

This Act is current to August 26, 2025

See the [Tables of Legislative Changes](#) for this Act's legislative history, including any changes not in force.

RANGE ACT

[SBC 2004] CHAPTER 71

Assented to October 21, 2004

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Definitions and interpretation

1 (1) In this Act:

"animal unit month" means 450 kg of forage, measured on a dry matter basis, being the amount of forage that would sustain

(a) for one month, an average cow of the genus *bos* with an unweaned calf born in the current calendar year, or

(b) for a period longer or shorter than one month, an animal within a class or species of animal described in the definition of "livestock", depending on the type of animal, its stage of development, or both;

"commission" means the Forest Appeals Commission continued under the *Forest and Range Practices Act*;

"Crown land" means land, whether or not it is covered by water, or an interest in land, vested in the government;

"Crown range" means Crown land in a range district, but does not include Crown land leased under the *Land Act*;

"former Act" means the *Range Act*, R.S.B.C. 1996, c. 396;

"livestock" means animals of the genus *bos*, horses, mules, asses, sheep, goats, llamas and alpacas and any prescribed animals, but does not include wildlife

under the *Wildlife Act*, exotic game animals, bison, swine or poultry;

"natural resource officer" has the same meaning as in the *Natural Resource Compliance Act*;

"private land" means land that is not Crown land;

"range development" means a range development as defined in the *Forest and Range Practices Act*;

"range district" means a range district established under section 78;

"range stewardship plan" means a range stewardship plan under the *Forest and Range Practices Act*;

"range use plan" means a range use plan under the *Forest and Range Practices Act*.

- (2) Subject to a regulation made under section 79 (2) (a.1), the minister, in writing, may
- (a) delegate a power or duty of the minister under this Act, including a quasi-judicial power or duty, to
 - (i) a person employed in the ministry, or
 - (ii) a class of persons employed in the ministry,
 - (iii) [Repealed 2007-18-94.]and this Act and a regulation apply to the delegate as if the delegate were the minister,
 - (b) provide directions that are binding on the delegate respecting the exercise of the power or the performance of the duty, and
 - (c) vary or revoke a delegation or direction.
- (3) Except in prescribed circumstances, a delegate under subsection (2) may subdelegate the power or duty to
- (a) a person employed in the ministry, or
 - (b) a class of persons employed in the ministry.
 - (c) [Repealed 2007-18-94.]

Part 1 — Disposition of Rights over Crown Range by the Government

Division 1 — Rights over Crown Range

Recognition of rights to Crown forage under other Acts

- 2 Other than rights to Crown range under the *Forest and Range Practices Act* and *Land Act*, rights to use or improve Crown range for grazing or cutting hay must not be granted by or on behalf of the government, except in accordance with this Act and the regulations.

Minister to grant licences and permits

- 3 The minister, on behalf of the government, may enter into agreements granting rights over Crown range in the form of grazing licences, grazing permits, hay

cutting licences and hay cutting permits.

Division 2 — Content of Licences and Permits

Grazing licence content

4 A grazing licence

- (a) must
 - (i) describe the Crown range over which it is to apply,
 - (ii) be for a term of not less than 15 years and not more than 25 years, and
 - (iii) specify a number of animal unit months for which the holder is eligible each year, subject to variations authorized or required under another provision of this Act or of the *Forest and Range Practices Act*,
- (a.1) that is entered into with a first nation or its representative to implement or further an agreement between the first nation and the government respecting treaty-related measures, interim measures or economic measures, must state that it is a condition of the licence that the first nation comply with the agreement, and
- (b) may include other terms and conditions consistent with this Act, the *Forest and Range Practices Act* and the regulations under them.

Grazing permit content

5 A grazing permit

- (a) must
 - (i) describe the Crown range over which it is to apply,
 - (ii) be for a term of not more than 10 years, and
 - (iii) specify a number of animal unit months for which the holder is eligible each year, subject to variations authorized or required under another provision of this Act or of the *Forest and Range Practices Act*,
- (b) that is entered into with a first nation or its representative to implement or further an agreement between the first nation and the government respecting treaty-related measures, interim measures or economic measures, must state that it is a condition of the permit that the first nation comply with the agreement, and
- (c) may include other terms and conditions consistent with this Act, the *Forest and Range Practices Act* and the regulations under them.

Hay cutting licence content

6 A hay cutting licence

- (a) must
 - (i) describe the Crown range over which it is to apply,

- (ii) be for a term of not less than 15 years and not more than 25 years, and
 - (iii) grant to the holder the right to harvest a specified quantity of hay from the Crown range described in it,
 - (iv) [Repealed 2014-7-12.]
- (a.1) that is entered into with a first nation or its representative to implement or further an agreement between the first nation and the government respecting treaty-related measures, interim measures or economic measures, must state that it is a condition of the licence that the first nation comply with the agreement, and
- (b) may include other terms and conditions consistent with this Act, the *Forest and Range Practices Act* and the regulations under them.

Hay cutting permit content

7 A hay cutting permit

- (a) must
 - (i) describe the Crown range over which it is to apply,
 - (ii) be for a term of not more than 10 years, and
 - (iii) grant to the holder the exclusive right to harvest a specified quantity of hay from the Crown range described in it,
 - (iv) [Repealed 2014-7-13.]
- (b) that is entered into with a first nation or its representative to implement or further an agreement between the first nation and the government respecting treaty-related measures, interim measures or economic measures, must state that it is a condition of the permit that the first nation comply with the agreement, and
- (c) may include other terms and conditions consistent with this Act, the *Forest and Range Practices Act* and the regulations under them.

Use by government employees and agents

8 (1) The minister may issue authorizations to

- (a) persons employed in the ministry, acting in the course of their duties, and
- (b) agents of the government acting in accordance with the terms of the agency

authorizing them to use Crown range to improve the condition of the Crown range for grazing, cutting hay or range conservation or management.

(2) An authorization issued under subsection (1)

- (a) is an agreement under this Act for the purposes of
 - (i) the definition of "range practice" in the *Forest and Range Practices Act*, and
 - (ii) section 50 of the *Forest and Range Practices Act*,

- (b) is an authorization of the minister for the purposes of section 51 of the *Forest and Range Practices Act*, and
- (c) must include terms and conditions that the minister considers appropriate and that are consistent with this Act and the regulations and with the *Forest and Range Practices Act* and the regulations and standards under that Act.

