



Ministry of  
Emergency Management  
and Climate Readiness

# BC's Proposed Emergency Management Legislation: Agreements and Collaboration

2023 Webinar Series

Offered via Partnership between the Ministry of Emergency Management  
and Climate Readiness and the BC Association of Emergency Managers

# Territorial Acknowledgement

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Emergency Management and Climate Readiness gratefully acknowledges the territories of Indigenous peoples in BC including the territories of the W̱SÁNEĆ, Lekwungen, Tk'emlups te Secwepemc, Coast Salish, Ktunaxa, Sinixt, Syilx, Lheidlei T'enneh, and Tsimshian peoples where EMCR headquarters and regional offices are located



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# Defining the Space

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Today's objective is to promote awareness of BC's proposed emergency management legislation. As a collective, we can achieve this goal by committing to the following:

- Treating one another with respect and compassion
- Agreeing to communicate in a respectful and appropriate manner
- Approaching the material and each other with curiosity



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# Session Objectives

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- Discuss emergency measures agreements and multi-jurisdictional emergency management organizations
- Better understand the different types of agreement opportunities including agreements with Indigenous Governing Bodies
- Provide an opportunity to ask questions



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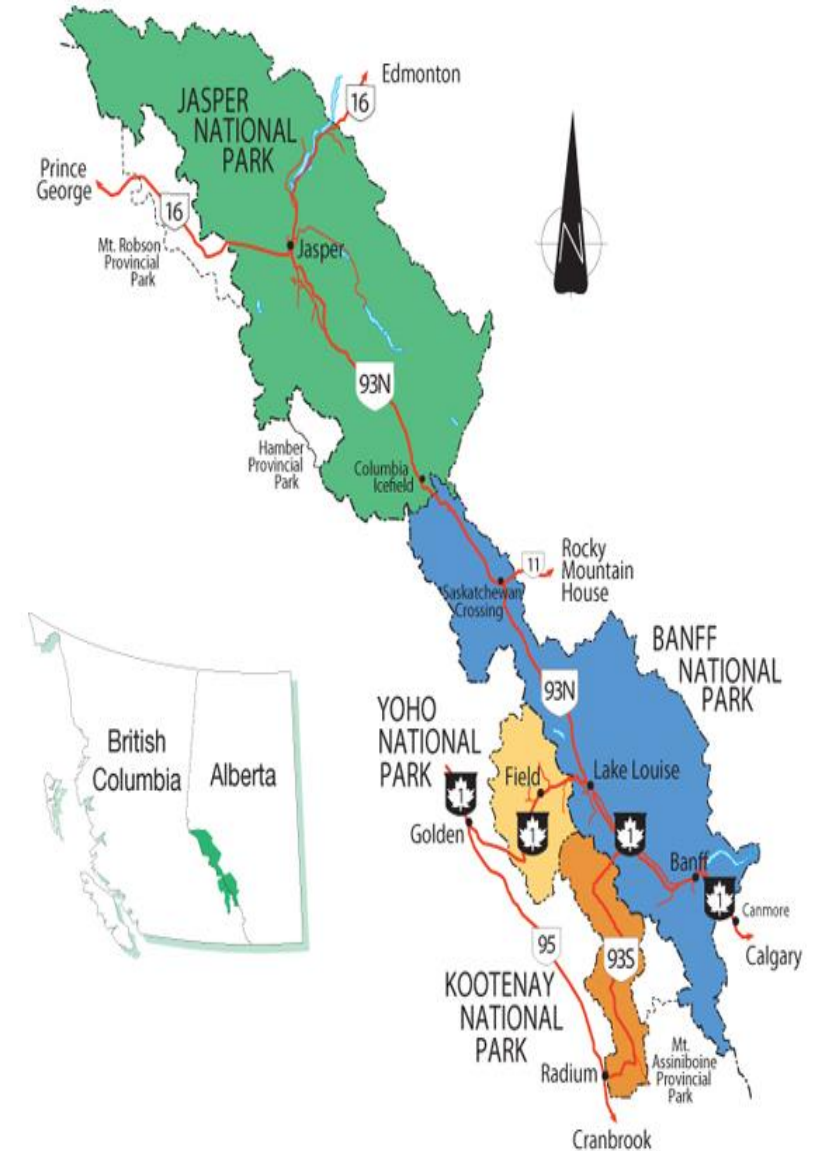
## MODERNIZING BC'S **EMERGENCY MANAGEMENT LEGISLATION**



# Emergency measures agreements

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- Emergency measures agreements
  - Designed for use in areas where there is no local authority
  - Enables a participating authority to exercise powers and requirement to perform duties
  - Expected to be uncommon and only used in unique circumstances



