



Forest and Range Practices Act
**ADMINISTRATIVE ORDERS
AND REMEDIES REGULATION**
B.C. Reg. 101/2005

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Consolidated Regulations of British Columbia

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This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

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Forest and Range Practices Act

**ADMINISTRATIVE ORDERS
AND REMEDIES REGULATION**

B.C. Reg. 101/2005

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Forest and Range Practices Act

**ADMINISTRATIVE ORDERS
AND REMEDIES REGULATION
B.C. Reg. 101/2005**

PART 1 – INTERPRETATION

Interpretation

- 1** (1) Unless otherwise indicated, words and expressions not defined in this regulation have the meaning given to them in section 1 of the Forest Planning and Practices Regulation.
- (2) In the Act, except section 109, and in this regulation, “**contractor**” does not include a person
- (a) to whom an obligation has been transferred under section 29.1 of the Act, or
 - (b) who is
 - (i) authorized under section 51 (2) of the Act to maintain a range development, and
 - (ii) not the holder of an agreement under the *Range Act*.

Prescribed category of persons

- 2** (1) For the purposes of sections 74.2 (1) (b) and 77 (1) of the Act, the following are prescribed categories of persons:
- (a) persons to whom obligations have been transferred under section 29.1 of the Act;
 - (b) persons who
 - (i) are authorized under section 51 (2) of the Act to maintain range developments, and
 - (ii) are not the holders of agreements under the *Range Act*;
 - (c) persons who, after the expiry, surrender, suspension or cancellation of agreements under the *Forest Act*, remain liable under section 79 of the *Forest Act* to perform obligations referred to in subsection (1) (b) (ii) of that section.
- (2) For the purpose of section 107 (1) of the Act, the requirements that a person must meet in order to submit a written declaration under that section are that
- (a) the person is one to whom an obligation has been transferred under section 29.1 of the Act,
 - (b) the person
 - (i) is authorized under section 51 (2) of the Act to maintain a range development, and
 - (ii) is not the holder of an agreement under the *Range Act*, or

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- (c) the person is the timber sales manager.

[am. B.C. Reg. 62/2024, Sch., s. 1.]

PART 2 – ADMINISTRATIVE ORDERS AND PROCEDURES**Stop work orders not stayed**

- 3** Section 66 of the Act is a prescribed section for the purposes of section 78 (3) of the Act.

Rescinding stop work orders

- 4** (1) The circumstances in which, under section 66 (6) of the Act, an official or the minister may rescind an order made against the holder of an agreement or another person under section 66 (1) of the Act are that the order is no longer required or is no longer appropriate.
- (2) Even if an order referred to in subsection (1) against the holder of an agreement is rescinded, the rescinded order is part of the holder's performance record for the purposes of section 85 of the Act and is to be noted in that record, together with the particulars of the rescission.

Dealing with seized timber, seed, hay and botanical forest products

- 5** For the purpose of section 67 (3) (a) of the Act, before dealing with seized timber, seed, hay or botanical forest products referred to in that section, the minister must give an opportunity to be heard to the person from whom the timber, seed, hay or botanical forest products were seized.

Intervention orders

- 6** (1) For the purposes of section 77 (1) and (2) and section 77.1 of the Act, an order given by the minister to a person described under either section must specify
- (a) the measures or actions that must be taken,
 - (b) the date by which the measures or actions must be taken,
 - (c) the grounds for requiring the measures or actions to be taken,
 - (d) notice of the person's right under
 - (i) section 80 of the Act to a review, or
 - (ii) section 82 of the Act to an appeal,
 - (e) an address to which a request for a review may be delivered, and
 - (f) whether the holder may recover all or part of the amount reasonably incurred in taking the specified measures or actions.
- (2) The minister may take action under section 77 (1) of the Act if an act or omission of the person who is the subject of the order will likely result in

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- (a) a substantial non-conformance with the stocking requirements described in section 44 (1) (b) or 45 (2) of the Forest Planning and Practices Regulation,
 - (b) a significant delay in meeting the stocking requirements by the dates described in section 44 (1) (b) or 45 (2) of the Forest Planning and Practices Regulation, or
 - (c) a fundamental and adverse alteration of an ecosystem.
- (3) Before taking an action under section 77 (1) or 77.1 (1) of the Act in respect of a person, the minister must give the person an opportunity to be heard.