Division 3 — Competition for Licences and Permits

Applications

- 9** (1) Applications for licences and permits must be made to the minister in the prescribed manner and form.
- (2) Subject to subsection (3), the minister may invite applications for
- (a) a licence, or
 - (b) a permit
- for
- (c) forage, or
 - (d) hay
- that is not subject to an existing licence or permit.
- (3) The minister must not enter into
- (a) a licence, or
 - (b) a permit
- referred to in subsection (2) without first giving in the prescribed manner public notice of the invitation for applications.

Selection criteria for licence or permit

- 10** (1) Before inviting applications under section 9 for a grazing licence or grazing permit, the minister must decide which of the following are to be used as eligibility or evaluation criteria for selecting a successful applicant:
- (a) the submission of a plan that conforms to the requirements under the *Forest and Range Practices Act* for a range use plan or range stewardship plan;
 - (b) in the case of a grazing licence, the capability of private land owned or held under lease by an applicant to sustain the applicant's livestock during that part of each year when the livestock will not be on Crown range;
 - (c) the capability, through facilities on private land owned or held under lease by an applicant, of feeding, medically treating, branding, tagging, loading and unloading the applicant's livestock;
 - (d) the proximity of the facilities referred to in paragraph (c) to the Crown range that will be described in the licence or permit;

- (e) rights over all or part of the Crown range that are the subject of the invitation and that are shared by an applicant with one or more other persons;
 - (f) private land owned or held under lease that is
 - (i) adjacent to the Crown range described in the application, and
 - (ii) committed by the applicant for use in conjunction with the Crown range in a manner that benefits the management of the Crown range;
 - (g) commitment by an applicant to surrender grazing or hay cutting rights over Crown range in order to benefit the management of Crown range;
 - (g.1) commitment by an applicant to a course of action
 - (i) designed to improve or enhance the Crown range described in the application, including but not limited to carrying out a specified range practice as defined in the *Forest and Range Practices Act*, or a specified range development, and
 - (ii) that the applicant undertakes to carry out in conjunction with the licence or permit, as a condition of the licence or permit;
 - (h) contraventions of this Act, the former Act, the *Forest and Range Practices Act*, the *Forest Practices Code of British Columbia Act*, the *Livestock Act* or the regulations under them by an applicant in the immediately preceding 5 years;
 - (i) the number of livestock owned or leased by the applicant;
 - (j) other eligibility or evaluation criteria the minister considers relevant to an invitation for applications under section 9 for grazing licences or grazing permits.
- (2) [Repealed 2014-7-15.]
- (3) Before inviting applications under section 9 for a hay cutting licence or hay cutting permit, the minister must decide which of the following are to be used as eligibility or evaluation criteria for selecting a successful applicant:
- (a) the criteria set out in subsection (1) (a), (g), (g.1) and (h) of this section;
 - (b) other eligibility or evaluation criteria the minister considers relevant to an invitation for applications under section 9 for hay cutting licences or hay cutting permits.

Proposal to all applicants, if more than one

- 11** (0.1) In exercising his or her powers or duties under this section and section 15 in respect of applications for a licence or permit made under section 9, the minister must use the eligibility or evaluation criteria in respect of the licence or permit as determined by the minister under section 10 (1) or (3), as applicable.

- (1) If only one application for a licence or permit is made under section 9, the minister may enter into the licence or permit with the applicant.
- (2) If more than one application is made under section 9, the minister must deliver in writing to all applicants a proposal respecting the disposition of all applications.
- (2.1) On receipt of one or more applications for a licence or permit under section 9, the minister may decline to enter into the licence or permit with any or all of the applicants.
- (3) [Repealed 2014-7-16.]

Repealed

12 [Repealed 2014-7-17.]

Changes to a proposal

- 13** (1) The minister may change a proposal made under section 11 (2) if the minister determines that part of the proposal resulted from an error in
- (a) numerical calculation, or
 - (b) interpretation of material included in an application submitted in response to an invitation for applications under section 9.
- (2) A change may be made under subsection (1) of this section before or after receipt of an objection referred to in section 15.

No objection to proposal

- 14** Unless the minister receives notice in writing in accordance with section 15 (1) from one or more of the applicants objecting to a proposal made under section 11, the minister may enter into the licences, permits or both that are identified in the proposal.

Objection to proposal

- 15** (1) An applicant may, within 14 days after a proposal under section 11 (2) is received by the applicant, deliver notice in writing to the minister objecting to the proposal and setting out in the notice the reasons for the objection.
- (2) If, in the opinion of the minister, an objection referred to in subsection (1) does not raise issues relevant to the proposal that warrant its reconsideration, the minister may enter into the licences, permits or both that are identified in the proposal.
- (3) If, in the opinion of the minister, an objection referred to in subsection (1) raises issues relevant to the proposal that warrant its reconsideration, after giving all the applicants an opportunity to be heard, the minister may enter into the licences or permits referred to in the invitation under section 9 with those of the applicants the minister selects.
- (4) Notice of a decision of the minister under subsection (2) or (3) must be delivered to all the applicants.

Division 4 — Direct Awards of Licences and Permits

Direct award — public notice not required

- 16** (1) Despite section 9, the minister, without inviting or accepting applications from other persons, may enter with a person into a grazing or hay cutting licence in any of the following circumstances:
- (a) the number of animal unit months specified in the grazing licence is 100 or less;
 - (b) the quantity of hay specified in the hay cutting licence is 10 tonnes or less;
 - (c) the grazing or hay cutting licence
 - (i) is entered into with the holder of a permit, lease or licence to occupy Crown land granted under the [Land Act](#),
 - (ii) was publicized in conjunction with the [Land Act](#) permit, lease or licence, and
 - (iii) is needed to carry out the operations authorized under or related to the [Land Act](#) permit, lease or licence;
 - (d) the grazing licence is entered into with a person who, within the 2 weeks before the person applies for the grazing licence under this section, surrendered a grazing lease granted to that person under the [Land Act](#);
 - (e) the grazing licence is entered into with a person who holds or held a grazing permit issued under this Act as a replacement permit for a grazing permit issued under the former Act, if the person applies for the grazing licence under this section during the term of the replacement grazing permit or within 2 months after its expiry.
- (1.1) A grazing licence referred to in subsection (1) (d) or (e) must
- (a) describe the same area as the grazing lease or permit referred to in that subsection, and
 - (b) specify a number of animal unit months for which the holder is eligible each year, which number must not be more than the number specified in the grazing lease or permit referred to in that subsection, if any.
- (2) Despite section 9 but subject to subsection (3) of this section, the minister, without inviting or accepting applications from other persons, may enter with a person into
- (a) a grazing permit authorizing its holder to use forage, or
 - (b) a hay cutting permit authorizing its holder to use hay
- covered by another holder's licence or permit if that other holder has entered into a non-use agreement under section 46.
- (3) A grazing permit or hay cutting permit entered into under subsection (2)

- (a) must be for a term of not more than 10 years or the period of non-use specified in the non-use agreement, whichever is less, and
 - (b) must not authorize its holder to use forage or hay in a quantity in excess of the unused amount under the non-use agreement.
- (4) Despite section 9, the minister, without inviting or accepting applications from other persons, may enter with a person into a grazing permit if the number of animal unit months specified in the grazing permit is 200 or less.

