

This Act is current to August 30, 2017

See the [Tables of Legislative Changes](#) for this Act's legislative history, including any changes not in force.

EMERGENCY HEALTH SERVICES ACT

[RSBC 1996] CHAPTER 182

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Definitions

1 In this Act:

"ambulance" means a conveyance that is designed and constructed, or

equipped, to provide ambulance services;

"ambulance services" means the use of an ambulance to

- (a) provide emergency health services, or
- (b) transport an individual
 - (i) under the care of, or
 - (ii) who requires, or may require, a service provided by

a medical practitioner, a nurse practitioner, an emergency medical assistant or another health care provider;

"ancillary health services" means health care that supports, supplements or complements, or that is related or ancillary to, one or more of the following:

- (a) ambulance services;
- (b) emergency health services;
- (c) urgent health services;
- (d) services provided by, from, in or through a facility;

"board of directors" means the corporation's board of directors appointed under section 2;

"bylaw" means a bylaw, made under section 2, of the corporation;

"corporation" means the corporation described in section 2;

"emergency health services" means first aid or other health care provided in circumstances in which it is necessary to provide the first aid or other health care without delay in order to

- (a) preserve an individual's life,
- (b) prevent or alleviate serious physical or mental harm, or
- (c) alleviate severe pain,

but does not include

- (d) services provided by, from, in or through a facility, or
- (e) a service excluded by order of the minister for the purposes of this definition;

"emergency medical assistant" means a person licensed by the licensing board under this Act as an emergency medical assistant;

"facility" means

- (a) a hospital as defined in section 1 or 5 of the [Hospital Act](#),
- (b) a Provincial mental health facility as defined in the [Mental Health](#)

Act,

(c) an assisted living residence or community care facility as defined in the *Community Care and Assisted Living Act*, or

(d) a facility, or class of facilities, designated by order of the minister for the purposes of this definition,

and, for the purposes of agreements or arrangements under section 5.4 of this Act for the provision of ancillary health services, includes an equivalent or similar facility in another province or a foreign jurisdiction;

"governing body", except in section 5.6, means a body, in another province or a foreign jurisdiction, that regulates a health profession in that other jurisdiction;

"health care" has the same meaning as in the *Health Care (Consent) and Care Facility (Admission) Act*;

"health profession" has the same meaning as in the *Health Professions Act*;

"licensing board" means the Emergency Medical Assistants Licensing Board continued under section 6 (1);

"profession" means practice as an emergency medical assistant;

"Provincial Health Services Authority" means the Provincial Health Services Authority, a society under the *Societies Act*;

"regional health board" means a regional health board designated under the *Health Authorities Act*;

"restricted activity" has the same meaning as in the *Health Professions Act*;

"urgent health services" means health care provided in circumstances in which a medical practitioner or nurse practitioner determines that an individual

(a) needs the health care urgently, and

(b) does not need emergency health services,

but does not include services provided by, from, in or through a facility.

British Columbia Emergency Health Services

2 (1) The Emergency and Health Services Commission is continued as a corporation, under the name British Columbia Emergency Health Services, consisting of a board of directors made up of one or more members appointed by order of the minister.

(2) The chair of the board of directors is a member of the board of directors

- (a) designated as chair by order of the minister, or
 - (b) elected under the bylaws by the board of directors, if a chair is not designated under paragraph (a).
- (3) The minister may, by order, determine
 - (a) remuneration for members of the board of directors in accordance with the general directives of Treasury Board, including different rates of remuneration for different members, and
 - (b) other terms and conditions of appointment of a member.
- (4) The corporation must pay members of the board of directors
 - (a) the remuneration, if any, determined under subsection (3) (a), and
 - (b) reimbursement, in accordance with the general directives of Treasury Board, for reasonable travelling and out-of-pocket expenses necessarily incurred while exercising powers or performing duties on behalf of the corporation.
- (5) For the purposes of exercising its powers and performing its duties under this Act, the corporation has the powers and capacity of a natural person of full capacity.
- (6) The *Business Corporations Act* does not apply to the corporation unless the minister, by order, directs that one or more provisions of that Act apply to the corporation.
- (7) Subject to this Act and the regulations, the board of directors may make bylaws that it considers necessary or advisable, including bylaws to do the following:
 - (a) determine its own procedure;
 - (b) provide for the control and conduct of its meetings;
 - (c) provide for the election of officers of the board of directors, including the chair and the member to be the acting chair in the absence of the chair, and provide for the powers and duties of the officers of the board of directors;
 - (d) establish committees and specify the powers and duties of those committees;
 - (e) delegate administrative or management duties to persons appointed or retained under section 5;
 - (f) provide for the preparation and custody of minutes of meetings of the board of directors, and of committees established under the bylaws.
- (8) The following may be done only on authority of a bylaw:
 - (a) the acquisition or disposal, by the corporation, of real or personal

property;

(b) the exercise of the corporation's borrowing powers, including any prohibitions or restrictions on those powers.

