

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

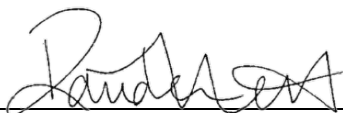
Order in Council No. 397, Approved and Ordered September 10, 2026


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

- (a) paragraph (a) of B.C. Reg. 66/2026 is repealed, and
- (b) effective October 1, 2026, the Designation and Exemption Regulation, B.C. Reg. 168/90, is amended as set out in the attached Schedule.


Minister of Water, Land and Resource Stewardship


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: Wildlife Act, R.S.B.C. 1996, c. 488, s. 108 (2) and (3)

Other: OIC 758/90; OIC 159/2026

R10974443

SCHEDULE

1 *The Designation and Exemption Regulation, B.C. Reg. 168/90, is amended by adding the following sections:*

Definition

- 0.1** In this regulation, “**migratory game bird**” means a migratory game bird as defined in the *Migratory Birds Convention Act, 1994* (Canada).

**Exemption from section 27 (1) of the *Wildlife Act*
for actions taken from boat – wildlife other than migratory game birds**

- 5.1** A person who discharges a firearm or wounds or kills wildlife, other than migratory game birds, from a boat is exempt from section 27 (1) of the *Wildlife Act*, in relation to that action, if
- (a) the action is taken
 - (i) while the boat is not being propelled by the motor,
 - (ii) while the boat is held stationary at a fixed position in current, tide or wind by the power of the motor, or
 - (iii) while the boat is propelled by the motor in tidal waters at a low speed so that the boat is not planing and is not moving faster than necessary, as a result of the waves or wind, to establish a level and stable platform for the purpose of taking the action, and
 - (b) the action is taken for the purposes of
 - (i) hunting or trapping wildlife other than migratory game birds, or
 - (ii) retrieving wounded, injured or dead wildlife other than migratory game birds.

**Exemption from section 27 (1) of the *Wildlife Act*
for actions taken from boat – migratory game birds**

- 5.2** A person who discharges a firearm or wounds or kills migratory game birds from a boat is exempt from section 27 (1) of the *Wildlife Act*, in relation to that action, if
- (a) the action is taken while the boat is not being propelled by the motor, and
 - (b) the action is taken for the purposes of
 - (i) hunting migratory game birds, or
 - (ii) retrieving wounded, injured or dead migratory game birds.

2 *Section 14 (b) is amended by striking out “as defined in the *Migratory Birds Convention Act, 1994* (Canada)”.*

3 *The following sections are added:*

Definitions for sections 19 to 22

- 18** In sections 19 to 22:

“**boat**” means a boat as defined in section 1 of the *Firearm Violence Prevention Act*;

“firearm” means a firearm as defined in section 1 of the *Firearm Violence Prevention Act*;

“loaded” has the same meaning as in section 4 of the *Firearm Violence Prevention Act*.

**Exemption from section 4 (1) of *Firearm Violence Prevention Act*
for hunting or trapping from boat – wildlife other than migratory game birds**

- 19** (1) A person who carries a loaded firearm in or on a boat is exempt from section 4 (1) of the *Firearm Violence Prevention Act*, in relation to that action, if
- (a) the person carries the loaded firearm
 - (i) in or on a boat that does not have a motor, or
 - (ii) in the case of a boat that has a motor,
 - (A) while the boat is not being propelled by the motor,
 - (B) subject to subsection (2) of this section, while the boat is held stationary at a fixed position in current, tide or wind by the power of the motor, or
 - (C) subject to subsection (2) of this section, while the boat is propelled by the motor in tidal waters at a low speed so that the boat is not planing and is not moving faster than necessary, as a result of the waves or wind, to establish a level and stable platform for the purpose of discharging the firearm, and
 - (b) the action is taken for the purposes of
 - (i) hunting or trapping wildlife other than migratory game birds, or
 - (ii) retrieving wounded, injured or dead wildlife other than migratory game birds.
- (2) In the circumstances set out in subsection (1) (a) (ii) (B) or (C), the exemption only applies immediately before, during and immediately after the discharge of the firearm in accordance with section 21.

**Exemption from section 4 (1) of *Firearm Violence Prevention Act*
for hunting from boat – migratory game birds**

- 20** A person who carries a loaded firearm in or on a boat is exempt from section 4 (1) of the *Firearm Violence Prevention Act*, in relation to that action, if
- (a) the person carries the loaded firearm
 - (i) in or on a boat that does not have a motor and is not being propelled by a sail, or
 - (ii) in the case of a boat that has a motor, while the boat is not being propelled by the motor or a sail, and
 - (b) the action is taken for the purposes of
 - (i) hunting migratory game birds, or
 - (ii) retrieving wounded, injured or dead migratory game birds.

**Exemption from section 5 (1) of *Firearm Violence Prevention Act*
for hunting or trapping from boat – wildlife other than migratory game birds**

- 21** A person who discharges a firearm in, on or from a boat is exempt from section 5 (1) of the *Firearm Violence Prevention Act*, in relation to that action, if
- (a) the person discharges the firearm
 - (i) in, on or from a boat that does not have a motor, or
 - (ii) in the case of a boat that has a motor,
 - (A) while the boat is not being propelled by the motor,
 - (B) while the boat is held stationary at a fixed position in current, tide or wind by the power of the motor, or
 - (C) while the boat is propelled by the motor in tidal waters at a low speed so that the boat is not planing and is not moving faster than necessary, as a result of the waves or wind, to establish a level and stable platform for the purpose of discharging the firearm, and
 - (b) the action is taken for the purposes of
 - (i) hunting or trapping wildlife other than migratory game birds, or
 - (ii) retrieving wounded, injured or dead wildlife other than migratory game birds.

**Exemption from section 5 (1) of *Firearm Violence Prevention Act*
for hunting from boat – migratory game birds**

- 22** A person who discharges a firearm in, on or from a boat is exempt from section 5 (1) of the *Firearm Violence Prevention Act*, in relation to that action, if
- (a) the person discharges the firearm
 - (i) in, on or from a boat that does not have a motor and is not being propelled by a sail, or
 - (ii) in the case of a boat that has a motor, while the boat is not being propelled by the motor or a sail, and
 - (b) the action is taken for the purposes of
 - (i) hunting migratory game birds, or
 - (ii) retrieving wounded, injured or dead migratory game birds.