

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **923** , Approved and Ordered **DEC - 8 2008**



Lieutenant Governor

Executive Council Chambers, Victoria

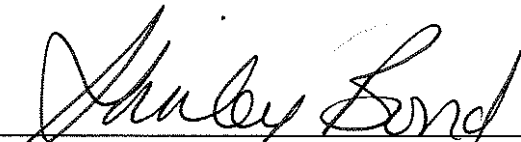
On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective March 1, 2009, section 11 of the Scaling Regulation, B.C. Reg. 446/94, is repealed and the following substituted:

Scale return submission timing and penalty

- 11**
- (1) For the purposes of section 97 (1) of the Act, the prescribed time is 14 days after the scale return is completed in the form approved by the minister.
 - (2) For the purposes of section 97 (2) of the Act, a person listed in section 97 (1) (a) to (d) of the Act who does not comply with the timing requirements established under subsection (1) of this section must pay a penalty to the government in the following amount:
 - (a) if no stumpage is payable, \$25;
 - (b) if stumpage is payable and
 - (i) the scale return is delivered fewer than 31 days after the due date, \$25,
 - (ii) the scale return is delivered more than 30 days after the due date but fewer than 61 days after the due date, \$50, or
 - (iii) the scale return is not delivered 61 days after the due date, \$100 plus \$2 for each day following the 61 days that the return scale is not delivered to a maximum of \$200;
 - (c) if the scale return is based on the method of scaling timber described in section 5 (1) (b) of this regulation, \$100.
 - (3) The regional manager, or a forest officer authorized by the regional manager, may waive a penalty under subsection (2) if satisfied that
 - (a) the delay in the delivery of the scale return was caused by circumstances beyond the control of the person who did not comply with the timing requirements established under subsection (1), or
 - (b) all other scale returns the person referred to in paragraph (a) was required to submit during the preceding year, starting on the day before the scale return was delivered, were delivered in accordance with the timing requirements established under subsection (1).



Minister of Forests and Range



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Forest Act, R.S.B.C. 1996, c. 157, ss. 97 (1) and (2) and 151 (2) (n.1)

Other (specify):- OIC 1451/94

November 3, 2008

R/182/2008/22