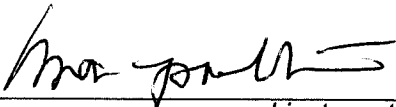


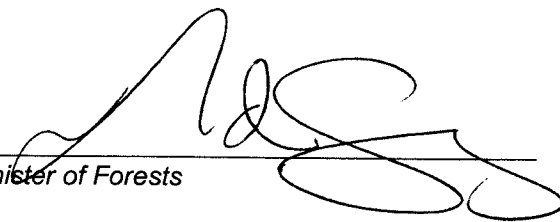
PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **782**, Approved and Ordered **JUL 22 2004**


Administrator
~~Lieutenant Governor~~

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ ^{Administrator}, by and with the advice and consent of the Executive Council, orders that the attached Transfer Regulation is made.


Minister of Forests


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, sections 54.3 and 54.4

Other (specify):- _____

July 12, 2004

TRANSFER REGULATION

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Interpretation

- 1 (1) In this regulation:
“Act” means the *Forest Act*;
“affiliate” has the same meaning as in section 53 of the Act;
“agreement” means an agreement in the form of a licence, permit or agreement referred to in section 12 of the Act.
(2) Section 53 (2), (3) and (4) of the Act applies for the purposes of this regulation.

PART 1 – EXEMPT TRANSFERS

Transfers between affiliates exempt

- 2 For the purposes of section 54.3 of the Act, sections 54 to 54.2 of the Act do not apply to, or in respect of, a disposition of an agreement if the disposition is from a corporation to an affiliate corporation.

Transfers where notice not given may be exempt

- 3 For the purposes of section 54.3 of the Act, sections 54 to 54.2 of the Act do not apply to, or in respect of, a disposition of an agreement where
(a) notice is not given under section 54 (2) (a) of the Act, or
(b) the disposition occurs before the minister gives notice under section 54 (2) (e) of the Act
if
(c) the disposition complies with section 54 (2) (b), (c) and (d) of the Act, and
(d) the minister, having considered the circumstances existing on the date of the disposition, is satisfied that the requirements set out in section 54.1 of the Act have been met.

PART 2 – PERMITTED TRANSFERS

Transfer of section 47.3 agreements

- 4 (1) In this section:

“first nations agreement” means an agreement, referred to in section 43.5 (1.1) (a), 43.51 (1) (a) or 47.3 (1) (a) of the Act, between a first nation and the government respecting treaty-related measures, interim measures or economic measures;

“licence” means a licence entered into under section 47.3 (1) (a) of the Act.

- (2) For the purposes of section 54.4 (1) (b) of the Act, a First Nation may dispose of a licence to a person if
- (a) the minister is satisfied that the First Nation will continue to comply with the first nations agreement that relates to the licence, and
 - (b) the person is
 - (i) an individual,
 - (ii) a corporation
 - (A) established by or under an enactment, or
 - (B) registered as an extraprovincial company under the *Business Corporations Act*, or
 - (iii) a partnership comprised of
 - (A) individuals,
 - (B) corporations referred to in subparagraph (ii), or
 - (C) a combination of the entities referred to in clauses (A) and (B).