


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 422

, Approved and Ordered

July 10, 2019



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of the Executive Council, orders that the Haida Gwaii Timber Exemption Order (2015), Order in Council 439/2015, is repealed and the attached Haida Gwaii Timber Exemption (2019) Order is made.



*Minister of Forests, Lands, Natural Resource
Operations and Rural Development*



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, ss. 128 and 129

Other: _____

HAIDA GWAII TIMBER EXEMPTION (2019) ORDER

Definitions

1 In this order:

“**Act**” means the *Forest Act*;

“**exemption area**” means the area outlined and hatched with diagonal lines on the attached map;

“**previous order**” means the Haida Gwaii Timber Exemption Order (2015), Order in Council 439/2015;

“**recorded volume**”, in relation to a tenure and reference period, means the total volume of timber, other than western redcedar and cypress, that is shown in stumpage bills and volume statements, as applicable, issued during the reference period by the government in relation to any part of the tenure that is within the exemption area;

“**reference period**”, in relation to a permit under this order, means the 545 days immediately before the date on which the application for the permit is made;

“**tenure**” means any of the following:

- (a) an agreement under section 12 of the Act;
- (b) an interest in a parcel of private land that is described in section 127 of the Act and not subject to an agreement under section 12 of the Act;

“**volume statement**”, in relation to timber, means a statement, based on a scale return delivered in accordance with section 97 (1) (f) of the Act, that shows the volume of the timber broken down by pieces, species and grade.

Exemption

- 2
- (1) Subject to subsection (2), all species of timber harvested within the exemption area, other than western redcedar and cypress, are exempted from section 127 of the Act, on the grounds set out in section 128 (3) (b) of the Act, to the extent that permits are obtained under section 3 of this order in relation to the timber.
 - (2) The volume of timber that may be exempted under this order in relation to a tenure by the issuance of a permit under section 3 may not exceed 40% of the recorded volume for the reference period for the permit, when the volume to be exempted by issuance of the permit is added to the volume of timber that was
 - (a) harvested within the exemption area and under the tenure, and
 - (b) previously exempted under this order, the previous order or section 128 (2) (a) of the Act during that reference period.

Permit

- 3 For the purposes of section 2, the minister may issue to a person a permit in relation to timber harvested within the exemption area and under a tenure if
- (a) the person applies for the exemption by submitting an application to the minister
 - (i) in the form required by the minister, or

- (ii) online through the Log Exemption Information System,
- (b) the timber has been scaled in accordance with the Scaling Regulation, B.C. Reg. 446/94, and
- (c) the government has issued to the tenure holder the following documents, as applicable:
 - (i) in relation to any part of the timber for which stumpage is payable under the Act, a bill requiring payment of the stumpage;
 - (ii) in relation to any part of the timber not described in subparagraph (i), a volume statement for that part.

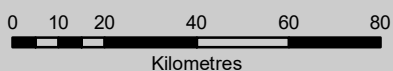
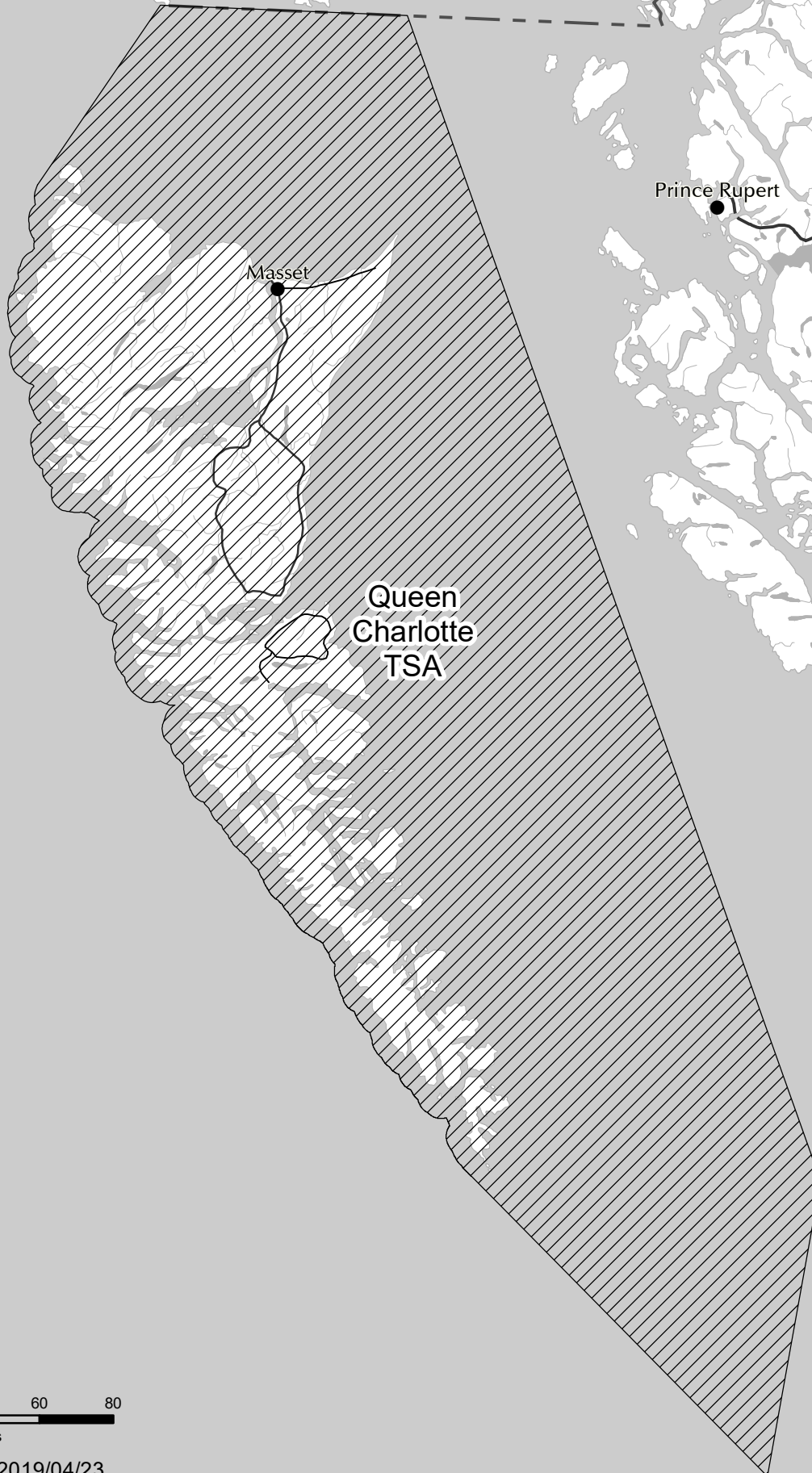
Fee in lieu of manufacture

- 4** A person to whom a permit is issued under this order must pay to the government a fee in lieu of manufacture in British Columbia of \$1 per cubic metre of timber exempted by issuance of the permit.

Order rescinded

- 5** This order is rescinded on July 31, 2024.

Schedule A Haida Gwaii Exemption Area



Date created: 2019/04/23