



THE PROVINCIAL COURT  
OF BRITISH COLUMBIA

Effective Date: *05 August 2021*

NP 16 *Revisions in red*

## JUDICIAL JUSTICES

### ASSIGNMENT OF DUTIES PURSUANT TO S. 11 OF THE *PROVINCIAL COURT ACT*

Subject to section 2.1 of the *Provincial Court Act*, the following are the duties, classes of cases or matters to which Judicial Justices are assigned:

1. All matters to which [Court Services Justices of the Peace](#) and [Judicial Case Managers](#) are assigned;
2. All matters in which there is a judicial determination affecting the liberty of a person taken into custody other than such matters as are assigned exclusively to or are under the exclusive jurisdiction of Provincial Court Judges;
3. All applications pursuant to federal or provincial enactments for search warrants, orders for access to records and data, and warrants or authorizations to enter a dwelling house, premises, or other place, whether application is made in person or by telephone or other means of telecommunication, and where authorized by law. With respect to telewarrants, in addition to s. 11(1) of the *Provincial Court Act*, this assignment constitutes a designation pursuant to s. 487.1 of the *Criminal Code* and s. 22 of the *Offence Act*;
4. Payment hearings pursuant to the *Small Claims Act* and *Small Claims Rules*;
5. (a) Hearings in respect of all provincial offences [except designated COVID-related offences with a total ticketed amount of at least \$2,300 (\$2,000 fine plus \$300 victim surcharge levy) which are assigned to be heard by Provincial Court Judges], and federal *Contraventions Act* offences [*except designated COVID-related offences under the Quarantine Act with a total fine amount of at least \$3450 which are assigned to be heard by Provincial Court Judges*], in which proceedings are commenced by violation ticket;

- (b) Hearings in respect of all municipal bylaw offences; and
- (c) Hearings in respect of any traffic-related offence under the *Government Property Traffic Regulations* and *Airport Traffic Regulations* made pursuant to the *Government Property Traffic Act* of Canada (adult only).

#### **History of Notice to the Profession and Public**

- Original Notice to the Profession and Public dated January 24, 2019 (removes from previous Assignment “(except items (d) and (f) in the December 1, 2013 JCM *Assignment of Duties*)” from the end of para. 1; adds applications for “orders for access to records and data” to para. 3; and changes reference from “ticket information” to “violation ticket” in para. 5(a)).
- Revised May 07, 2021: added exception to “all provincial offences” in para. 5(a).
- Revised June 14, 2021: updated CRIM 03 link below.
- Revised August 5, 2021: added exception to “federal Contraventions Act offences” para. 5(a) for offences under the Quarantine Act with a total fine amount of at least \$3450.

#### **Related Practice Directions & Notices to the Profession and Public**

- CRIM 03 - Daytime Judicial Authorization Applications
- CRIM 09 - *Missing Persons Act* Applications
- NP 03 - Assignment of Duties to Judicial Case Managers
- NP 14 - Assignment of Duties to Court Services Justices of the Peace

Melissa Gillespie  
Chief Judge  
Provincial Court of British Columbia