(9) A bylaw made under subsection (7) or (8) has no effect until it is approved by order of the minister.

(10) Subject to subsections (11) to (14), a meeting of the board of directors must be open to the public.

(11) A part of a meeting of the board of directors may be closed to the public if the subject matter being considered relates to a matter or circumstance specified by order of the minister for the purposes of this subsection.

(12) A part of a meeting of the board of directors must be closed to the public if the subject matter being considered relates to information that must be withheld from disclosure under another enactment.

(13) If the only subject matter being considered at a meeting of the board of directors relates to

(a) one or more matters or circumstances specified by order of the minister, as set out in subsection (11), or

(b) information that must be withheld from disclosure under another enactment, as set out in subsection (12),

subsection (11) or (12), as applicable, applies to the entire meeting.

(14) Before a meeting or part of a meeting of the board of directors is closed to the public, the board of directors must state, by resolution passed in a public meeting,

(a) the fact that the meeting or part of the meeting is to be closed, and

(b) the basis under subsection (11) or (12) on which the meeting or part of the meeting is to be closed.

Financial administration

3 (1) The corporation must establish and maintain an accounting system satisfactory to the minister and must, whenever required, render in the form specified by the minister detailed accounts of revenues and expenditures of the corporation for the period or to the day the minister designates.

(2) All books or records of account, documents and other financial records of the corporation must be open at all times for inspection by the minister or a person designated for that purpose by the minister.

(3) The minister charged with the administration of the [Financial Administration Act](#) may direct the Comptroller General to examine and report to Treasury Board on any or all of the financial and accounting operations of the corporation.

- (4) Unless the Auditor General is appointed in accordance with the *Auditor General Act* as the auditor of the corporation, the corporation must appoint an auditor who is authorized to be the auditor of a company under sections 205 and 206 of the *Business Corporations Act* to audit the accounts of the corporation at least once each year.
- (5) The costs of the audit referred to in subsection (4) must be paid by the corporation.
- (6) No later than 120 days after the end of its fiscal year, the corporation must prepare and submit to the minister, in a form satisfactory to the minister,
- (a) a report of the corporation on its operations for the preceding fiscal year, and
 - (b) a financial statement showing the assets and liabilities of the corporation at the end of the preceding fiscal year and the income and expenditures of the corporation for that year, and a statement of changes in financial position of the corporation for the fiscal year then ended.
- (7) The financial statement referred to in subsection (6) (b) must be prepared in accordance with generally accepted accounting principles and regulations, if any, made under section 15 (2) (q).
- (8) The *Financial Information Act* applies to the corporation.
- (9) The fiscal year of the corporation is the period of 12 months beginning on April 1 in each year and ending on March 31 in the next succeeding year.

Public administrator

- 4** (1) The Lieutenant Governor in Council may appoint a public administrator to discharge the powers and duties of the corporation under this Act if the Lieutenant Governor in Council considers it to be necessary in the public interest.
- (2) On the appointment of a public administrator, the members of the board of directors cease to hold office unless otherwise ordered by the Lieutenant Governor in Council.
- (3) The Lieutenant Governor in Council may specify
- (a) the powers, duties and responsibilities of a public administrator appointed under this section,
 - (b) the terms and conditions for management of the property and affairs of the corporation during the transition period preceding the ending of the appointment of a public administrator, or
 - (c) how the corporation will operate after the ending of the appointment of a public administrator.

Staff

5 (1) The board of directors

(a) must appoint a person as the president of the corporation to exercise the powers and perform the duties that the board of directors specifies, and

(b) may determine the remuneration and other terms and conditions of employment of the president.