Direct award to or in respect of a first nation

17 (1) In this section, "**representative**" means a person or other legal entity that

- (a) is appointed by a first nation as its representative, and
- (b) meets prescribed requirements.

(2) The minister may enter into

- (a) a grazing or hay cutting permit or licence with a first nation or its representative to implement or further an agreement between the first nation and the government respecting treaty-related measures, interim measures or economic measures, or
- (b) a grazing or hay cutting permit with a person to mitigate the effects on that person of
 - (i) a treaty, or
 - (ii) an agreement between a first nation and the government respecting treaty-related measures, interim measures or economic measures.

Direct award — public notice required

18 (1) In this section:

"ancillary licence or permit" means a grazing or hay cutting licence or permit for use in conjunction with a [Land Act](#) permit, lease or licence;

"compensatory grazing licence or permit" means a grazing licence or permit that specifies a number of animal unit months in full or partial substitution for animal unit months lost to the holder of a grazing licence or permit because of circumstances beyond the holder's control;

"compensatory hay cutting licence or permit" means a hay cutting licence or permit that specifies a quantity of hay in full or partial substitution for hay lost to the holder of a hay cutting licence or permit because of circumstances beyond the holder's control;

"exchange grazing licence or permit" means a grazing licence or permit that describes Crown range exchanged for all or part of the Crown range described in a grazing licence or permit;

"exchange hay cutting licence or permit" means a hay cutting licence or permit that describes Crown range exchanged for all or part of the Crown range described in a hay cutting licence or permit.

- (2) Despite section 9, but subject to subsection (3) of this section, the minister, without inviting or accepting applications from other persons, may enter with a person into
- (a) an ancillary licence or permit, if it is needed by the person in conjunction with a *Land Act* permit, lease or licence held by the person,
 - (b) a compensatory grazing licence or permit that specifies a number of animal unit months in full or partial substitution for the number of animal unit months lost to the person because of circumstances beyond the person's control,
 - (c) a compensatory hay cutting licence or permit that specifies a quantity of hay in full or partial substitution for the quantity of hay lost to the person because of circumstances beyond the person's control,
 - (d) an exchange grazing licence or permit that specifies a number of animal unit months equal to or less than the number of animal unit months that the minister considers is attributable to the Crown range being exchanged,
 - (e) an exchange hay cutting licence or permit that specifies a quantity of hay equal to or less than the quantity of hay that the minister considers is attributable to the Crown range being exchanged, or
 - (f) in prescribed circumstances or for prescribed purposes or both, a grazing licence or grazing permit or a hay cutting licence or hay cutting permit.
- (3) The minister must not enter under this section into a grazing licence or grazing permit or a hay cutting licence or hay cutting permit without first giving public notice in the prescribed manner.

Division 5 — Requirements for Entering into Licences and Permits

Conditions of entering into licences and permits

- 19** (1) On or before entering with a person into a licence or permit, the minister by order may impose conditions he or she considers appropriate with which a person must comply
- (a) before entering into the licence or permit, or
 - (b) by a date specified in the order.
- (2) If the person referred to in subsection (1) does not comply with a condition imposed under that subsection the minister, without a hearing,
- (a) by notice delivered to the person who is subject to the condition,
 - (i) may refuse to enter into the licence or permit, or
 - (ii) may cancel the licence or permit if the person who is subject to the condition has entered into the licence or permit, and
 - (b) may make a proposal under section 11 (2) to the other persons who applied for that licence or permit, if the licence or permit was or is

to be entered into under section 14 or 15.

(3) Sections 55 to 66 do not apply to a cancellation under subsection (2) of this section.

Compliance with *Livestock Act*

20 Before entering into a grazing licence or grazing permit, the minister may require the applicant to satisfy the minister that the applicant is able to comply with those provisions of the *Livestock Act* that apply to the applicant's livestock.

Private land agreements

21 The minister may make entering with an applicant into a grazing licence or grazing permit conditional on the applicant first entering into an agreement with

- (a) the minister on behalf of the government,
- (b) other applicants for grazing licences or grazing permits,
- (c) the holders of other grazing licences or grazing permits,
- (d) persons who own land or hold land under lease, or
- (e) any combination of applicants, holders and persons referred to in paragraphs (a) to (d),

allowing, for the duration of the licence or permit, land owned or held under lease by the applicant to be used by the applicant and others for grazing purposes, in conjunction with the Crown range described in the licence or permit.

Conditions relating to associated private land or associated tenures

21.1 (1) The minister may make entering with a person into a licence or permit conditional on the person, for the duration of the term of the licence or permit,

- (a) retaining the ownership of or a leasehold interest in specified private land, or
- (b) holding any of the following as specified in the licence or permit:
 - (i) a permit, lease or licence under the *Land Act* to occupy Crown land for a purpose specified by regulation;
 - (ii) a guiding territory certificate or transporter licence under the *Wildlife Act*;
 - (iii) an interest, right or privilege in relation to the use of Crown land or resources that is granted under an enactment and specified by regulation.

(2) The minister must ensure that a condition referred to in subsection (1) is specified in the licence or permit.

Part 2 — Requirements Respecting Licences and Permits

Division 1 — Replacement of Licences

Repealed

22 [Repealed 2014-7-28.]

Replacement licence

23 (1) During the 12 month period beginning 2 years before the expiry of the term of a licence, the minister must offer in writing to the holder of the licence a replacement for it.

(2) Despite subsection (1), if the minister determines that

(a) rights under the licence being considered for replacement are under suspension, or

(b) the holder of the licence

(i) has not paid all money the holder owes to the government under this Act or the *Forest and Range Practices Act*, or

(ii) has not provided security or a deposit required under this Act or the *Forest and Range Practices Act*,

the minister may decline to offer a replacement for the licence until

(c) the suspension is rescinded,

(d) the suspended rights are reinstated, or

(e) the holder pays the money owing to the government or provides the required security or deposit.

(3) An offer made under this section may be amended.

