meetings advance the democratic process by providing the public with an understanding of the considerations underlying local government actions and by allowing members of the public to observe the performance of their elected officials. They facilitate public participation in policy development and decision-making processes and build public trust and confidence in local government.

# CHECKLIST

The purpose of this checklist is to assist local government bodies in complying with the open meetings rule and best practices. If a local government body answers “yes” to each of the questions in this list, it can be confident that it has complied with the requirements.

## Before closing a meeting

- ☐ Has notice of this meeting been posted in advance on your website and other public locations?
- ☐ Was the meeting agenda posted in advance with sufficient detail to enable members of the public to determine the matters to be discussed?
- ☐ If this is a special meeting, did the notice include general information about matters to be discussed?
- ☐ Is this meeting authorized to be closed under the legislation?
- ☐ Is it necessary to close this meeting?
  - ☐ If members do not agree whether it is necessary to close the meeting, have they considered temporarily closing the meeting to discuss?
- ☐ Does the resolution to close the meeting include:
  - ☐ A statement that the meeting will be closed?
  - ☐ The specific sections of the legislation that authorize or require the meeting to be closed?
  - ☐ Any appropriate additional details or description of the matters to be discussed in the closed meeting?
- ☐ Did a member of the local government body read the resolution aloud?

## During a closed meeting

- ☐ Is discussion limited to the matters listed in the authorizing resolution?
- ☐ Did the members ensure no votes were held on reading or adopting bylaws during the closed meeting?
- ☐ Did the local government body record and retain minutes of the meeting, including any resolutions passed during the meeting?
- ☐ Did the local government body consider whether it could release information about any matters discussed during the closed meeting?

## After a closed meeting

- ☐ Does the local government body have a process for reviewing and publishing minutes and other records from the closed meeting?





# **OMBUDSPERSON**

## BRITISH COLUMBIA

## Active Projects Report

### Governance Committee

#### 1. Corporate Planning

**Activity:**

Continue implementation of enhanced corporate planning processes:  
Visioning - complete; Values - skipped; SWOT - complete; Strategic Plan - in progress;  
Departmental work plans - upcoming; incorporating work plans into the financial plan - upcoming.

#### Responsible

David Marlor

#### Dates

Rec'd: 17-Apr-2023  
Target: 03-Mar-2026

#### 2. Meeting process (Bylaw 101 and policies)

**Activity:**

Review and recommend amendments to the Trust Council Meeting Procedure Bylaws 101 and related policies to address the concerns raised by Great Northern Management Consultants in the 2022 Governance Review Report of the Islands Trust.

#### Responsible

David Marlor

#### Dates

Rec'd: 17-Apr-2023  
Target: 30-Sep-2026

#### 3. Policy 7.2.1 Trustee Remuneration - Review and Update

**Activity:**

Review and update Trust Council's Policy 7.2.1 Trustee Remuneration in line with the UBCM Council and Board Remuneration Guide.

#### Responsible

Julia Mobbs

#### Dates

Rec'd: 12-Jan-2024  
Target: 27-Feb-2026