(2) The board of directors or, if authorized by the board of directors, the president of the corporation may

(a) appoint officers and employees of the corporation and retain specialists and consultants to exercise the powers and perform the duties of the corporation, and

(b) determine the remuneration and other terms and conditions of employment or retainer of the persons referred to in paragraph (a).

(3) The *Public Service Act* and the *Public Service Labour Relations Act* do not apply to the corporation or its officers and employees appointed under subsection (1) (a) or (2) (a) of this section.

Purposes of corporation

5.1 (1) The corporation has the following purposes:

(a) to provide, in British Columbia, ambulance services and emergency health services;

(b) to provide, in areas of British Columbia that the corporation considers advisable, any urgent health services or ancillary health services the corporation considers advisable;

(c) to establish, equip and operate, in areas of British Columbia that the corporation considers advisable, centres and stations for the purposes of providing

(i) ambulance services and emergency health services, and

(ii) the urgent health services or ancillary health services referred to in paragraph (b);

(d) to collaborate, to the extent practicable, with regional health boards, the Provincial Health Services Authority and societies that report to the Provincial Health Services Authority, facilities and other health institutions and agencies, municipalities and other organizations and persons in the planning and coordination of

(i) the provision, in British Columbia, of provincially, regionally and locally integrated ambulance services, emergency health services, urgent health services and ancillary health services,

and

(ii) the recruitment and training of emergency medical assistants and other persons to provide the services referred to in subparagraph (i);

(e) to establish or improve communications systems, in British Columbia, for ambulance services and emergency health services;

(f) to make available, in areas of British Columbia that the corporation considers advisable, the services of emergency medical assistants or other persons on a continuous, continual or temporary basis for the purposes described in paragraph (b), (c) (ii), (g) or (h);

(g) to provide, in British Columbia as the corporation considers advisable, a service designated under subsection (2) that provides emergency or other health information or services, or referrals, for the purposes of

(i) assessing an individual's health status and responding to a particular problem or circumstance, including the assessment of whether emergency health services or urgent health services are required,

(ii) supporting individuals in caring for themselves,

(iii) assisting persons, including health care providers, in accessing care, information and services available through the health system, or

(iv) a purpose specified by order of the minister;

(h) to participate in research projects, conducted in whole or in part in British Columbia, related to the provision of ambulance services or emergency health services and to approve such projects if they involve the provision of any of those services to individuals;

(i) to recruit and train emergency medical assistants and other persons

(i) for the purposes set out in this section, or

(ii) under an agreement or arrangement entered into under section 5.4;

(j) to enter into

(i) agreements for the purposes set out in this subsection, or

(ii) agreements or arrangements under section 5.4;

(k) to administer and allocate grants made or funds provided, for the purposes of this section or section 5.4, by the government, the Provincial Health Services Authority or a person;

(l) any other purpose specified by order of the minister;

(m) to exercise any power or perform any duty of the corporation under this Act.

(2) The minister may, by order, designate a service for the purpose of subsection (1) (g) by

(a) setting out the name by which the service is commonly known, and

(b) describing the nature of the service.

(3) A person, other than the minister or the corporation, must not, in British Columbia, do or offer to do anything described in subsection (1) (a), (c) (i), (e), (k), (l) or (m) or approve a research project referred to in subsection (1) (h), except

(a) a person who is employed by, acting under the direction of or acting on behalf of the corporation,

(b) in accordance with

(i) an agreement or arrangement referred to in subsection (1)

(j) (i) or (ii), or

(ii) the written consent of the corporation and any terms, limits or conditions the corporation may specify, or

(c) as authorized by order of the minister and in accordance with any terms, limits or conditions the minister may specify.

(4) Subsection (3) does not apply to a person who is

(a) rendering emergency medical services or aid, as described in section 1 of the *Good Samaritan Act*, unless the person

(i) is employed expressly for that purpose, or

(ii) does so with a view to gain, or

(b) acting in connection with the provision of occupational first aid in accordance with the requirements under the *Workers Compensation Act*.

(5) The corporation may enter into information-sharing agreements, as defined in section 69 (1) of the *Freedom of Information and Protection of Privacy Act*, for the purpose of enabling the corporation to exercise any power or perform any duty of the corporation under this Act.

(6) If the corporation enters into an information-sharing agreement under subsection (5), the corporation may, in accordance with the agreement, collect and use personal information from, and disclose personal information to, the body, institution, organization, person or entity with whom the agreement was made.

