

This Act is Current to July 5, 2017

ENVIRONMENT AND LAND USE ACT

[RSBC 1996] CHAPTER 117

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Definitions

1 In this Act:

"committee" means the Environment and Land Use Committee continued under this Act;

"environment" means all the external conditions or influences under which humans, animals and plants live or are developed.

Committee continued

2 (1) The Environment and Land Use Committee is continued and consists of the following:

- (a) a member of the Executive Council appointed by the Lieutenant Governor in Council and designated in the appointment as chair;
- (b) subject to subsection (1.1), other members of the Legislative Assembly appointed by the Lieutenant Governor in Council.

(1.1) The majority of members of the Environment and Land Use Committee must be members of the Executive Council.

(2) The committee may determine its own procedure and may elect an acting chair to act in the absence of the chair.

(3) If the committee has more than 3 members its quorum is 3.

Duties of the committee

3 The committee has the following duties and powers:

- (a) to establish and recommend programs designed to foster increased public concern and awareness of the environment;

- (b) to ensure that all the aspects of preservation and maintenance of the natural environment are fully considered in the administration of land use and resource development commensurate with a maximum beneficial land use, and minimize and prevent waste of those resources, and despoliation of the environment occasioned by that use;
- (c) if considered advisable, to make recommendations to the Lieutenant Governor in Council respecting any matter relating to the environment and the development and use of land and other natural resources;
- (d) to inquire into and study any matter related to the environment or land use;
- (e) to prepare reports, and, if advisable, to make recommendations to the Lieutenant Governor in Council.

Powers of committee

4 The committee may do one or more of the following:

- (a) hold a public inquiry if it appears to the committee that the proper determination of any matter within its jurisdiction requires an inquiry;
- (b) appoint technical committees;
- (c) subject to the approval of the Lieutenant Governor in Council, provide for the remuneration of experts, specialists and researchers and, under the *Public Service Act*, of clerks and other employees as required.

Powers of chair and members for public inquiry

5 For a public inquiry under section 4 (a), the chair of the committee or a member of the committee authorized by the committee to hold a hearing has the powers and jurisdiction of a justice under the *Offence Act*.

Expenses of committee members

6 (1) No member of the committee is entitled to remuneration as a member of the committee.

(2) A member may be paid and receive travelling and out of pocket expenses in accordance with the general directives of the Treasury Board.

Orders of Lieutenant Governor in Council

- 7** (1) On the recommendation of the committee, and despite any other Act or regulation, the Lieutenant Governor in Council may make orders the Lieutenant Governor in Council considers necessary or advisable respecting the environment or land use.
- (2) A minister, ministry or agent of the Crown specified in an order under subsection (1) must not exercise a power under any other Act or regulation except in accordance with the order.

Power to make regulations

8 The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

