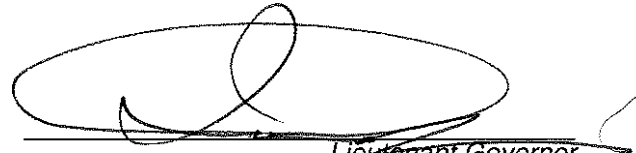


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 624 , Approved and Ordered SEP 20 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 the Advertising, Deposits, Disposition and Extension Regulation, B.C. Reg. 55/2006, be amended as set out in the attached Schedule.



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, section 151 (1) and (2) (e)

Other (specify):- oic 162/2006

July 4, 2007

R/653/2007/22

SCHEDULE

1 Section 2 of the Advertising, Deposits, Disposition and Extension Regulation, B.C. Reg. 55/2006, is repealed and the following substituted:

Forest licence

- 2** An advertisement inviting applications for a forest licence must be published by posting the advertisement on a publicly accessible website maintained by or on behalf of the ministry, in accordance with the following:
- (a) if
 - (i) the total volume of timber to be authorized for harvesting under the licence is equal to or less than 25 000 m³, or
 - (ii) the timber must be removed expeditiously because it is in imminent danger of being damaged, destroyed or otherwise lost,a minimum of 2 weeks before the date of sale;
 - (b) if the total volume of timber to be authorized for harvesting under the licence is greater than 25 000 m³ and equal to or less than 100 000 m³, a minimum of 4 weeks before the date of sale;
 - (c) if the total volume of timber to be authorized for harvesting under the licence is greater than 100 000 m³, a minimum of 8 weeks before the date of sale.

2 Section 3 is amended

(a) by repealing paragraphs (a) and (b) and substituting the following:

- (a) must be published
 - (i) by posting the advertisement on a publicly accessible website maintained by or on behalf of the ministry a minimum of 8 weeks before the date of sale, and
 - (ii) in at least one newspaper circulating in or near the area proposed for the licence with at least one advertisement in every second week within the period of 8 consecutive weeks from the date of publication on the website, and, *and*

(b) in paragraph (c) (ii) by striking out "following the publication in the Gazette," and substituting "following the date of publication on the website,".

3 Section 4 (a) is repealed and the following substituted:

- (a) must be published by posting the advertisement on a publicly accessible website maintained by or on behalf of the ministry a minimum of 4 weeks before the date of sale, and .

4 Section 5 (a) is repealed and the following substituted:

- (a) must be published by posting the advertisement on a publicly accessible website maintained by or on behalf of the ministry a minimum of 4 weeks before the date of sale, and .

5 Section 6 (a) is repealed and the following substituted:

(a) must be published by posting the advertisement on a publicly accessible website maintained by or on behalf of the ministry a minimum of 4 weeks before the date of sale, and .

6 Section 7 is amended

(a) in subsection (1) by striking out “or” and end of paragraph (c) and by adding the following paragraph:

(c.1) an offer of a community forest agreement made under section 43.4 (7) of the Act, or ,

(b) in subsection (1) by striking out everything after “must be published” and substituting “by posting on a publicly accessible website maintained by or on behalf of the ministry not later than 6 weeks after the offer or intent to offer, as the case may be, is made.”, and

(c) in subsection (2) by striking out “and” at the end of paragraph (b), by adding “, and” at the end of paragraph (c) and by adding the following paragraph:

(d) be published for a minimum of 7 days.

7 Section 8 (2) (c) is repealed and the following substituted:

(c) must maintain with the government a deposit for that licence calculated in accordance with section 9, and .

8 Section 9 is amended

(a) by repealing subsection (1) (e) (iii) and substituting the following:

(iii) section 47.6 (2) or (2.1) of the Act

(A) that is not competitively awarded, an amount determined by the regional manager or district manager that is the sum of 10% of the first \$100 000 of the total estimated stumpage value plus 5% of the remaining total estimated stumpage value, and

(B) that is competitively awarded, an amount determined by the regional manager or district manager, and , **and**

(b) in subsection (2) by striking out “subsection (1) (e) (iii)” and substituting “subsection (1) (e) (iii) (A)”.

9 The following section is added:

Amount of deposit for competitively awarded forestry licence to cut

11.1 Before entering into a forestry licence to cut under section 47.6 (2) or (2.1) that is competitively awarded, the successful applicant for the licence must pay the government, on demand, the difference between the deposit provided under section 9 (1) (e) (iii) (B) and an amount calculated in accordance with section 9 (1) (e) (iii) (A).