(7) For the purposes of subsection (6), "**personal information**" has the same meaning as in the *Freedom of Information and Protection of Privacy Act*.

General or special direction

- 5.2** The corporation must comply with any general or special direction made by order of the minister with respect to the exercise of the powers and the performance of the duties of the corporation.

Reporting requirements

- 5.3** (1) In this section, "**personal information**" and "**stewardship purpose**" have the same meaning as in the *Ministry of Health Act*.

(2) Without limiting section 5.2, if the minister is satisfied that it is reasonably needed to fulfill a stewardship purpose, the minister may, by order, require the corporation to

- (a) report on any matter relevant to the stewardship purpose, and
- (b) disclose personal information within a report made under paragraph (a).

(3) The corporation must comply with an order made under subsection (2) in the manner and form, and within the time, set out in the order.

(4) The minister must make an order made under this section publicly available by posting the order on a website maintained by or on behalf of the ministry of the minister.

Interjurisdictional service agreements

- 5.4** (1) The minister or, with the prior written approval of the minister, the corporation may enter into an agreement or arrangement with

- (a) a government of another province or a foreign jurisdiction, or any of its agencies,
- (b) the government of Canada or any of its agencies, or
- (c) an organization, body or person that offers or provides medical, humanitarian or charitable assistance or relief to supplement, substitute or support public services in or after an emergency or crisis situation

for the provision, inside or outside British Columbia, of

- (d) ambulance services, emergency health services, urgent health services, ancillary health services or services described in section 5.1
- (1) (g), or
- (e) a service specified in an order under section 5.1 (1) (l) if the order specifies that the corporation may provide the service outside British Columbia.

(2) The minister may grant an approval under subsection (1) with or without terms, limits or conditions.

(3) The minister and the corporation each have and may exercise, in accordance with an agreement or arrangement made under subsection (1), the power and authority to provide, outside British Columbia, a service referred to in subsection (1) (d) or (e).

Provision of services by visiting health professionals

5.5 (1) In this section:

"requesting agency" means any of the following who request the services of a visiting health professional:

- (a) the minister;
- (b) the corporation;
- (c) the Provincial Health Services Authority, or a society that reports to the Provincial Health Services Authority;
- (d) a regional health board;
- (e) an organization, body or person designated by order of the minister as a requesting agency for the purposes of this section;

"visiting health professional" means a person who is authorized by a governing body to provide the services of a health profession in another province or a foreign jurisdiction.

(2) A visiting health professional may, while in British Columbia,

- (a) provide the services described in subsection (3) (d) for a period of up to 72 consecutive hours, and
- (b) use, when providing services under paragraph (a), any of the following that he or she is authorized, in the jurisdiction of his or her governing body, to use in relation to the practice of his or her health profession:
 - (i) a title or term;
 - (ii) an abbreviation of a title or term;
 - (iii) an equivalent of a title, term or abbreviation in another language.

(3) In order for subsection (2) to apply, the following requirements and conditions must be met:

- (a) the services are requested by a requesting agency in accordance with an agreement or arrangement under section 5.4;
- (b) the requesting agency is satisfied that the visiting health professional is in good standing with his or her governing body;
- (c) the visiting health professional provides the services only under the direction of the requesting agency or its representatives, and only

while the request for services is in effect;

(d) the visiting health professional provides only those services

(i) that he or she is authorized to provide in the jurisdiction of his or her governing body, and

(ii) for which he or she has received, to the satisfaction of the requesting agency, sufficient additional training, if he or she is not authorized to provide those services in the jurisdiction of his or her governing body.

Interjurisdictional cooperation

5.6 (1) In this section, "**governing body**" means a body, in another province or a foreign jurisdiction, that regulates, in that other province or foreign jurisdiction, a health profession that corresponds with the profession.

(2) The minister may promote cooperation with one or more governing bodies by doing one or more of the following:

(a) subject to paragraph (b), entering into agreements with one or more governing bodies respecting

(i) the interjurisdictional practice of the profession and a health profession, regulated in another province or a foreign jurisdiction, that corresponds with the profession,

(ii) the recognition of another governing body's procedures for and results from the assessment and verification of the credentials, competencies or other qualifications of persons educated or trained in another province or a foreign jurisdiction,

(iii) the implementation of a trade agreement, as it relates to labour mobility, designated by order of the minister for the purposes of this section, or

(iv) any other matter related to the labour mobility of emergency medical assistants;

(b) entering into information-sharing agreements, as defined in section 69 (1) of the *Freedom of Information and Protection of Privacy Act*, to allow the release to a governing body of personal information, as defined in that Act, respecting a current or former emergency medical assistant and in the custody or control of the minister, including information about practice restrictions, complaints, competency or discipline.

