

Construction law: British Columbia's Construction Prompt Payment Act

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Key Takeaways

- British Columbia's *Construction Prompt Payment Act* received royal assent on November 27, 2025, but it is not yet in force.
- Once in force, the Act will introduce prompt payment deadlines and a streamlined adjudication process.
- The Ministry of Infrastructure is consulting with industry stakeholders to assist with the development of regulations and the selection of an adjudication authority, with submissions closing on July 7, 2026.

Consultation on British Columbia's *Construction Prompt Payment Act*

On November 27, 2025, British Columbia's Bill 20, *Construction Prompt Payment Act* (the Act) received royal assent but has yet to be brought into force by proclamation. Following suit with other prompt payment legislation in provinces such as Ontario, Alberta and Saskatchewan, the Act is intended to address late payment and cash-flow pressures by establishing prompt payment rules for private and public sector construction projects. Further details on how the Act is expected to operate have been set out in our earlier blog post, "[British Columbia's Construction Prompt Payment Act: from cash-flow friction to clear framework](#)."

The province has indicated that a transition period is needed to develop regulations and to allow the industry to prepare for the new requirements. Last week, British Columbia's Ministry of Infrastructure published a [discussion paper](#) [PDF] seeking advice from industry stakeholders on six topics:

- *Application and coming into force* – This topic addresses two issues: how broadly the Act should apply (i.e., should there be any exemptions from the Act) and should the Act come into force all at once or in phases.
- *When a record is given or issued, or a payment is made* – Under this heading, the Ministry is seeking feedback on how an invoice should be considered to have been "given" and how to

determine when a payment is “made”.

- *Calculation of days* – This topic asks whether the typical approach set out in the *Interpretation Act* should apply or if a different basis should be used.
- *Interest rates on late payments* – This topic is about whether the B.C. Supreme Court’s pre-judgment interest rate should apply (currently 2.45%) or a different rate.
- *Adjudicators’ qualifications and fees* – This topic asks what the minimum qualifications for adjudicators should be and what factors should be considered in establishing appropriate fees.
- *Industry readiness and support* – This topic relates to what standardized forms should be developed and what information should be part of a proper invoice. In addition, this topic includes an open-ended request for feedback on any other considerations missing from the discussion paper.

Industry participants are invited to submit written feedback on those topics that are of interest to them. The deadline for submissions is July 7, 2026.

While it is clear from this ongoing consultation that the Act will not be coming into force imminently, the timing could support an implementation date as early as late 2026. Stay tuned for further updates on the Act as they become available.