Replacement licence content

24 A licence offered under section 23 must

(a) have a term beginning on the day after the expiry of the term of the licence being replaced under the offer,

(b) describe the same area as the licence being replaced under the offer,

(c) in the case of a grazing licence, specify a number of animal unit months for which the holder is eligible each year that is the same as specified in the licence being replaced under the offer, and

(d) in the case of a hay cutting licence, grant to the holder the right to harvest a specified quantity of hay that is the same as specified in the licence being replaced under the offer.

Repealed

25-27 [Repealed 2014-7-31.]

Division 2 — Consolidation and Subdivision of Grazing Licences and Permits

Consolidation and subdivision

28 (1) With the consent of or on receipt of a written request from the holder of the relevant licences or permits, the minister may do one or more of the

following:

- (a) consolidate 2 or more grazing licences held by the same person into a single grazing licence entered into with that person;
 - (b) consolidate 2 or more grazing permits held by the same person into a single grazing permit entered into with that person;
 - (c) subdivide a grazing licence held by a person into 2 or more grazing licences entered into with the person;
 - (d) subdivide a grazing permit held by a person into 2 or more grazing permits entered into with the person;
 - (e) delete all or part of the Crown range described in a grazing licence held by a person and include the Crown range or the part of it, as the case may be, in another grazing licence entered into with the person;
 - (f) delete all or part of the Crown range described in a grazing permit held by a person and include the Crown range or the part of it, as the case may be, in another grazing permit entered into with the person;
 - (g) cancel a licence or permit held by a person if all or part of its Crown range has been included in another licence or permit entered into with the person;
 - (h) enter into one or more grazing licences with a person describing the same Crown range as described in one or more licences held by the person that were the subject of consolidation, subdivision or deletion under this section;
 - (i) enter into one or more grazing permits with a person describing the same Crown range as described in one or more permits held by the person that were the subject of consolidation, subdivision or deletion under this section.
- (2) Instead of, under section 11 (1), 14, 15 (2) or (3), 16 or 18 (2), entering with an applicant into a licence or permit, the minister, with the applicant's consent, may amend
- (a) a licence held by the applicant by including in it the new subject matter, or
 - (b) a permit held by the applicant by including in it the new subject matter.

Division 3 — Associated Private Land or Tenures Pertaining to Licences and Permits

Retention of associated private land or tenures of holder of licence or permit

29 (1) In this section and section 30:

"associated private land", in relation to a licence or permit referred to in subsection (1.1) of this section, means the private land referred to in

paragraph (a) of that subsection;

"associated tenure", in relation to a licence or permit referred to in subsection (1.1) of this section, means the permit, lease, licence, certificate, interest, right or privilege referred to in paragraph (b) of that subsection, as applicable.

(1.1) This section and section 30 apply to a licence or permit if the licence or permit contains a requirement or condition to the effect that, during the term of the licence or permit, the holder of the licence or permit is to

- (a) retain the ownership of or a leasehold interest in specified private land, or
- (b) hold any of the following as specified in the licence or permit:
 - (i) a permit, lease or licence under the [Land Act](#) to occupy Crown land for a purpose specified by regulation;
 - (ii) a guiding territory certificate or transporter licence under the [Wildlife Act](#);
 - (iii) an interest, right or privilege in relation to the use of Crown land or resources that is granted under an enactment and specified by regulation.

(2) During the term of a licence or permit the holder of the licence or permit must continue, as applicable,

- (a) to own or hold under lease the associated private land for that licence or permit, or
- (b) to hold the associated tenure for that licence or permit.

(3) The minister may cancel a licence or permit without first delivering to the holder of the licence or permit a notice of cancellation if the holder contravenes subsection (2).

(4) If the minister determines that there are grounds under subsection (3) to cancel a licence or permit, but decides not to cancel the licence or permit,

- (a) the minister must inform the holder of the licence or permit of the decision,
- (b) the minister, in making the decision not to cancel, may prepare amendments to the licence or permit to attach conditions to it that the minister considers appropriate in the circumstances, and
- (c) the minister must deliver notice to the holder of the licence or permit, setting out the amendments prepared under paragraph (b), if any.

(4.1) On delivery of notice to the holder of a licence or permit in accordance with subsection (4) (c), the licence or permit, as the case may be, is deemed to be amended as set out in the notice.

(5) Sections 55 to 66 do not apply to a cancellation of a licence or permit under subsection (3) of this section.

Substitutions

30 (1) A holder of a licence or permit may apply to the minister to amend the licence or permit by substituting other land for the holder's associated private land.

(2) On receiving an application under subsection (1), the minister may amend the licence or permit by substituting other land for the holder's associated private land.

(3) and (4) [Repealed 2014-7-36.]

Repealed

31-33 [Repealed 2014-7-37.]

Division 4 — Other Uses, Changes, Deletions and Compensation

Other uses of Crown range

34 A licence or permit under this Act does not prevent the government from

- (a) using the Crown range, or
- (b) granting to others the use of the Crown range

described in the licence or permit if the use is for a purpose that the minister considers is compatible with the grazing or hay cutting rights of the holder under the licence or permit.

Change in boundary or area

35 In accordance with the regulations and with the consent of the holder of a licence or permit, the minister may vary the boundary or area of the licence or permit.

Licence or permit deletions and reductions, generally

36 (1) The minister by order may

- (a) delete land from the Crown range described in a licence or permit,
- (b) reduce as necessary because of the deletion the number of animal unit months or quantity of hay specified in the licence or permit, or
- (c) do both

if the minister considers that the deletion, reduction or both will lead to more efficient resource use.

(2) The minister by order may reduce the number of animal unit months or quantity of hay specified in a licence or permit if he or she considers the reduction necessary because the Crown range described in the licence or permit no longer supports the number of animal unit months or quantity of hay.

Licence or permit deletions and reductions because of incompatible land use

37 The minister by order may

- (a) delete land from the Crown range described in a licence or permit,
- and

(b) reduce as necessary because of the deletion the number of animal unit months or quantity of hay specified in the licence or permit if the minister considers that the land deleted is required for a use incompatible with grazing or hay cutting.

Implementing deletions and reductions

- 38** (1) A deletion or reduction or a combination of them, as the case may be, under section 36 or 37 is not effective until the minister has prepared the necessary amendments to the licence or permit and,
- (a) if there is no reduction in the number of animal unit months or in the quantity of hay, the minister delivers to the holder at least 60 days' notice, setting out the amendments, or
 - (b) if there is a reduction in the number of animal unit months or in the quantity of hay, the minister delivers to the holder at least one year's notice, setting out the amendments.
- (2) Despite subsection (1), if a holder of a licence or permit consents to waiving the notice period under subsection (1) (a) or (b), the deletion or reduction, or the combination of them, as the case may be, is effective as soon as
- (a) the minister has prepared the necessary amendments to the licence or permit, and
 - (b) notice of the amendments is delivered to the holder, in accordance with this section.
- (3) On expiry of a notice delivered to the holder of a licence or permit under subsection (1) or on delivery of a notice under subsection (2), the licence or permit, as the case may be, is deemed to be amended as set out in the notice.

