



## COUNCIL REPORT

Report Date: May 16, 2024  
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Meeting Date: June 11, 2024  
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TO: Vancouver City Council  
FROM: City Manager  
SUBJECT: Appointment of Council Member to the Vancouver Police Board

### Recommendations

- A. THAT Council resolve to appoint a member of Council to the Vancouver Police Board on or before July 25, 2024, in accordance with section 23(1)(a) of the *Police Act*; and
- B. THAT Council determine the effective date and the term of the appointment in accordance with section 24(1) of the *Police Act*.

### Purpose and Executive Summary

The *Police Amendment Act* was recently enacted by the Province. The Act amends the *Police Act* to change the appointment and composition of municipal police boards. The amendments require Council to appoint a member of Council to the Vancouver Police Board on or before July 25, 2024. The amended *Police Act* further provides that the term of the appointment is to be determined by Council, not to exceed four years.

### Council Authority/Previous Decisions

The *Police Act* authorizes Council to appoint any member of Council, including the Mayor, to the Vancouver Police Board (per s. 23(1)(a)) and to determine the term of the appointment (per section 24(1)).

### City Manager's Comments

The City Manager concurs with the foregoing recommendations.

## Context and Background

Prior to the recent amendments to the *Police Act* coming into force, section 23(1)(a) of the *Police Act* provided that the Mayor of a municipality with a police board would be the Chair of the police board. As such, Mayor Sim is currently Chair of the Vancouver Police Board.

The Province recently passed the *Police Amendment Act*, which amends numerous provisions in the *Police Act*. The amendments alter the composition and appointments to municipal police boards such that a Mayor of municipality with a police board is no longer automatically appointed as the Chair of a police board. Instead, a council of a municipality with a police board may now appoint any member of Council, including the Mayor, to the police board.

## Discussion

Amendments to Section 23(1)(a) of the *Police Act* authorize Council to appoint any member of Council, including the Mayor, to the Vancouver Police Board.

Section 132(1) of the amended *Police Act* provides that Council must, within three months after the effective date of the amendments, appoint a member of Council to the Vancouver Police Board. As the subject amendments were brought into force on April 25, 2024, Council must make the appointment on or before July 25, 2024.

The *Police Act* no longer provides that the Mayor of a municipality is the Chair of the municipal police board. Instead, section 25(1) provides that a municipal police board must elect a chair and vice chair. Pursuant to section 133 of the *Police Act*, the Vancouver Police Board must elect a Chair and Vice Chair promptly after Council's appointment of a Council member to the Vancouver Police Board.

Section 132(2) of the amended *Police Act* provides that if a Council member other than the Mayor is appointed to the Police Board, the Mayor's membership on the police board ends when the Council member's appointment takes effect. Council should consider setting an effective date for the appointment of the Council member that allows for an orderly transition, provided that the effective date of the appointment must be on or before July 25, 2024.

Pursuant to section 24(1) of the amended *Police Act*, Council determines the term of a Council member's appointment to the police board, which term cannot exceed four years. Regardless of the term set by Council, the term of the person appointed to the police board expires upon the person ceasing to be a council member.

## Financial Implications

There are no financial implications associated with this report's recommendations.

## Legal Implications

In order to comply with the *Police Act*, Council must appoint a member of Council to the Vancouver Police Board on or before July 25, 2024.

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