Emergency Medical Assistants Licensing Board

6 (1) The Emergency Medical Assistants Licensing Board is continued.

(2) The licensing board is composed of 3 members, one of whom must be an

emergency medical assistant selected in the prescribed manner and another of whom must be a medical practitioner, appointed by the Lieutenant Governor in Council.

(3) The Lieutenant Governor in Council may

- (a) establish the remuneration and other terms and conditions of appointments under subsection (2), and
- (b) designate a member of the licensing board as its chair.

(4) A member of the licensing board is entitled to necessary and reasonable travelling and living expenses incurred while exercising powers or performing duties on behalf of the licensing board.

(5) Subject to this Act and the regulations, the licensing board has the power and authority to do the following:

- (a) examine, register and license emergency medical assistants;
- (b) set terms and conditions for a licence under this section;
- (c) investigate complaints;
- (d) delegate to one or more persons the power and authority to act under one or more of the provisions of paragraphs (a), (b) and (c).

(6) [Not in force.]

(7) The licensing board may, with the prior approval of the minister, make rules governing its own procedure.

(8) No later than 120 days after the end of the government's fiscal year, the licensing board must prepare and submit to the minister, in a form satisfactory to the minister, a report of the licensing board on its operations for the preceding fiscal year, including any information that the minister may, in writing, direct the licensing board to provide.

Disciplinary action

7 (1) On receipt of a complaint or on its own motion and after a hearing, the licensing board may determine that an emergency medical assistant or former emergency medical assistant

- (a) has incompetently carried out the duties of an emergency medical assistant,
- (b) has breached a term or condition of his or her licence, or
- (c) suffers from a physical ailment, emotional disturbance or an addiction to alcohol or drugs that materially impairs his or her ability to act as an emergency medical assistant.

(2) For the purposes of a hearing under this section, sections 34 (3) and (4), 48 and 49 of the *Administrative Tribunals Act* apply to the licensing board.

(3) If the licensing board has made one or more determinations under subsection (1), it may do one or more of the following:

- (a) impose conditions on the person's licence;
- (b) suspend the licence for a term the licensing board considers appropriate;
- (c) revoke the licence;
- (d) bar the person from being licensed under this Act for a period the licensing board considers appropriate.

Extraordinary action to protect public

8 (1) If the licensing board considers the action necessary to protect the public during the investigation of an emergency medical assistant or until a hearing of the licensing board, it may

- (a) set limits or conditions on the practice of the profession by the emergency medical assistant, or
- (b) suspend the licence of the emergency medical assistant.

(2) If the licensing board acts under subsection (1), it must notify the emergency medical assistant in writing of

- (a) its decision,
- (b) the reasons for the decision, and
- (c) the emergency medical assistant's right to appeal the decision to the Supreme Court.

(3) A decision under subsection (1) is not effective until the earlier of

- (a) the time the emergency medical assistant receives the notice under subsection (2), and
- (b) 3 days after the notice is mailed to the emergency medical assistant at the last address for the emergency medical assistant recorded in the register.

(4) If the licensing board determines that action taken under subsection (1) is no longer necessary to protect the public, it must cancel the limits, conditions or suspension and must notify the emergency medical assistant in writing of this as soon as possible.

(5) An emergency medical assistant against whom action has been taken under subsection (1) may appeal the decision to the Supreme Court and, for these purposes, the provisions of section 9 respecting an appeal from a decision of the licensing board apply to an appeal under this section.