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# Multi-jurisdictional Emergency Management Organization (MJEMO)

## What is a MJEMO?

- 2 or more local authorities, Indigenous governing bodies, and/or the provincial government create a collaborative emergency management organization

## Background

- Local authorities are required to establish emergency management organizations under the current *Emergency Program Act*
- Existing province-wide collaborations resemble MJEMOs with diverse structures and models

## Purpose

- Reflects feedback from local governments requesting stronger collaborative frameworks
- Fosters long-term emergency management partnerships and addressing capacity issues



# MJEMO Key Features

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- MJEMOs enable collective planning, risk assessments, and emergency measures
- Entities can join MJEMOs to fulfill any combination of legislative or operational requirements
- Local authorities designate members with specific powers
- MJEMO does not disrupt existing collaborative practices, such as service and mutual aid agreements



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# MJEMO-Future Engagements and Regulations

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Local authorities and Indigenous Governing Bodies will be invited to provide feedback on topics related to MJEMOs including potential terms and conditions, governance, and maintenance



Local Authority Emergency Management Regulation will establish further MJEMO details including governance, agreements and record keeping



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# Indigenous Engagement Requirements

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- Modernized legislation encourages engagement with IGB across all phases of emergency management, and also will provide that *consultation and cooperation* is required in certain circumstances.
- For example, municipalities and regional districts will be required to consult and cooperate with Indigenous governing bodies (IGBs) when reviewing or developing risk management or emergency management plans
- Indigenous governing body *means an entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed by section 35 of the Constitution Act, 1982.*
- Traditional territories and treaty areas will be important concepts in the legislation.



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# Emergency Management Agreements with IGB

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- Modernized legislation will enable different types of emergency management agreements with Indigenous governing bodies (IGBs).
- A formal agreement is not *required* for the purpose of implementing consultation and cooperation requirements.
  - Documenting agreement is recommended.
  - In the absence of an agreement, the pertinent provisions of the Act, regulations, applicable policy, and treaty provisions (where a treaty applies) will apply to guide engagement.



# Emergency Management Agreements with IGB

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- Parties may reach agreement and/or formalize agreement to:
  - Agree on areas to be included in emergency management plans,
  - Confirm contacts and/or processes for communications related to engagement requirements under modernized legislation,
  - Explore ways to incorporate Indigenous knowledge or cultural safety
- MJEMO may include IGB
  - Operational efficiency through emergency management phases (sharing capacity)
  - Means to meet engagement requirements across more parties



# Collaborative Emergency Management Agreements

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- CEMAs are Government-to-Government agreements between IGBs or First Nations and the Province, where Canada may be a party.
- The purpose of a CEMA is to develop structures that provide a platform for collaboration, relationship-building, and work planning to achieve shared interests related to emergency management.
- CEMAs may include multiple ministry partners.



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# Coordination Agreements

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- Coordination of powers or duties across governments by agreement, for example:
  - Require a power to be exercised or require a decision maker to refrain from exercising a power.
  - Set limits or conditions on the exercise of a power.
  - Impose requirements in relation to the exercise of a power.
  - Require consultation and cooperation related to exercise of a power or duty.
- Can be used to harmonize emergency management procedures.



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# Joint or Consent Based Decision-Making Agreements

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- Joint or consent-based decision-making agreements can require that a decision-maker named by the statute—such as the minister, or a local authority—must exercise their decision either jointly with an IGB or only after obtaining the consent of an IGB.
- A mandate from Cabinet is required prior to negotiating a joint or consent-based decision-making agreement.
- There are no examples yet related to emergency management however the Province entered into a s. 7 agreement with Tahltan Nation for incorporating consent-based decision making into the project assessment and approval process.



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# Key Messages

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- Modernized legislation provides a broader set of opportunities for partnerships at the local, regional, and provincial levels.
- Features available on royal assent include ability to enter into agreements generally, and the ability to create or join a multijurisdictional emergency management organization.
- Build on existing relationships and partnerships.
- Materials to support implementation are under development.



# To Learn More

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- Release of technical paper: [\*BC's Modernized Emergency Management Legislation: A New Framework for Disaster Risk Reduction, Response, and Recovery\*](#)
- [Recorded Webinars](#)
  - July 5 – Overview
  - July 12 – Response and Recovery
  - July 26 – Planning and Risk Assessment
- Future Webinars
  - August 23 – Consultation and Cooperation
  - August 28 – Reflection Session



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# Information/Feedback

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**EMCR:** <https://gov.bc.ca/EmergencyManagementAct>

**Email:** [modernizeEM@gov.bc.ca](mailto:modernizeEM@gov.bc.ca)

**Technical paper:**



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