Payment of expenses related to orders

- 7
- (1) The expenses of the holder of an agreement under the *Forest Act* in carrying out a measure other than timber harvesting, as required by order under section 26 or 27 of the *Forest and Range Practices Act*, are to be paid by the government to the extent that the minister is satisfied that the expenses were reasonably incurred.
 - (2) The expenses of the holder of an agreement under the *Forest Act*, in carrying out a measure as required by order under section 77.1 of the *Forest and Range Practices Act*, that are greater than the expenses the holder would have incurred if the order had not been made are to be paid by the government to the extent that the minister is satisfied that the expenses were reasonably incurred.
 - (3) The condition on which a person who has taken measures under section 77 (1) or (2) of the Act may recover direct costs referred to in section 77 (3) of the Act is that those costs were in fact reasonably incurred.

PART 3 – ADMINISTRATIVE PENALTIES**Division 1 – Penalties under the *Forest Act*****Penalties – *Forest Act***

- 8
- The maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is as follows:
- (a) \$500 000 for a contravention of any of the following sections of the *Forest Act*: 52.09; 105 (5.2); 119.3; 119.4; 141.1;
 - (b) \$100 000 for a contravention of any of the following sections of the *Forest Act*: 52.11 (4) (a); 84 (1), (3), (4) or (6); 86 (3.1) or (4); 89 (1) or (2); 90 (1) or (2); 94 (1) or (4); 95 (1) or (7); 97 (1); 105.1 (2); 105.1 (3); 126 (2); 127; 127.1 (a) (i); 127.1 (a) (ii); 127.1 (a) (iii); 127.1 (b); 136 (3) or (4); 163.1; 165.1;
 - (c) \$50 000 for a contravention of any of the following sections of the *Forest Act*: 9 (2); 97 (6);
 - (d) Repealed. [B.C. Reg. 157/2012, Sch. 3, s. 1 (b).]

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(e) \$10 000 for a contravention of any of the following sections of the *Forest Act*: 93.1; 96 (1); 124 (1); 125; 132 (2);

(f) \$5 000 for a contravention of section 86 (1) or (2) or 106 (3) of the *Forest Act*.

[am. B.C. Regs. 269/2007, ss. (a) and (b); 284/2007, s. (d); 157/2012, Sch. 3, s. 1; 24/2013, Sch., ss. 1 to 3; 95/2018, s. (b); 57/2024, Sch. 1, s. 1; 62/2024, Sch., s. 2.]

Penalties – Log Salvage Regulation for the Vancouver Log Salvage District

- 9** For a contravention of any of the following provisions of the Log Salvage Regulation for the Vancouver Log Salvage District, the maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is \$2 000: 5 (1), (2), (3) (a) or (b), (5) (a) or (b), (6) (a) or (b), (7) or (8); 7 (1) (a) or (b), (3), (4) or (5); 8 (1); 9 (1) (a) or (b), (2), (2.1), (2.2), (3), (4) or (5); 10 (1) (a) or (b), (4) or (6); 11 (1), (2) or (3); 12 (1), (3), (4) (a) or (b) or (5); 13 (1) (a) or (b), (2) (a), (b) or (c) or (3); 14 (a) or (b); 15 (1) (a), (b) or (c), (2) or (3) (a) or (b); 16 (2), (3) (a) or (b), (4) (a), (b), (c) or (d), (5) or (6); 17; 18 (1).

[am. B.C. Regs. 226/2006, s. 1; 62/2024, Sch., s. 3.]

Penalties – Scaling Regulation

- 10** The maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is as follows:

- (a) \$10 000 for a contravention of any of the following sections of the Scaling Regulation: 5 (1), (1.1), (3) or (5); 6 (a), (b), (c), (d), (e), (f), (g), (h) or (k); 7; 8; 9 (1); 10;
- (b) \$5 000 for a contravention of section 6 (i) or (j) of the Scaling Regulation;
- (c) \$2 000 for a contravention of any of the following sections of the Scaling Regulation: 2; 4 (1) or (4).

[am. B.C. Reg. 62/2024, Sch., s. 4.]

Penalties – Timber Marking and Transportation Regulation

- 11** For a contravention of any of the following provisions of the Timber Marking and Transportation Regulation, the maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is \$50 000: 2 (1); 10 (1), (3) or (4).

[en. B.C. Reg. 62/2024, Sch., s. 5.]

Penalties – Waste Assessment Regulation

- 11.1** For a contravention of section 2 of the Waste Assessment Regulation, the maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is \$25 000.

[en. B.C. Reg. 62/2024, Sch., s. 6.]

