

ENERGY AND MINERALS DIVISION

EMD00-06

**SUBJECT: Miscellaneous Amendments to the *Petroleum and Natural Gas Act***

Amendments were made to the *Petroleum and Natural Gas Act* (Act), through the *Regulatory Streamlining Miscellaneous Statutes Amendment Act, 2000*, Bill 12 - 2000, and the *Miscellaneous Statutes Amendment Act (No. 2), 2000*, Bill 24 - 2000, passed in the Spring 2000 session of the Legislature. Appropriate sections of the Bills were brought into force by regulation on November 24, 2000, resulting in the following changes to the Act:

- Section 1 - The definition of "geophysical exploration" is amended to clearly exclude survey activity conducted in a well such as the use of geophysical well logs and vertical seismic profile surveys.
- Section 9 is amended to clarify that a liability to pay compensation to a land owner for losses or damages incurred by an entry, occupation or use of land includes activities which do not require a Certificate of Restoration, such as geophysical surveys. If the activity requires a Certificate of Restoration, the liability ends on the date of the Certificate.
- Section 16 is amended to clarify that, if an application is made to the Mediation and Arbitration Board for an order which might affect Crown land, both the Commission and the Minister responsible for the *Land Act* must be informed, and to clarify that the jurisdiction of the Board does not include geophysical exploration.
- Section 24 is amended to simplify an appeal of a Mediation and Arbitration Board order by eliminating the reference to an appeal procedure by way of stated case under the rules of the *Offence Act*.
- Sections 84 and 104 are amended to correct inadvertent omissions from the consequential amendments of an amendment to the *Waste Management Act* in 1996, and of the *Oil and Gas Commission Act* in 1998.
- Sections 96 and 133 are amended to clarify that the regulation-making powers encompass natural gas processing, sulphur production, establishment or adoption of standards or procedures, and the prevention of pollution of land and air, as well as water.
- Section 107 is amended to clarify that spillage includes natural gas or other substances escaping, leaking or spilling from a well, flow line or production facility.
- Section 114 is amended to grant the authority to enter into unitization agreements with the minister, rather than the Lieutenant Governor in Council.

The amendments will remove ambiguities from the Act and correct some omissions. They will enhance the ability of the Ministry and the Commission to interpret and administer the Act fairly and consistently. Industry will benefit from more transparent, streamlined, and consistent regulatory processes.

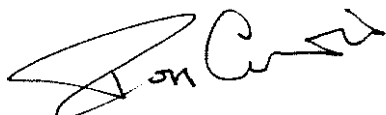
Copies of the Bills may be obtained from Crown Publications at (250) 386-4636, Fax (250) 386-0221, e-mail at [crown@pinc.com](mailto:crown@pinc.com).

For further information, contact:

Ken Kadonaga  
Legislation, Policy and Special Projects Branch  
Oil and Gas Commission  
PO Box 9329, Stn Prov Govt  
Victoria, BC V8W 9N3  
Telephone: (250) 952-0319  
Facsimile: (250) 952-0301

OR

Gerald German  
Petroleum Land Branch  
Ministry of Energy and Mines  
PO Box 9326, Stn Prov Govt  
Victoria, BC V8W 9N3  
Telephone: (250) 952-0334  
Facsimile: (250) 952-0331



Ross Curtis  
A/Deputy Minister  
Ministry of Energy and Mines