Compensation for reductions

- 39** (1) If during the term of a licence or permit
- (a) a reduction, or
 - (b) a series of reductions, if more than one,
- under section 36 (1) or 37 in the number of animal unit months or quantity of hay specified in the licence or permit at the time of the reduction has the effect of reducing by more than 5% the
- (c) number of animal unit months, or
 - (d) quantity of hay
- specified in the licence or permit at the beginning of its term, the holder of the licence or permit is entitled to compensation from the government in an amount determined in accordance with subsection (2) of this section.
- (2) The compensation to which the holder of a licence or permit is entitled under subsection (1) is an amount equal to the value, for the unexpired portion of the term of the licence or permit or for a different period if a different period is prescribed, of the

- (a) number of animal unit months, or
 - (b) quantity of hay
- taken by means of the part of the reduction that exceeds 5% of the
- (c) number of animal unit months, or
 - (d) quantity of hay
- specified in the licence or permit at the beginning of its term.

Compensation for range developments

40 The holder of a licence or permit affected by a deletion of land under section 36 (1) or 37 or in prescribed circumstances by a reduction under section 36 (2) is entitled to compensation from the government in an amount equal to the sum of

- (a) any labour and material costs reasonably incurred by the holder for range developments,
 - (i) on the Crown range remaining under the licence or permit after the deletion, and
 - (ii) made necessary by
 - (A) a deletion of land under section 36 (1) or 37, or
 - (B) a reduction under section 36 (2) if the circumstances in which compensation is payable for such a reduction have been prescribed, and
- (b) the value of range developments made to the land deleted that
 - (i) are authorized under an enactment,
 - (ii) are not developments to which section 174 of the *Forest Practices Code of British Columbia Act* applied, before the repeal of that section, or to which section 120 of the *Forest and Range Practices Act* applies, and
 - (iii) are not or have not been paid for by
 - (A) the government under this Act or another enactment, or
 - (B) a person other than the holder or a former holder of the licence or permit.

Arbitration Act applies to disputes as to amount of compensation

41 If the government and the holder of a licence or permit do not agree on the amount of compensation payable under section 39 or 40 to the holder the amount must be submitted for determination by arbitration under the *Arbitration Act*.

Compensation may take form of licence or permit

- 42** (1) Compensation payable under section 39 to the holder of a licence or permit may take the form, in whole or in part, of another licence or permit.
- (2) The minister may enter with the holder into the other licence or permit without first giving public notice or inviting applications from other persons.

Set-off for benefits previously received

- 43** The amount of compensation to which the holder of a licence or permit is entitled under sections 39 and 40 must be reduced by any financial or other benefit received by that holder from the government because of or arising out of the deletion or reduction that gives rise to the entitlement.

When compensation not payable

- 44** (1) In this section, "**compensation**" includes damages.
- (2) No compensation is payable by the government and an action or other proceeding must not be brought or continued against the government for compensation in respect of any of the following:
- (a) and (b) [Repealed 2014-7-44.]
 - (c) subject to section 40, a deletion of land under section 36 (1) or 37 from the Crown range described in a licence or permit if there is no reduction, because of the deletion, in animal unit months or quantity of hay;
 - (d) subject to section 40, a reduction under section 36 (2) in the
 - (i) number of animal unit months, or
 - (ii) quantity of hayspecified in a licence or permit;
 - (e) a reduction under section 47 or 48 in the number of animal unit months specified in a licence or permit;
 - (f) an order under section 49.

Limit on compensation

- 45** (1) In this section:
- "agreement"** means a grazing licence, grazing permit, hay cutting licence or hay cutting permit;

"compensation" includes damages.

- (2) The compensation payable to the holder of an agreement because of or arising out of
- (a) a deletion of land under section 36 (1) or 37 affecting the agreement,
 - (b) a reduction under section 36 (1) or 37 affecting the agreement in the number of animal unit months or quantity of hay, or
 - (c) a deletion referred to in paragraph (a) of this subsection in combination with a reduction referred to in paragraph (b) of this subsection
- is limited to the amount of compensation determined in relation to that agreement under sections 39 and 40.
- (3) An action or other proceeding must not be brought or continued against the government for compensation in an amount that exceeds the amount limited

under this section.

- (4) The *Expropriation Act* does not apply in respect of a taking, deletion or reduction, under this Act, of any right or interest held by a person under this Act.

Division 5 — Efficient Use of Licences and Permits

90% animal unit months use requirement unless otherwise agreed

- 46** (1) Unless otherwise agreed by a non-use agreement made in writing between the minister on behalf of the government and the holder of a grazing licence or grazing permit, the holder must ensure that at least 90% of the animal unit months specified in the licence or permit is used in each calendar year.
- (2) A non-use agreement referred to in subsection (1)
- (a) must conform to prescribed criteria and include prescribed content, and
 - (b) may include terms and conditions that are consistent with this Act, the *Forest and Range Practices Act* and the regulations under them.

Reduction for underused animal unit months

- 47** (1) If, in the absence of a non-use agreement referred to in section 46, the holder of a grazing licence or grazing permit does not ensure the use in a calendar year of at least 90% of the animal unit months specified in the licence or permit, the minister
- (a) may prepare amendments to the licence or permit to reduce the number of animal unit months specified in it by an amount that does not exceed the amount of the unused animal unit months for that calendar year, and
 - (b) must deliver notice to the holder setting out the amendments prepared under paragraph (a) of this subsection.
- (2) On delivery to the holder of a licence or permit of notice in accordance with subsection (1), the licence or permit, as the case may be, is deemed to be amended as set out in the notice.

Reduction for non-compliance with a non-use agreement

- 48** (1) If the holder of a grazing licence or grazing permit, who under section 46 has a non-use agreement, does not ensure the use in a calendar year, of the number of animal unit months specified in the licence or permit after taking into account the non-use agreement, the minister
- (a) may prepare amendments to the licence or permit to reduce the number of animal unit months specified in it by an amount that does not exceed the amount of the unused animal unit months for that calendar year, and
 - (b) must deliver notice to the holder, setting out the amendments prepared under paragraph (a) of this subsection.

