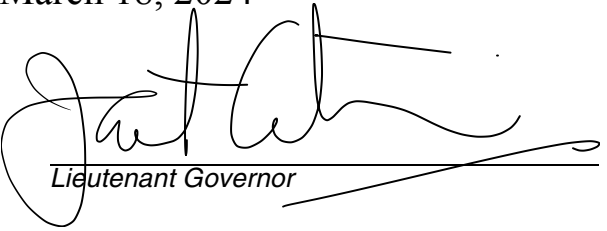


**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 144

, Approved and Ordered March 18, 2024

  
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 the Wildfire Regulation, B.C. Reg. 38/2005, is amended as set out in the attached Schedule.



Minister of Forests



Presiding Member of the Executive Council

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

**Authority under which Order is made:**

Act and section: Wildfire Act, S.B.C. 2004, c. 31, ss. 69 (3) and 72 (1) and (2)

Other: O.C. 94/2005

R10729802

## SCHEDULE

**1 Section 1 of the Wildfire Regulation, B.C. Reg. 38/2005, is amended**

(a) *in paragraph (b) of the definition of “category 4 resource management open fire” by striking out “ecological restoration or range improvement” and substituting “ecological restoration, range improvement or purposes identified by Indigenous peoples”, and*

(b) *by adding the following definitions:*

“**Indigenous governing body**” has the same meaning as in the *Declaration on the Rights of Indigenous Peoples Act*;

“**Indigenous peoples**” has the same meaning as in the *Declaration on the Rights of Indigenous Peoples Act*; .

**2 The following section is added:**

**Agreements with Indigenous governing bodies**

- 23.1** (1) Despite section 23, a person with authority to act on behalf of an Indigenous governing body is not required to comply with subsection (1) (c) of that section if the Indigenous governing body has entered into an agreement relating to open fire under section 60 of the Act.
- (2) In a case in which an agreement referred to in subsection (1) of this section exists, all references in section 23 to a burn plan are to be read as references to that agreement.

**3 Section 24 is amended by striking out “telephone or facsimile number” and substituting “telephone number”.**