

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

538

, Approved and Ordered

JUL 18 2007

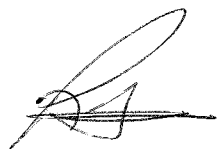


Lieutenant Governor

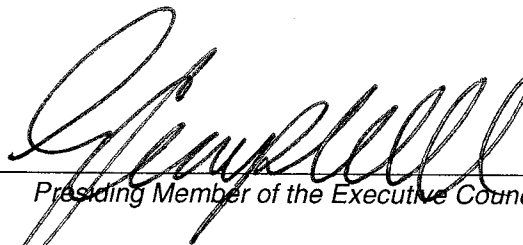
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective September 1, 2007,

- 1 *The Timber Marking and Transportation Regulation, B.C. Reg. 253/97, is amended as set out in the attached Schedule, and*
- 2 *Section 5 (1) (c) of the Scaling Regulation, B.C. Reg. 446/94, is repealed and the following substituted:*
 - (c) by another method, including an estimate approved by the regional manager, district manager or forest officer for the purposes of
 - (i) section 3 (1) of this regulation, or
 - (ii) accounting for timber lost during water transportation, as reported under section 2 (3) of the Timber Marking and Transportation Regulation.



Minister of Forests and Range and
Minister Responsible for Housing



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 84, 86, 89 and 151 (2) (d)

Other (specify):-

oics 833/97 and 1451/94

July 3, 2007

R/731/2007/3

SCHEDULE

- 1** *Section 1 (1) of the Timber Marking and Transportation Regulation, B.C. Reg. 253/97, is amended by adding the following definition:*

“**bundle tag**” means a durable and waterproof tag showing a unique

- (a) identification number, or
- (b) combination of numbers and letters;

- 2** *Section 2 is repealed and the following substituted:*

Scale site designation and conditions of transport

- 2** (1) For the purpose of Part 6 of the Act, a person must
- (a) transport unscaled timber to a scale site designated by a forest officer, and
 - (b) if conditions are imposed on the person under subsection (2), comply with the conditions.
- (2) If a regional manager, district manager or forest officer considers it necessary or desirable to ensure that timber being transported under subsection (1) is delivered to the scale site and scaled, the manager or officer may impose conditions on the transportation of the timber.
- (3) In respect of timber transported by water, a condition imposed under subsection (2) may, without limiting the conditions that may be imposed, require the person to make a report to the regional manager, district manager or forest officer, in the form and manner required by the manager or officer, showing
- (a) the amount of timber that was shipped,
 - (b) the amount of timber that was scaled, and
 - (c) the bundle tag numbers cross-referenced with the information required under section 10 and in scale returns.

- 3** *Sections 3 (2) and 4 (2) are amended by striking out “any greater timber marking requirement” and substituting “any additional timber marking requirement”.*

- 4** *Section 5 is repealed and the following substituted:*

Timber marking requirements – water transportation

- 5** (1) For the purpose of section 84 of the Act, before a person transports unscaled timber in rafts on the water, or as loose logs on a barge from which the logs will be dumped into the water, the correct timber mark must be legibly and conspicuously applied on one log end of each piece of timber using a hammer indentation.
- (2) For the purpose of section 84 of the Act, before a person transports unscaled timber in bundles, either in rafts on the water or on a barge from which the bundles will be dumped into the water,
- (a) the correct timber mark must be legibly and conspicuously applied to

- (i) at least 2 log ends at both the front and back of each bundle using a hammer indentation, and
 - (ii) each side of each bundle with at least one timber mark using paint, and
 - (b) the correct bundle tag must be attached to at least 2 log ends at both the front and back of each bundle.
- (3) If a district manager or a forest officer appointed by the district manager considers it necessary or desirable to minimize the risk of timber loss, the manager or officer may impose additional timber mark requirements to those specified in subsection (2).
- (4) A person transporting timber under subsection (2) must comply with any conditions imposed under subsection (3) with respect to that timber.
- (5) For the purpose of section 84 of the Act, before a person transports unscaled timber by barge, truck or rail car on a barge or ferry, or in bundles on a barge from which the timber will not be dumped into the water, the correct timber mark must be legibly and conspicuously applied to each load or bundle
- (a) using a hammer indentation, on at least 2 log ends at both the front and back, and
 - (b) on one side of the load or bundle with at least one timber mark using paint.

5 Sections 7.1 to 9 are repealed and the following substituted:

Scaled timber brand requirements – water transportation

- 7.1** (1) For the purpose of section 86 of the Act, before a person transports scaled timber in rafts on the water, or as loose logs on a barge from which the logs will be dumped into the water, the correct scaled timber brand must be legibly and conspicuously applied on one log end of each piece of timber using a hammer indentation.
- (2) For the purpose of section 86 of the Act, before a person transports scaled timber in bundles, either in rafts on the water or on a barge from which the bundles will be dumped into the water, a bundle tag must be attached, showing the correct scaled timber brand, to at least 4 log ends at both the front and back of each bundle.
- (3) For the purpose of section 86 of the Act, before a person transports scaled timber by barge, truck or rail car on a barge or ferry, or in bundles on a barge from which the timber will not be dumped into the water, the correct scaled timber brand must be legibly and conspicuously applied to each load or bundle
- (a) using a hammer indentation, on at least 2 log ends at both the front and back, and
 - (b) on each side of the load or bundle with at least one scaled timber brand using paint.

Scaled timber brands – additional requirements

7.2 Sections 7 and 7.1 are subject to any additional scaled timber brand requirements specified in a certificate issued under section 87 of the Act.

Exception

8 If in the opinion of a forest officer it is not feasible or desirable to apply the scaled timber brand as required by section 7, 7.1 or 7.2, the scaled timber brand may be applied to the timber as directed by the forest officer.

Marine log brand requirements

- 9**
- (1) For the purpose of section 89 of the Act, if timber is marked with a marine log brand, the correct marine log brand must be applied using a hammer indentation on one log end of each piece of timber in rafts or bundles or on a barge.
 - (2) Despite subsection (1), if timber described in that subsection is being transported in bundles, either in rafts on the water or on a barge from which the logs will be dumped into the water,
 - (a) the correct marine log brand may be applied using a hammer indentation, or
 - (b) a bundle tag showing the correct marine log brand may be attached to at least 4 log ends at both the front and back of each bundle.

6 Section 10 is amended

(a) by repealing subsection (2) (a), (e), (g) and (h) and substituting the following:

- (a) identification, being
 - (i) for timber transported by land, the licence number or name of the truck or rail car in which the timber is being transported, or
 - (ii) for timber transported by water, a reference number corresponding to the boom, barge or vessel in which the timber is being transported;
- (e) if the timber has not been scaled, the timber mark applied to the timber being transported;
- (e.1) if the timber has been scaled,
 - (i) the scaled timber brand or marine log brand, or both, applied to the timber being transported, and
 - (ii) the scaler's signature and licence number or the signature of an authorized person at the scale site;
- (h) for timber transported by land, a unique serial number;
- (i) for timber transported by water, the number or combination of numbers and letters showing on the bundle tag attached to the timber. , **and**

(b) by repealing subsection (3) (a) and (c) and substituting the following:

- (a) the holder of the timber mark that is applied to the timber;
- (c) the holder of the scaled timber brand and, if applicable, the marine log brand that is applied to the timber.

7 Section 11 is amended by striking out “section 10” and substituting “any of sections 2 (1) (b), 5 (2) (b) or (4), 7.1 (2) or 10”.