

B.C. Reg. 20/2004
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Forest and Range Practices Act
**Security for Forest and Range Practice
Liabilities Regulation**

[includes amendments up to B.C. Reg. 584/2004, December 13, 2004]

Contents

- 1 Security
- 2 Return of security
- 3 Offence

Security

1 (1) The minister may require the following holders of agreements under the Forest Act or Range Act to provide security for the performance of the following obligations, if satisfied that the requirement is in the public interest, after considering the likelihood of, and the consequences of, the obligation not being met:

(a) with respect to an obligation to establish a free growing stand, the holder of

(i) a major licence that is non-replaceable,

(ii) a woodlot licence, or

(iii) a community forest agreement;

(b) with respect to an obligation under a range use plan, range stewardship plan, the Range Act or the Range Planning and Practices Regulation, the holder of an agreement under the Range Act.

(2) The minister may require a person

(a) who is not the holder of an agreement under the Forest Act, and

(b) to whom an obligation to establish a free growing stand has been transferred under section 29.1 (1) or (3) of the Forest and Range Practices Act

to provide security for the performance of the obligation in an amount equal to the cost of carrying out the obligation from the time of the transfer.

(3) The minister must give to the holder or person referred to in subsection (1) or (2) written notice of the requirement to provide security that contains the following information:

(a) when the security must be paid;

(b) the amount of security that is required;

(c) the form of the security.

(4) A person who receives a notice under subsection (3) must comply with the notice.

[am. B.C. Reg. 584/2004.]

Return of security

2 The minister must promptly return a security if

(a) the security is replaced with the permission of the minister and the minister is satisfied that the replacement security adequately provides for the payment of claims that could be made against it, or

(b) the minister is satisfied that there is no further need for the security.

Offence

3 A person who contravenes section 1 (4) commits an offence and is liable on conviction to a fine not exceeding \$500 000, or to imprisonment for not more than 2 years, or to both.

[Provisions of the Forest and Range Practices Act, S.B.C. 2002, c. 69, relevant to the enactment of this regulation: sections 141, 144 and 145]

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