Appeal

- 9** (1) A person who considers himself or herself aggrieved or adversely affected by a determination or disciplinary action of the licensing board under section 7 may appeal to the Supreme Court at any time within 30 days after the date of the determination or disciplinary action.
- (2) The appellant must file a notice of appeal with the Registrar of the Supreme Court and must serve a copy of the notice of appeal on a member of the licensing board within the time limited under subsection (1).
- (3) The licensing board, on the request of the appellant, must provide to the appellant certified copies of all records on which the licensing board acted, on payment for copies at the same rate as would be charged for the same service by an official stenographer of the Supreme Court.
- (4) The appeal is to be
- (a) a new hearing if there is no transcript, or
 - (b) a review of the transcript and proceedings if there is a transcript, but the court may, if it considers it necessary in the interests of justice, conduct a new hearing or allow the introduction of new evidence.
- (5) The licensing board is entitled to be a party on the hearing of the appeal and may take part in the proceedings.
- (6) On the hearing of an appeal under this section, the Supreme Court may
- (a) make an order confirming, reversing or varying the decision of the licensing board,
 - (b) refer the matter back to the licensing board with or without directions, or
 - (c) make any other order that it considers proper in the circumstances.

Injunction to restrain contravention

- 9.1** The corporation may apply to the Supreme Court for an interim or permanent injunction to restrain a person from contravening section 5.1 or 12 or the regulations.

Liability protection

- 10** (1) In this section, "**protected individual**" means any of the following individuals:
- (a) a member of the board of directors;
 - (b) a member of the licensing board;
 - (c) the president, or another officer or employee, appointed under section 5.

(2) No legal proceeding for damages lies or may be commenced or maintained against a protected individual because of anything done or omitted

(a) in the performance or intended performance of any duty under this Act, or

(b) in the exercise or intended exercise of any power under this Act.

(3) Subsection (2) does not apply to a person referred to in that subsection in relation to anything done or omitted by that person in bad faith.

(4) Subsection (2) does not absolve the corporation from vicarious liability for an act or omission by a person referred to in subsection (1) (a) or (c) for which the corporation would be vicariously liable if this section were not in force.

(5) Subsection (2) does not absolve the government from vicarious liability for an act or omission by a person referred to in subsection (1) (b) for which the government would be vicariously liable if this section were not in force.

Repealed

11 [Repealed 2002-15-5.]

No service contrary to advance directive

11.1 An emergency medical assistant must not provide a service under this Act in respect of a person if the emergency medical assistant has reasonable grounds to believe that the person has made an advance directive, as defined in the [Health Care \(Consent\) and Care Facility \(Admission\) Act](#), that refuses consent to the service.

Licence required

12 A person must not assume or use the title "emergency medical assistant", or a title prescribed in a regulation under section 15 (2) (c), or otherwise represent himself or herself to be an emergency medical assistant unless the person is the holder of a valid and subsisting licence under this Act.

Repealed

13 [Repealed 2013-13-8.]

Regulations of the Lieutenant Governor in Council

14 The Lieutenant Governor in Council may prescribe the manner of selection of an emergency medical assistant for the purposes of section 6 (2).

Regulations of the minister

15 (1) The minister may make regulations referred to in section 41 of the [Interpretation Act](#).

(2) Without limiting subsection (1), the minister may make regulations as follows:

- (a) respecting the qualifications, examination, training, registration and licensing of emergency medical assistants;
- (b) respecting the continuing competence of emergency medical assistants, and providing for the assessment, by persons designated by the minister or the licensing board, of the professional performance of emergency medical assistants;
- (c) prescribing titles that may be used by, or that are to be used exclusively by, emergency medical assistants, and providing for limits or conditions on the use of prescribed titles, or other titles or terms, by emergency medical assistants;
- (d) prescribing services that may be provided by emergency medical assistants, and providing for limits or conditions on the provision of those services;
- (e) prescribing restricted activities that may be performed by emergency medical assistants in the course of providing services referred to in paragraph (d), and providing for limits or conditions on the performance of those restricted activities;
- (f) prescribing services that may be provided under the supervision of an emergency medical assistant by a person who is not an emergency medical assistant, and providing for limits or conditions on the provision of those services;
- (g) prescribing restricted activities that may be performed, in the course of providing services referred to in paragraph (f), by persons who are not emergency medical assistants, and providing for limits or conditions on the provision of those restricted activities;
- (h) authorizing an emergency medical assistant to determine which of the
 - (i) services referred to in paragraph (f), and
 - (ii) restricted activities referred to in paragraph (g)a person who is not an emergency medical assistant may provide under the supervision of the emergency medical assistant, and providing for limits or conditions on the exercise of that authority;
- (i) respecting standards, guidelines or protocols for, and audits of, the provision of services by emergency medical assistants;
- (j) prescribing fees payable in respect of the qualifications, examinations, training, registration, licensing, continuing competence or assessment of emergency medical assistants;
- (k) prescribing fees payable for any service rendered under this Act,

and providing for different fees for a service rendered to

(i) a person who is not a beneficiary as defined in the *Hospital Insurance Act*,

