


PROVINCE OF BRITISH COLUMBIA  
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **134**, Approved and Ordered **MAR - 7 2013**

  
Lieutenant Governor

Executive Council Chambers, Victoria

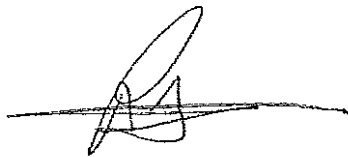
On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective September 1, 2013,

- (a) sections 11 to 13 of the *Miscellaneous Statutes Amendment Act (No. 3), 2011*, S.B.C. 2011, c. 27, are brought into force, and
- (b) the attached Permit Regulation is made.

DEPOSITED

March 7, 2013

B.C. REG. 99/2013



Minister of Energy, Mines and Natural Gas  
and Minister Responsible for Housing and  
Deputy Premier



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: *Mines Act*, R.S.B.C. 1996, c. 293, s. 38 (2) (a.1) and (a.2) and (3) (c);  
*Miscellaneous Statutes Amendment Act (No. 3), 2011*, S.B.C. 2011, c. 27, s. 40

Other:

February 8, 2013

R/1109/2012/3

# PERMIT REGULATION

## PART 1 – DEFINITIONS

### Definitions

- 1 In this regulation:
  - “Act” means the *Mines Act*;
  - “exploration activities” has the same meaning as in Part 9 of the code;
  - “IP survey” means an induced polarization survey using exposed electrodes.

## PART 2 – DEEMED AUTHORIZATIONS

### General limits on deemed authorizations

- 2 (1) This Part does not apply to a permittee who is subject to
  - (a) an order made under section 35 of the Act, or
  - (b) enforcement proceedings under section 37 of the Act.
- (2) A deemed authorization under this Part is subject to the limits and requirements of this Part.

### Chief inspector may overturn deemed authorization

- 3 (1) Despite any provision of this Part, the chief inspector may order that a deemed authorization under this Part does not apply in respect of a particular permit if the chief inspector considers the order necessary to protect health, safety, the environment or a cultural heritage resource.
- (2) An order under subsection (1) may be made on issuing a permit under the Act or within 30 days of receiving a notice under this Part.
- (3) The making of an order under this section does not prevent a person from making an application under section 10 (6) of the Act for a revision to a permit.

### Notices

- 4 Notices submitted under this Part must
  - (a) be in the form and manner required by the chief inspector, and
  - (b) include the information required by the chief inspector.

### Term extensions

- 5 (1) A permit for exploration activities is deemed to authorize the permittee to extend the term of the permit by up to 2 years.
- (2) A permittee must give, in accordance with section 4, notice of an intended extension to the chief inspector no less than 30 days before expiry of the permit.
- (3) A permit may be extended under this section only once.

#### IP surveys

- 6 (1) A permit for exploration activities is deemed to authorize the permittee to conduct an IP survey.
- (2) A permittee must give, in accordance with section 4, notice of the intention to conduct an IP survey to the chief inspector no less than 30 days before beginning an IP survey.

#### Producing mines

- 7 (1) In this section:
  - “exploration drill program” means a mineral or coal exploration drill program;
  - “producing mine” means a mine
    - (a) for which a permit has been issued under the Act for production of minerals or coal, and
    - (b) that is currently operating.
- (2) A permit for a producing mine is deemed to authorize the permittee to conduct both an exploration drill program and an IP survey.
- (3) A permittee must give, in accordance with section 4, notice of the intention to conduct an exploration drill program or IP survey not otherwise referred to in the permit to the chief inspector no less than 30 days before beginning the exploration drill program or IP survey.
- (4) An exploration drill program or IP survey not otherwise referred to in a permit may be conducted only within the area of land that would be or has been disturbed by a mine or mining activities approved under the permit.

### PART 3 – EXEMPTION FROM PERMITTING

#### Exemption for Ministry of Transportation

- 8 (1) In this section, “Ministry of Transportation” means the ministry of the minister charged with the administration of the *Transportation Act*.
- (2) A person or a ministry of the government is exempt under section 10 (1.1) (b) of the Act from the requirement to hold a permit in respect of a mine if both of the following conditions are met:
  - (a) the mine is operated exclusively by or for the Ministry of Transportation;
  - (b) the mine is not within a category prescribed as a reviewable project for the purposes of section 5 of the *Environmental Assessment Act*.