

Josh Dehaas

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Honourable Niki Sharma
Attorney General, British Columbia

Honourable Premier David Eby
Premier, British Columbia

Sent via email to AG.Minister@gov.bc.ca and Premier@gov.bc.ca from jdehaas@theccf.ca

Re: Bill 7 – Economic Stabilization (Tariff Response) Act

March 18, 2025

Dear Attorney General Sharma and Premier Eby,

I am Counsel with the Canadian Constitution Foundation (the “CCF”), a national legal charity dedicated to protecting Canadians’ rights and freedoms through public education and litigation.

I am writing to express the CCF’s concerns with the proposed Bill 7 – Economic Stabilization (Tariff Response) Act. While the CCF understands that your government is committed to reducing interprovincial trade barriers and responding to the U.S.-Canada trade dispute, the powers proposed in Part 4 – Lieutenant Governor in Council’s Response Powers strain the limits of the constitutional principles of democracy, the rule of law and responsible government.

Part 4 of the bill contains a breathtakingly broad “Henry VIII clause” that would allow cabinet – *without any debate or votes in the elected legislature* – to amend nearly any law duly passed by the people’s representatives in Victoria, so long as the government’s goal is “addressing challenges, or anticipated challenges, to British Columbia arising from the actions of a foreign jurisdiction; supporting interprovincial cooperation in reducing trade barriers within Canada; or supporting the economy of British Columbia and Canada.” Considering that nearly any amendment could meet that standard, this provision would effectively sideline the legislature that more than 2.1 million British Columbians democratically elected in last October’s election.

The CCF strongly urges you to reconsider these provisions of the bill and reserves all legal options if the bill passes in its current form.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Dehaas".

Josh Dehaas

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Counsel

CC'd:

John Rustad, Leader, Conservative Party of B.C., via email to John.Rustad.MLA@leg.bc.ca.

Sonia Furstenau, Leader, B.C. Greens, via email to Sonia.Furstenau.MLA@leg.bc.ca.