(ii) an employee who requires an emergency health service if the employer is, under an enactment, obliged to supply emergency health services, or

(iii) different persons or classes of persons;

(l) authorizing the waiving of fees for

(i) different persons or classes of persons, and

(ii) involuntary committals under the *Mental Health Act*;

(m) respecting the equipping of centres and stations referred to in section 5.1 (1) (c);

(n) establishing standards of construction and maintenance required for an ambulance;

(o) establishing the standard of equipment and supplies to be carried in an ambulance while it is being used, or held out as being available for use, as an ambulance;

(p) respecting the services that may be provided in accordance with section 5.1 by the corporation, or a person who is employed by, acting under the direction of or acting on behalf of the corporation, despite a prohibition established under the authority of another enactment;

(q) respecting the practices or procedures that must be followed by the corporation in the conduct of its affairs;

(r) respecting the manner, form and amount of insurance that must be maintained by the corporation;

(s) respecting the transfer of records to or from the corporation under section 16.

(3) A regulation under

(a) subsection (1) or (2) (a) to (j) or (m) to (o) may make different provisions for different classes of

(i) emergency medical assistants,

(ii) centres or stations referred to in section 5.1 (1) (c), or

(iii) ambulances, and

(b) subsection (1) or (2) (a) to (i) or (m) to (o) may delegate a power to, or confer a discretion on, a person designated in the regulation, including the power or discretion to exempt a person or class of persons from any condition or requirement imposed under the regulations, and may set out considerations that the person must or may take into account when a matter is delegated or a discretion is

conferred.

(4) A regulation under subsection (2) (j) to (l) may

(a) authorize the corporation to collect and retain, or waive, a specified fee, and

(b) impose limits or conditions on the corporation's exercise of that authority.

(5) A regulation may be made under subsection (2) (j) to (l) or (4) only with the prior approval of Treasury Board.

Transfer of records

16 (1) Despite the *Information Management Act* and subject to the regulations,

(a) the minister, in writing, may transfer records to the corporation or another person, and

(b) the corporation, in writing, may transfer records to the minister.

(2) On the effective date of a transfer under subsection (1), the records cease to be the records of the transferor and become the records of the transferee.

(3) Records in a transfer under subsection (1) may be identified by name, class or description.

Transfer of rights, property, assets, obligations and liabilities

17 (1) The Lieutenant Governor in Council, by regulation, may authorize the transfer of any right, property, asset, obligation or liability of the government to the corporation, subject to the terms and conditions set out in the regulation.

(2) On the date that a transfer authorized under subsection (1) takes effect,

(a) the right, property, asset, obligation or liability transferred ceases to be the right, property, asset, obligation or liability of the government and becomes the right, property, asset, obligation or liability of the corporation, and

(b) the government is released from the right, property, asset, obligation or liability so transferred.

(3) A regulation made under subsection (1) may identify any right, property, asset, obligation or liability by name, class or description.

(4) The Minister of Finance may make payments out of the consolidated revenue fund for the purpose of subsection (1).

(5) Any payments made by the Minister of Finance under subsection (4) must be attributed to, and must not exceed the amount available in, the voted appropriation of the minister responsible for the right, property, asset, obligation or liability transferred.

(6) A transfer under subsection (1) is effective despite any lack of fulfillment of a provision in an agreement or instrument requiring consent, leave or approval respecting the transfer or assignment of the right, property, asset, obligation or liability, and the lack of fulfillment does not constitute a breach or default of the agreement or instrument.

Assignment of agreements

18 (1) The government, in writing, may assign to the corporation any agreement entered into by the government that relates to the powers or duties of the corporation.

(2) On the effective date of an assignment under subsection (1), all rights and obligations of the government under the agreement cease to be the rights and obligations of the government and become the rights and obligations of the corporation.

(3) A reference to the government in an agreement assigned under subsection (1) is deemed to be a reference to the corporation.

(4) An assignment under subsection (1) is effective despite any lack of fulfillment of a provision in an agreement requiring consent, leave or approval respecting assignment of the agreement, and the lack of fulfillment does not constitute a breach or default of the agreement.