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Guide Territory Division Policy			

**This Policy Replaces:**  
None

**Staff and Organizations Affected:**  
Director, Fish and Wildlife  
Fish and Wildlife Regional Managers  
Fish and Wildlife Staff  
Front Counter BC Staff  
Guide Outfitters

**Reason for this Policy:**

This policy provides provincially consistent guidance for when a Guide Territory Certificate (GTC) holder (or holders) makes a request to divide a GTC’s guiding territory into parts, either to adjust their borders to better support their business intent(s), to retain one part and transfer the remainder, or when the owner is transferring all parts. This policy does not encourage the division of guiding territories and instead provides a framework for doing so when a request is received.

The Ministry maintains the most recent direction (2015) regarding allocation divisions that vacant areas and areas not currently allocated to guides will continue to be maintained as unguided areas, and available solely for resident hunting.

**POLICY**

**It is the policy of the Ministry that:**

1. There should be a willing transferee and willing transferor to any proposed division of a guiding territory.
  - (a) The proposed arrangement should be evidenced in writing (an “Agreement”);
  - (b) No prescribed form is necessary for an Agreement, however all required information must be included and the Agreement must be signed by both parties consenting to the transfer of a portion of the GTC; and
  - (c) The parties to an Agreement (whether corporations, partnerships, or other persons) should be clearly identified. In the case of a partnership where the interest holders may change without notice to government, the GTC should be held by specific partners who will hold the certificate on the partnership’s behalf.

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2. Boundaries that are redrawn, should, wherever possible, follow natural geographic boundaries.
  - (a) It should be the applicant's responsibility to propose redrawn boundaries, but such a proposal is subject to the approval of the regional manager. For example, new boundaries should continue to be drawn across the centre of waterways and height of land. In some cases, for administrative simplification, new boundaries may be drawn following regional boundaries or adjusted by fish and wildlife staff.
3. All resulting guiding territories should be demonstratively feasible from a management perspective.
  - (a) Quota decisions are made by the director or regional manager, based on biological informed recommendations provided by regional and branch subject matter experts and in some cases information from engagement with guides. The parties to an Agreement may be interested in understanding the future assigned quota prior to the finalization of a GTC division to help inform assessment of viability; however only the readily available existing quota decision information should be shared with GTC holders or proposed transferees.
  - (b) No decision should unduly burden the existing GTC management regime. For example, if a division would disturb the existing balance of game management zones with ecological patterns in such a way that would be administratively cumbersome to readjust, the request for such a division should be rejected.
  - (c) The guiding territory should be demonstratively feasible with regard to available game species, their numbers and the size of territory, as outlined in the policy manual V.4 s.1 ss.01.03 "Refusal to Issue a Guide Outfitter Licence for an Inappropriate Area".
4. Prior to a decision, consultation must be undertaken pursuant to policy manual V.4 s.1 ss.01.13 "First Nations Consultation on Guiding Territory Certificate Decisions".
5. This process is similar to moving guiding territory from one GTC to another, whereby the GTC holder can find a transferee (or transferees) first and then transfer the portion(s) in accordance with s.62(2) of the Act. The procedure manuals V.4 s.1 ss.01.03 "Relinquishment of Guide Area" and V.4 s.1 ss.01.08 "Transferring a Portion of a Certified Guide Outfitter Area" describe this process.

#### Definitions:

None

#### Policy Manual Cross-References:

First Nations Consultation on Guiding Territory Certificate Decisions (4-1-01.13)  
Refusal to Issue a Guide Outfitter Licence for an Inappropriate Area (4-1-01.03)

#### Procedure Manual Cross-References:

Relinquishment of Guide Area (4-1-01.03)  
Transferring a Portion of a Certified Guide Outfitter Area (4-1-01.08)

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**Other Cross-References:**

Guiding Territory Certificate Regulation [B.C. Reg. 113/2015]  
*Wildlife Act* (RSBC 1996 c.488)