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Division 2 – Penalties under the *Forest and Range Practices Act***Penalties – *Forest and Range Practices Act***

12 The maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is as follows:

- (a) \$500 000 for a contravention of any of the following sections of that Act: 20.21 (1); 20.22 (1); 112 (3);
- (b) \$100 000 for a contravention of any of the following sections of that Act: 2.35 (2) (c) or (d); 2.38 (1) or (2); 3 (1) (c) or (d); 12 (1) (c) or (d); 18; 22 (2); 22.1 (1) or (3); 22.11 (4); 23.1 (1); 29 (0.1), (1) or (3); 46 (1) or (1.1); 52.1 (3); 53 (1) or (2); 55 (b) or (c); 57 (1) or (3); 66 (1); 97 (2) (a), (b) or (c); 110.1 (1) or (2); 119;
- (c) \$50 000 for a contravention of any of the following sections of that Act: 2.36 (1); 2.45 (1) or (3); 2.46 (1); 2.47 (1) or (2); 3 (1) (a) or (b); 12 (1) (a) or (b); 22.11 (1) or (2); 22.12 (1) or (2); 31; 38 (1); 45 (1) (a) or (b); 50 (1); 51 (7); 54 (2) (a) or (b); 57 (4); 58 (4); 70; 77 (1) or (2) (a) or (b); 77.1 (1) or (2); 107 (1.1) or (1.2);
- (d) \$20 000 for a contravention of any of the following sections of that Act: 26 (3) (a), (5) or (6); 27 (2); 32 (1) (a) or (b); 46 (2) (a), (b), (c) or (3); 47; 48; 51 (8); 58 (1) (a) or (b); 61 (1); 63 (1) or (2) (e), (f) or (g);
- (e) \$10 000 for a contravention of any of the following sections of that Act: 8 (1); 10 (1); 15 (2); 20 (2); 22.2 (3) (b) (i); 26 (3) (b) or (c); 38 (2), (3), (4) or (5); 39 (2); 41 (1); 43 (1) or (2); 44; 51 (1) (a) or (b), (2) or (6); 54 (1); 171;
- (f) \$5 000 for a contravention of any of the following sections of that Act: 45 (2) (a) or (b); 175 (1).

[am. B.C. Regs. 226/2006, s. 2; 269/2007, s. (c); 178/2014; 57/2024, Sch. 1, s. 2; 62/2024, Sch., s. 7; 219/2024, Sch. 3, ss. 1 to 4.]

Penalties – unauthorized forest or range activities

- 13** (1) For a contravention of section 50 (2) of the *Forest and Range Practices Act*, the maximum amount of an administrative penalty that may be imposed under section 74 (1) of that Act is equal to the product of
- (a) the area, expressed in hectares, that contained the hay that was the subject of the contravention, and
 - (b) \$1 000 per ha.
- (2) For a contravention of section 52 (1) or (3) of the *Forest and Range Practices Act*, the maximum amount of an administrative penalty that may be imposed under section 74 (1) of that Act is the greatest of the following amounts:
- (a) an amount equal to the product of
 - (i) the volume, expressed in cubic metres, of the Crown timber that was the subject of the contravention, and

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- (ii) \$200 per m³;
 - (b) an amount equal to the product of
 - (i) the area, expressed in hectares, that contained the timber that was the subject of the contravention, and
 - (ii) \$100 000 per ha;
 - (c) an amount equal to the sum of
 - (i) the stumpage and bonus bid that in the opinion of the minister would have been payable if the volume of timber that was the subject of the contravention had been sold under a BC timber sales agreement at the time of the contravention,
 - (ii) twice the market value of logs and special forest products that in the opinion of the minister were, or could have been, produced from the timber that was the subject of the contravention,
 - (iii) the costs that have been or will be incurred by the government in re-establishing a free growing stand on the area, and
 - (iv) the costs that were incurred by the government for silviculture treatments to the area that were rendered ineffective because of the contravention.
- (3) For a contravention of section 52 of the *Forest and Range Practices Act*, the minister, in the amount of an administrative penalty imposed under section 74 (1) of that Act, may not include any amount for the value of the timber, if any, that is recoverable under section 103 of the *Forest Act*.

[am. B.C. Reg. 62/2024, Sch., s. 8.]

Penalties – failure to comply with remedial work order

13.1 The maximum amount of an administrative penalty that may be imposed on a person under section 74.4 (1) (d) of the *Forest and Range Practices Act* for failing to comply with a remedial work order is as follows:

- (a) if the minister carries out the action referred to in section 74.4 (1) (b) of that Act, an amount that is equivalent to the costs referred to in section 74.4 (1) (c) of that Act;
- (b) in any other case, an amount that the minister considers is equivalent to the direct and indirect costs that would be incurred by the government in carrying out the action if the government were to carry it out.

