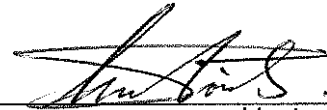


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 925 , Approved and Ordered DEC - 8 2008

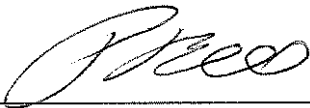


Lieutenant Governor

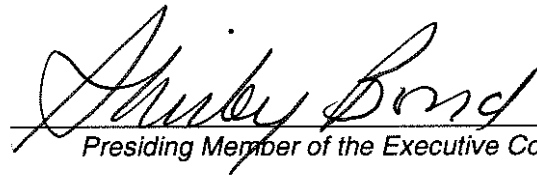
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) sections 32 and 33 (c) and (d) of the Greenhouse Gas Reduction (Emissions Standards) Statutes Amendment Act, 2008, S.B.C. 2008, c. 20, is brought into force, and
- (b) the Woodlot Licence Regulation, B.C. Reg. 68/2006, is amended as set out in the attached Schedule.



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, s. 151 (2) (e) and (m.3); Greenhouse Gas Reduction

(Emissions Standards) Statutes Amendment Act, 2008, S.B.C. 2008, c. 20, s. 37

Other (specify):- oic 216/2006

SCHEDULE

1 The Woodlot Licence Regulation, B.C. Reg. 68/2006, is amended by adding the following Part:

PART 4 – SURRENDER OF WOODLOT LICENCE

Surrender of woodlot licence

- 10** (1) The holder of a woodlot licence may apply in writing to the minister to surrender the licence.
- (2) An application to surrender a woodlot licence must
- (a) be in the form and manner, and
 - (b) include information, including information respecting the matters set out in subsection (3),
- required by the minister.
- (3) The minister must accept the application to surrender the woodlot licence if satisfied that
- (a) the licence holder has
 - (i) fulfilled the holder's obligation referred to in section 11 (1) (a) and (b), or
 - (ii) provided the security under section 11 (1) in respect of those obligations if required to do so,
 - (b) the licence holder has
 - (i) fulfilled the holder's obligation to establish a free growing stand under section 29 (3) or Part 11, Division 5, of the *Forest and Range Practices Act*,
 - (ii) provided security under section 1 (1) (a) of the Security for Forest and Range Practice Liabilities Regulation in respect of that obligation if required to do so, or
 - (iii) received the minister's approval to transfer the obligations referred to in subparagraph (i) to another person in accordance with section 29.1 of the *Forest and Range Practices Act*, and
 - (c) on the date the application to surrender the woodlot licence is accepted, all money
 - (i) required to be paid to the government under the circumstances set out in section 130 (1.1) of the Act, and
 - (ii) due and payable to the government under that sectionin respect of the woodlot licence
 - (iii) has been paid, or
 - (iv) is the subject of an arrangement for payment approved by the revenue minister.

- (4) If the minister accepts an application under subsection (3), the surrender of the woodlot licence is effective on the date agreed to by the minister and the applicant.

Security for surrender of woodlot licence

- 11** (1) The minister may require the holder of a woodlot licence who has applied to surrender the licence under section 10 (1) to provide security for the performance of one or more 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) the maintenance or deactivation of roads that were constructed or used under the licence or under an associated road permit, as required under the *Forest and Range Practices Act*;
 - (b) the abatement of any fire hazards in areas under the licence or under an associated road permit in which the licence holder carried out an industrial activity, as required under the *Wildfire Act*.
- (2) The security required under subsection (1) may be provided in cash, by certified cheque or by other security acceptable to the minister.

Refund of security

- 12** (1) If section 13 does not apply, the security provided under section 11 may be refunded
 - (a) in full, if the minister is satisfied that the obligation for which the security was obtained has been fulfilled, or
 - (b) in part, if the minister is satisfied that the obligation for which the security was obtained has been substantially fulfilled.

Forfeiture of security for non-compliance with obligations

- 13** (1) The minister must realize a security provided under section 11 if satisfied that the person who provided the security did not fulfill the obligation for which the security was obtained.
- (2) The minister must refund to the person who provided the security any surplus of funds remaining from the realization of the security under subsection (1), after payment of the amount of all direct and indirect costs the minister determines were reasonably incurred in carrying out the work to fulfill the obligation.