

**DELEGATION OF MINISTER OF FORESTS POWERS UNDER THE
FOREST RECREATION REGULATION**

Topic	Section	Descriptor	Delegation
Part 2 – Public Recreation Orders on Crown Land			
Public notice of recreation order	2 (1)	Before establishing, amending or cancelling an order that restricts, prohibits or attaches a condition to a recreation use on Crown land under section 58 (1) (b) of the Act, the minister must publish in a newspaper a notice stating the following: (a) that an order is proposed to be established, amended or cancelled under section 58 (1) (b) of the Act; (b) the restriction, prohibition or condition; (c) the area to which the order applies; (d) the date on which the order takes effect; (e) the period during which the order is to remain in effect; (f) the period during which, and the address to which, comments may be sent.	Director Recreation Sites & Trails (Dir), Regional Manager Recreation Sites & Trails (RM) and District Recreation Officer (DRO)
	2 (2)	When an order is established, amended or cancelled under subsection (1), for the purposes of section 58 (3) of the Act, the minister must publish in a newspaper and post in the area to which the order applies a notice stating the following: (a) that an order has been established, amended or cancelled under section 58 (1) (b) of the Act; (b) the condition, restriction or prohibition contained in the notice; (c) the area to which the order applies; (d) the period during which the order remains in effect.	Dir, RM and DRO
	2 (3)	Despite subsection (2), if the minister is of the opinion that the establishment, variance or cancellation of the order does not significantly affect the public, the minister does not have to publish a notice in the newspaper.	Dir, and RM
Part 3 – Unauthorized Trail or Recreation Facility Construction			
How to obtain authorization under section 57 of the Act	4 (1)	For the purposes of section 57 (1) of the Act, a person who is required to obtain the authorization of the minister before constructing, rehabilitating or maintaining a trail or recreation facility on Crown land must deliver a proposal regarding the matter to the minister .	Dir, RM and DRO
	4 (3)	A person submitting a proposal must satisfy the minister that the proposal will not cause one or more of the following: (a) significant risk to public safety; (b) unacceptable damage to the environment; (c) unacceptable conflicts with other resource values or users.	Dir, RM and DRO
	4 (4)	The minister must notify the person named in the proposal of the minister’s determination to grant, or to refuse to grant, the authorization that is the subject matter of the proposal.	Dir, RM and DRO

Part 5 – Fees			
Fees for use of recreation site or trail	22 (2)	The minister may determine that a fee is required to use a recreation site or trail if he or she is satisfied that the fee is justified by the provision of the service at the site or trail.	Dir and RM
	22 (3)	If a determination is made under subsection (2) the minister must set the fee at an amount that does not exceed an amount calculated in accordance with the following formula: Amount = (AC/N) where AC is the annual cost of providing the service, estimated by the minister when the fee is first set for the year, and N is the number of times the service will be used by the public, estimated by the minister when the fee is first set for the year.	Dir and RM
	22 (4)	The minister may cancel a determination made under subsection (2), if satisfied that the service provided at the recreation site or trail does not justify the fee.	Dir and RM
	22 (6)	The minister may authorize a person to act as a recreation site or trail operator, and may rescind the authorization.	Dir, RM and DRO
	22 (7)	On request of a person who is paying or providing proof of payment to use a recreation site or trail, a recreation site or trail operator must provide written proof of authorization by the minister to act under this section.	Dir, RM and DRO