- (2) On delivery to the holder of a licence or permit of notice in accordance with subsection (1), the licence or permit, as the case may be, is deemed to be amended as set out in the notice.

Directed non-use of Crown range

- 49** (1) The minister may order the holder of a licence or permit, for a period specified by the minister, to refrain to the extent specified in the order from using all or a specified part of the Crown range described in the licence or permit.
- (2) A holder who is the subject of an order under subsection (1) must comply with the order.

Exemption orders in exceptional circumstances

- 50** (1) If satisfied that the holder of a licence or permit is unable to use or ensure the use of the percentage or number of animal unit months referred to in section 46 (1), 47 (1) or 48 (1) because of
- (a) circumstances beyond the holder's control, or
 - (b) an order under section 49,
- the minister by order may exempt the holder from the obligation,
- (c) with or without conditions, and
 - (d) to an extent and for a period specified in the order.
- (2) An order under subsection (1) may be made on the minister's own initiative or on application by the holder of a licence or permit.
- (3) Before making or refusing to make an order under subsection (1) that is the subject of an application by the holder of a licence or permit, the minister must give the applicant an opportunity to be heard.
- (4) The minister must deliver notice to the applicant of a decision refusing to make an order under subsection (1), accompanied by the reasons for the decision.
- (5) A holder who is the subject of an order under subsection (1) must comply with the order.

Reporting requirements for grazing

- 51** (1) By December 31 in each year, the holder of a grazing licence or grazing permit must report to the minister the number of animal unit months the holder has used under the licence or permit in that year if the use is less than 90% of the animal unit months.
- (2) If the minister considers it appropriate in a particular case for the efficient use of Crown range he or she may require the holder of a grazing licence or grazing permit to provide the report described in subsection (1) even if the use of animal unit months is 90% or more.
- (3) The holder of a grazing licence or grazing permit who is required under subsection (2) to provide a report described in subsection (1) must provide

the report.

Division 6 — Allowance for Additional Resource Use under Licences and Permits

Temporary increase of animal unit months or quantity of hay

52 On application by the holder of a licence or permit and without inviting or accepting applications from other persons, the minister may increase for a specified year

- (a) the number of animal unit months specified in the licence or permit, or
- (b) the specified quantity of hay to be harvested under the licence or permit

if the minister considers that

- (c) the increase can be used without adversely affecting the management and conservation of the Crown range described in the licence or permit, and
- (d) a competitive process in relation to the increase in the number of animal unit months or in the quantity of hay to be harvested is not practicable in the circumstances.

Earned increase in animal unit months or quantity of hay

53 (1) The holder of a licence or permit may submit a plan in writing to the minister for the management by the holder of the Crown range described in the licence or permit in a manner intended to increase the animal unit months or quantity of hay available on that Crown range.

(2) The minister may approve a plan submitted under subsection (1) if the plan conforms to prescribed criteria, if any.

(3) After receiving approval under subsection (2), the holder of the licence or permit to which the plan pertains

- (a) may implement the plan, and
- (b) if the plan results in an increase in the animal unit months or quantity of hay available on the Crown range described in the licence or permit, request an amendment to the licence or permit to reflect the increase.

(4) If satisfied that an increase requested under subsection (3) is sustainable, the minister

- (a) may amend the licence or permit to reflect the increase for the balance of the term of the licence or permit, and
- (b) if the amendment is made under paragraph (a) of this subsection, must attach a condition to the licence or permit requiring continued use of the plan.

Division 7 — Cancellation of Licences and Permits

Cancellation as a result of reductions

53.1 (1) If, during the term of a licence or permit,

(a) a reduction, or

(b) a series of reductions, if more than one,

under section 36 (1) or (2), 37, 47 (1) or 48 (1) in the number of animal unit months or quantity of hay specified in the licence or permit has the effect of reducing the number of animal unit months or quantity of hay to zero, the minister, without a hearing, by order may cancel the licence or permit.

(2) The minister must deliver to the holder of the licence or permit notice of a cancellation under subsection (1), specifying the reasons for the cancellation and the day on which the cancellation takes effect.

(3) Sections 64 to 66 do not apply to a cancellation of a licence or permit under subsection (1) of this section.

Part 3 — Compliance and Enforcement

Division 1 — Inspection, Stopping and Seizing

Application of certain *Forest and Range Practices Act* provisions

54 Divisions 1 and 2 of Part 6 of the *Forest and Range Practices Act* apply to this Act and the regulations under this Act, unless the context indicates otherwise.

Division 2 — Suspension and Termination of Licences and Permits

Suspension of rights under licences and permits

55 Subject to section 60 and in addition to any penalty, charge or order under this Act or the *Forest and Range Practices Act*, the minister by order may suspend all or part of the rights under a licence or permit, if the holder of the licence or permit

(a) makes a material misrepresentation, omission or misstatement of fact in

(i) the application for the licence or permit or in information furnished with it, or

(ii) an operational plan, as defined in the *Forest and Range Practices Act*,

(b) does not perform an obligation to be performed by the holder under the licence or permit, other than an obligation under a condition described in section 4 (a.1), 5 (b), 6 (a.1) or 7 (b) of this Act, or

(c) does not comply with this Act, the *Forest and Range Practices Act*, the *Livestock Act* or the regulations under them.

Suspension by minister

56 In addition to any penalty, charge or order under this Act or the *Forest and Range Practices Act*, the minister may suspend by order all or part of the rights under a

licence or permit if its holder does not comply with a condition described in section 4 (a.1), 5 (b), 6 (a.1) or 7 (b) of this Act.

Notice of suspension

- 57** (1) Before rights are suspended by order under section 55, the minister must deliver notice to the holder of the licence or permit
- (a) specifying the material misrepresentation, omission, misstatement, non-performance or non-compliance, and
 - (b) allowing the holder at least 5 days after the date of delivery of the notice to remedy the material misrepresentation, omission, misstatement, non-performance or non-compliance.
- (2) Before rights are suspended under section 56, the minister must deliver notice to the holder of the licence or permit
- (a) stating the particulars of the holder's non-compliance with the agreement referred to in section 4 (a.1), 5 (b), 6 (a.1) or 7 (b), and
 - (b) allowing the holder at least 5 days after the date of delivery of the notice to remedy the non-compliance.

Opportunity to be heard

- 58** (1) On the request of the holder made during the period allowed under section 57 (1) (b) or (2) (b), the minister must give the holder an opportunity to be heard.
- (2) After giving the holder an opportunity to be heard, the minister must rescind the order if he or she is satisfied that there are no grounds for suspending rights under the licence or permit.

