

SECURITY FOR FOREST PRACTICE LIABILITIES REGULATION

Contents

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Security for silviculture liabilities

1. (1) The district manager or regional manager may, in a notice given the holder of a major licence that is not replaceable, require the holder to provide security of any kind for the performance of the holder's duty to establish a free growing stand under section 69.1 or 70 of the Act.

(1.1) The district manager or regional manager may, in a notice given the holder of a woodlot licence, require the holder to provide security of any kind for the performance of the holder's duty to establish a free growing stand under

(a) section 70 of the Act, or

(b) Division 2 of Part 6 of the Woodlot Licence Forest Management Regulation.

(1.2) The district manager or regional manager may, in a notice given the holder of a community forest agreement, require the holder to provide security of any kind for the performance of the holder's duty to establish a free growing stand under Division 2 of Part 6 of the Woodlot Licence Forest Management Regulation.

(2) The district manager or regional manager must determine

(a) when the security must be paid,

(b) the amount of security that is required, and

(c) the form of the security.

(3) The notice referred to in subsection (1) must contain the information referred to in subsection (2).

(4) A holder of a licence who receives a notice under subsection (1) must promptly comply with the notice.

Security for range development liabilities

2. (1) The district manager or regional manager may, in a notice given to the holder of an agreement under the Range Act, require the holder to provide security, including money, for the

(a) performance of the holder's duty to carry out range developments and other obligations under a range use plan, and

(b) maintenance of range developments the holder is required to maintain under section 5 of the Range Practices Regulation.

(2) The district manager or regional manager must determine

(a) when the security must be paid,

(b) the amount of security that is required, and

(c) the form of the security.

(3) The notice referred to in subsection (1) must contain the information referred to in subsection (2).

(4) A holder of an agreement who receives a notice under subsection (1) must promptly comply with the notice.

Return of security

3. The district manager must promptly return a security if

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

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

Offence

4. A person who contravenes section 1 (4) or 2 (4) of this regulation 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.

[Provisions of the Forest Practices Code of British Columbia Act relevant to the enactment of this regulation: section 201]