[en. B.C. Reg. 62/2024, Sch., s. 9.]

Penalties – Forest Planning and Practices Regulation

14 The maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is as follows:

- (a) \$100 000 for a contravention of any of the following sections of the Forest Planning and Practices Regulation: 4.63 (2); 35 (3); 36 (1) or (2); 37; 38;

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- 44 (1) (b) or (2); 45 (2); 46.1 (2); 46.2 (5); 54; 56 (1), (2) or (3); 57; 59; 60 (1) or (2); 61; 62 (1) (b) or (2); 106.2 (1);
- (b) \$50 000 for a contravention of any of the following sections of the Forest Planning and Practices Regulation: 4.06 (1) or (2); 4.07; 4.08; 4.25 (1); 4.26; 4.27; 4.28; 4.29; 4.31 (1); 4.32; 4.33 (1) or (3); 4.34 (1) or (3); 4.35; 4.36; 4.37; 4.43 (2); 4.46 (3); 4.48 (1); 4.52 (1) or (2); 4.53; 4.58 (a) or (b); 4.63 (1); 4.64; 39 (1) or (2); 43 (4), (7) (b) or (8); 44 (1) (a) or (4); 45 (1); 46.1 (1); 46.2 (1); 50 (3); 51 (1), (2) or (3) (a), (b) or (c); 52 (1) (a) or (b); 58 (b); 63 (1) (c) or (d); 72; 75 (a), (b) or (c); 94 (6);
- (c) \$20 000 for a contravention of any of the following sections of the Forest Planning and Practices Regulation: 4.57; 34 (2); 35 (6) (a), (b) or (c) or (7); 36 (4); 41; 42; 50 (1) or (2); 52 (2); 53; 55 (1) or (2); 58 (a); 64; 65 (2); 66 (1) or (2); 67; 68 (1); 69; 70 (1) or (2); 73; 74 (1), (2) or (3); 75 (d); 76; 77 (1) (a) or (b); 78; 79 (1), (2), (6), (7) or (8); 79.1 (5) or (9); 82 (1) (a), (b), (c) or (d) or (4); 83;
- (d) \$10 000 for a contravention of any of the following sections of the Forest Planning and Practices Regulation: 12 (3); 14 (3) (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k); 16 (1), (3) (a), (b), (c) or (d) or (4); 17; 18; 20 (1) or (4); 21 (1) (a), (b), (c) or (d); 22 (1) (a); 22 (2) (a), (b), (c) or (d); 29; 32.2; 34 (1); 40; 43.1 (1); 106.2 (3);
- (e) \$5 000 for a contravention of the following sections of the Forest Planning and Practices Regulation: 77 (1) (c), (2) or (3); 79.1 (4); 80.1 (1); 84; 85 (1) (a) or (b); 86 (3) (a), (b), (c), (d) or (e) or (6); 87 (1) or (3); 88 (1).

[am. B.C. Regs. 226/2006, s. 3; 104/2008, s. 2; 182/2008, s. (b); 62/2024, Sch., s. 10; 219/2024, Sch. 3, ss. 5 to 8.]

Penalties relating to alternative results and strategies

- 15** If the minister makes a determination under section 71 of the *Forest and Range Practices Act* that the holder of a forest stewardship plan that specifies intended results and strategies, included in the plan in accordance with any of sections 12.2 to 12.5 of the Forest Planning and Practices Regulation, has contravened section 20.22 (1) of that Act in relation to those intended results or strategies, the maximum amount of an administrative penalty that may be imposed on the holder under section 74 (1) of that Act is the maximum amount applicable to the provision from which the holder became exempt on receiving the minister's approval to the plan.

[am. B.C. Regs. 62/2024, Sch., s. 11; 219/2024, Sch. 3, s. 9.]