When suspension takes effect

- 59** A suspension of rights under section 55 or 56 takes effect on the expiry of the period allowed in the notice.

Suspension by minister or natural resource officer

- 60** (1) By order, the minister or a natural resource officer authorized by the minister may suspend all or some of the rights granted under a licence or permit if he or she believes on reasonable and probable grounds that
- (a) the holder of the licence or permit has not performed an obligation to be performed by the holder under the licence or permit or has not complied with this Act, the *Forest and Range Practices Act*, the *Livestock Act* or the regulations under them and that the non-performance or non-compliance is causing or may imminently cause serious damage to the environment, or
 - (b) because of weather conditions or other natural events, use of the Crown range described in the licence or permit would be detrimental to the forest or forage productivity of the Crown range.

- (2) The minister or a natural resource officer authorized by the minister may make an order under subsection (1) without advance notice, but must deliver notice of the order to the holder of the licence or permit, accompanied by the reasons for the order.
- (3) A suspension of rights under this section
- (a) takes effect on the date notice of the order is delivered to the holder under subsection (2), and
 - (b) continues in effect until the rights
 - (i) are reinstated by the minister or a natural resource officer authorized by the minister, or
 - (ii) are cancelled under this Act.

Prohibition against exercising rights under suspension

- 61** The holder of a licence or permit must not exercise rights over Crown range granted in the licence or permit if those rights are under suspension.

Reinstatement

- 62** (1) On application by the holder of a licence or permit suspended under section 55 or 56, the minister by order must
- (a) reinstate rights under the licence or permit if satisfied that there are no longer any grounds for the suspension, or
 - (b) refuse to do so if not satisfied as set out in paragraph (a).
- (2) The minister must deliver notice of the order to the applicant.

Cancellation

- 63** If the rights over Crown range granted in a licence or permit are under suspension other than under section 60 (1) (b), the minister by order may
- (a) cancel those rights, or
 - (b) cancel the licence or permit.

Notice of cancellation

- 64** At least 3 months before a cancellation order under section 63 is to become effective, the minister must deliver to the holder of the licence or permit a notice of cancellation, specifying the reasons for the cancellation and the day on which the cancellation takes effect.

Hearing

- 65** On application in writing made by the holder of a licence or permit within 30 days after a notice of cancellation has been delivered under section 64, the minister must give the holder an opportunity to be heard in relation to the cancellation.

Cancellation order may be rescinded

- 66** On reasonable grounds the minister by order may

- (a) rescind the order of cancellation and if necessary reinstate the licence or permit or the rights, or
- (b) postpone the day on which the cancellation takes effect.

Notice published in the Gazette

- 67** After cancellation of a licence or permit or of rights under a licence or permit a notice of the cancellation must be published in the Gazette.

Continuing liability after expiry, surrender, suspension or cancellation

- 68** (1) In this section, "**holder**" includes a former holder.
- (2) Despite the expiry, surrender, suspension or cancellation of a licence or permit, its holder is liable
- (a) to pay the rent, fees, costs and penalties owing to the government in respect of the licence or permit,
 - (b) to perform all other obligations of the holder under the licence or permit, and
 - (c) to perform all other obligations of the holder under this Act and the *Forest and Range Practices Act*,
- incurred before the expiry, surrender, suspension or cancellation of the licence or permit.
- (3) Subject to subsection (4), a holder to whom subsection (2) applies may enter Crown land for the purposes of performing obligations referred to in subsection (2) (b) and (c).
- (4) Subject to the regulations under subsection (6), if any, the minister may impose requirements he or she considers necessary or desirable to be met by a holder to whom subsection (2) applies as conditions of entering onto the Crown land, including that the holder provide security.
- (5) A holder to whom subsection (2) applies must comply with a requirement imposed under subsection (4).
- (6) For the purposes of subsection (4), the Lieutenant Governor in Council may make regulations
- (a) limiting the circumstances under which the minister may exercise the discretion under subsection (4),
 - (b) specifying the form and amount of the security, and
 - (c) specifying the circumstances under which the security may be realized.

Division 3 — Reviews and Appeals

Reviews

- 69** (1) Subject to subsection (2), at the request of a person who is the subject of, or whose licence or permit is affected by,
- (a) an order of a natural resource officer under section 60 (1),

- (b) an order of the minister under section 36 (1) or (2), 49 (1), 50 (1), 55, 60 (1), 62 (1) (b) or 63,
- (c) a decision of the minister referred to in section 50 (4), or
- (d) amendments under section 47 or 48,

the person who made the order or decision or who prepared the amendments, or another person employed in the ministry and designated in writing by the minister, must review the order, decision or amendments, but only if satisfied that there is evidence that was not available at the time of the original order, decision or amendments.

(2) On a review referred to in subsection (1), only

- (a) evidence that was not available at the time of the original order, decision or amendments, and
- (b) the record pertaining to the original order, decision or amendments may be considered.

(3) To obtain a review referred to in subsection (1), the person who is the subject of, or whose licence or permit is affected by, the order, decision or amendments must request the review not later than 21 days after the date the notice of the order, decision or amendments was delivered to the person.

(4) The minister may extend the time limit in subsection (3) before or after its expiry.

(5) The person conducting a review referred to in subsection (1) has the same discretion to

- (a) make an order referred to in subsection (1) (a) or (b),
- (b) make a decision referred to in subsection (1) (c), or
- (c) prepare amendments referred to in subsection (1) (d)

that the person who made the original order or decision or prepared the original amendments had at the time of the original order, decision or amendments.

(6) After the preparation of amendments under subsection (5) (c) to a licence or permit, and on delivery of the particulars of the amendments to the holder of the licence or permit, the licence or permit, as the case may be, is deemed to be amended to include the amendments.

Appeals to the commission

70 (1) The person who is the subject of, or whose licence or permit is affected by,

- (a) an order,
- (b) a decision, or
- (c) amendments

referred to in section 69 (1) may appeal to the commission either of the following, but not both:

- (d) the order, decision or amendments;

(e) a decision made after completion of a review of the order, decision or amendments.

(2) [Repealed 2014-7-62.]

(3) Part 8.1 of the *Forest and Range Practices Act* applies to an appeal under this Act.

Interveners and board standing in appeals

70.1 (1) In addition to the provisions of the *Administrative Tribunals Act* incorporated under Part 8.1 of the *Forest and Range Practices Act*, section 33 of the *Administrative Tribunals Act* applies to an appeal under this Act.

(2) The board has standing to be a party, if it so requests, to an appeal under this Act.

Powers of the commission

71 (1) On an appeal under section 70, the commission may

(a) consider the findings of the person who made the order or decision or who prepared the amendments, and

(b) either

(i) confirm, vary or rescind the order, decision or amendments, or

(ii) with or without directions, refer the matter back to that person for reconsideration.

(2) If an appeal referred to in subsection (1) results in amendments to a licence or permit, the licence or permit, as the case may be, is deemed to be amended to include the amendments as soon as the particulars of the amendments have been delivered to the holder of the licence or permit.

(3) and (4) [Repealed 2015-10-160.]

Review or appeal not a stay

72 Unless the minister orders otherwise, a review or an appeal under this Act does not operate as a stay or suspend the operation of the order, decision or amendments being reviewed or appealed.

Division 4 — Offences

Offences

73 (1) A person who contravenes section 49 (2), 68 (5) or 76 (2) commits an offence and is liable on conviction to a fine not exceeding \$100 000 or to imprisonment for not more than one year or to both.

(2) A person who contravenes section 46 (1), 50 (5), 51 (1) or (3) or 61 commits an offence and is liable on conviction to a fine not exceeding \$5 000 or to imprisonment for not more than 6 months or to both.

(3) The Lieutenant Governor in Council may make regulations

- (a) providing that the contravention of a specified provision of the regulations constitutes an offence, and
- (b) providing that a person who is convicted of an offence for a contravention of a specified provision referred to in paragraph (a) is liable
 - (i) to a fine not exceeding a prescribed amount, which prescribed amount must not be greater than \$100 000,
 - (ii) to imprisonment for not more than a prescribed period, which prescribed period must not be longer than one year, or
 - (iii) to both.

Section 5 of *Offence Act*

74 Section 5 of the *Offence Act* does not apply to this Act or the regulations.

Application of certain *Forest and Range Practices Act* provisions

75 Sections 86, 88, 89, 91, 92 and 98 to 102 of Division 5 of Part 6 of the *Forest and Range Practices Act* apply to this Act and the regulations unless the context indicates otherwise.

Interference, non-compliance and misleading

76 (1) In this section, "**person acting in an official capacity**" means an individual who

- (a) is employed under the *Public Service Act*, and
- (b) is exercising a power or performing a duty or function under this Act.

(2) A person must not

- (a) without lawful excuse intentionally interfere with a person acting in an official capacity,
- (b) without lawful excuse intentionally not comply with a lawful requirement of a person acting in an official capacity, or
- (c) intentionally make a false statement to, or mislead or attempt to mislead, a person acting in an official capacity.

Part 4 — Miscellaneous and Regulations

Division 1 — Miscellaneous

Delivery of notices and other documents

77 For the purposes of a provision of this Act or the regulations that requires or permits the delivery of a notice or another document to a person, the person is presumed to have received the notice or other document

- (a) on the eighth day after its mailing,
- (b) on it being deposited in the person's

- (i) mailbox, or
 - (ii) other receptacle
- at the person's residence or place of business, or
- (c) on it being left at the person's residence or place of business with someone who is or appears to be at least 16 years of age.

Range districts

78 The Lieutenant Governor in Council may

- (a) establish an area of British Columbia as a range district,
- (b) vary the boundaries of a range district,
- (c) change the name of a range district, and
- (d) disestablish a range district.

Division 2 — Regulations

Power to make regulations

79 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

- (a) for the purposes of the definition in section 1 (1) of "animal unit month", respecting the calculation of amounts of forage required by types of livestock, which may differ according to the animal's type, sex, stage of development or breed;
- (a.1) for the purposes of section 1 (2) (a), specifying which powers and duties of the minister under this Act must not be delegated;
- (b) prescribing the rent, fees and costs payable in respect of applications, licences and permits;
- (c) specifying the form and content of applications for licences or permits;
- (d) respecting public notice associated with applications for licences or permits or with entering into licences or permits;
- (e) respecting the form and content of agreements made under section 21;
- (f) governing the use of Crown range other than for grazing or hay cutting purposes;
- (f.1) for the purposes of sections 21.1 (1) (b) (i) and 29 (1.1) (b) (i), specifying purposes in relation to the occupation of Crown land;
- (f.2) for the purposes of sections 21.1 (1) (b) (iii) and 29 (1.1) (b) (iii), specifying interests, rights or privileges in relation to the use of Crown land or resources that are granted under an enactment;

- (g) for the purposes of sections 39 to 43, prescribing respecting value, including but not limited to
 - (i) determining value and defining the components that comprise value,
 - (ii) prescribing methods of evaluation for use in determining value,
 - (iii) prescribing factors to be taken into account in an evaluation,
 - (iv) defining the role of evaluators in a determination of value and prescribing qualifications for evaluators that are prerequisite to their participation in the determination of value, and
 - (v) prescribing requirements for the selection of an arbitrator;
 - (h) respecting the surrender of a licence or permit;
 - (i) respecting reporting and filings by holders of licences and permits of matters affecting rights under licences and permits, including but not limited to reporting about
 - (i) amalgamation of a holder that is a corporation with one or more other holders,
 - (ii) changes in the control of a holder that is a corporation or partnership, and
 - (iii) the disposition of a licence or permit or of an interest in a licence or permit;
 - (j) defining words or expressions used but not defined in this Act.
- (3) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations
- (a) respecting administrative penalties or other amounts that a person may, by an order made under section 74 or 74.6 of the *Forest and Range Practices Act*, be required to pay for the contravention of a provision of this Act, and
 - (b) respecting charges and administrative penalties in cases in which a person does not comply with one or more of the following:
 - (i) this Act;
 - (ii) the regulations;
 - (iii) a licence under this Act;
 - (iv) a permit under this Act.
- (4) In making a regulation under this Act, the Lieutenant Governor in Council may do one or more of the following:
- (a) delegate a matter to a person;
 - (b) confer a discretion on a person;
 - (c) make different regulations for different persons, places, things or transactions.

Criteria for exercise of discretionary powers

- 80** (1) The Lieutenant Governor in Council may make regulations respecting the criteria that a person must use and the matters that a person must consider in exercising a discretionary power conferred on the person under this Act.
- (2) Criteria or matters prescribed under subsection (1) are additional to any criteria or matters that a person is required to use or consider in exercising a discretionary power under this Act.

Repealed

- 81** [Repealed 2004-71-81 (3).]

Consequential Amendments

Editorial Note

Section(s)	Affected Act
82	Land Title Act
83	Park Act

Repeal and Commencement

Repeal

- 84** The [Range Act](#), R.S.B.C. 1996, c. 396, is repealed.

Commencement

- 85** This Act comes into force by regulation of the Lieutenant Governor in Council.