Penalties – Range Planning and Practices Regulation

- 16** The maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is as follows:
- (a) \$100 000 for a contravention of any of the following sections of the Range Planning and Practices Regulation: 32 (1) (a) or (b); 33 (1) or (2); 34 (1) or (3) (a) or (b); 35 (a) or (b); 44 (1) (a) or (b);

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- (b) \$50 000 for a contravention of any of the following sections of the Range Planning and Practices Regulation: 30; 31; 36 (1); 36.1; 37 (1);
- (c) \$20 000 for a contravention of section 38 (1) of the Range Planning and Practices Regulation;
- (d) \$10 000 for a contravention of any of the following sections of the Range Planning and Practices Regulation: 3 (3); 14 (1) (b) or (3) (a) or (b); 15; 16; 17 (2); 18 (1) (a) (i) or (ii) or (b) or (2) (a) or (b) (i) or (ii); 20; 22 (1) or (3); 26 (5); 28 (1) or (2); 29 (1) (a), (b) or (c) or (2);
- (e) \$5 000 for a contravention of any of the following sections of the Range Planning and Practices Regulation: 40 (1); 41 (1); 42 (2) (a) or (b); 46 (a), (b) or (c).

[am. B.C. Regs. 226/2006, s. 4; 163/2023, Sch. 1, s. 1; 62/2024, Sch., s. 12.]

Penalties – Woodlot Licence Planning and Practices Regulation

- 17** The maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is as follows:

- (a) \$100 000 for a contravention of any of the following sections of the Woodlot Licence Planning and Practices Regulation: 24 (1) or (2); 25; 26; 27; 34 (1) or (3); 35 (2) (b); 35.1 (5); 41; 44 (1), (2) or (3); 45; 47; 48 (1) or (2); 49; 50 (1) or (2); 57; 57.1 (2); 58; 58.1 (2);
- (b) \$50 000 for a contravention of any of the following sections of the Woodlot Licence Planning and Practices Regulation: 28 (1) or (2); 32 (4) or (7) (b); 35 (2) (a); 39 (1), (2), (2.1) or (3) (a), (b) or (c); 40 (3), (4) or (5); 46 (b); 51 (1) (c) or (d); 64 (a), (b) or (c);
- (c) \$20 000 for a contravention of any of the following sections of the Woodlot Licence Planning and Practices Regulation: 30; 31; 40 (1) or (2); 42; 43 (1) or (2); 46 (a); 52 (1) or (2); 53 (1) or (2); 54 (1); 55; 55.1; 56 (1) (a) or (b) or (2); 59; 59.1 (2); 60; 61; 62; 63 (1), (2) or (3); 64 (d); 65; 66 (1) (a) or (b); 67; 68 (1), (4), (5), (6) or (7); 71 (1) (a), (b), (c) or (d); 72;
- (d) \$10 000 for a contravention of any of the following sections of the Woodlot Licence Planning and Practices Regulation: 5 (5) (a) or (b) or (c) (i) or (ii); 6 (2) (a) or (b); 7; 8 (1) or (3); 9 (3); 11; 12; 14; 15; 17 (1), (3), (3.1), (4) or (5) (a), (b), (c) or (d); 23 (1) or (2) (a) or (b); 29; 35.1 (1);
- (e) \$5 000 for a contravention of any of the following sections of the Woodlot Licence Planning and Practices Regulation: 32 (8); 33 (2), (3) or (4); 66 (1) (c), (2) or (3); 73; 74 (1) (a) or (b); 75 (1) (a) or (b), (3), (5) or (7); 76 (2) or (3) (a), (b) or (c); 84 (3).

[am. B.C. Regs. 226/2006, s. 5; 163/2023, Sch. 1, s. 2; 62/2024, Sch., s. 13.]

Penalties – Security for Forest and Range Practice Liabilities Regulation

- 18** For a contravention of section 1 (4) of the Security for Forest and Range Practice Liabilities Regulation, the maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is equal to twice

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the amount of the security that was required, but not provided, under section 1 (4) of that regulation.

[en. B.C. Reg. 62/2024, Sch., s. 14.]

Penalties – Special Tree Regulation

- 18.1** For a contravention of section 3 (2) of the Special Tree Protection Regulation, the maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is \$100 000.

[en. B.C. Reg. 62/2024, Sch., s. 15.]

**Division 3 – Penalties under the
*Forest Practices Code of British Columbia Act***

- 19 and 20** Repealed. [B.C. Reg. 57/2024, Sch. 1, s. 3.]

Penalties – Provincial Forest Use Regulation

- 20.1** The maximum amount of an administrative penalty that may be imposed under section 74 (1) of the *Forest and Range Practices Act* is as follows:

- (a) \$500 000 for a contravention of section 15 (3) of the Provincial Forest Use Regulation;
- (b) \$100 000 for a contravention of section 9 (2.01) or 16 (3) of the Provincial Forest Use Regulation.

[en. B.C. Reg. 62/2024, Sch., s. 16.]

Division 4

- 21 to 29** Repealed. [B.C. Reg. 226/2006, s. 6.]