



*Clean Energy Act*

FIRST NATIONS CLEAN ENERGY  
BUSINESS FUND REGULATION

**B.C. Reg. 377/2010**

Deposited and effective December 20, 2010  
Last amended July 13, 2018 by B.C. Reg. 149/2018

**Consolidated Regulations of British Columbia**

*This is an unofficial consolidation.*

B.C. Reg. 377/2010 (Treasury Board), deposited and effective December 20, 2010, is made under the *Clean Energy Act*, S.B.C. 2010, c. 22, s. 38.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at [www.bclaws.ca](http://www.bclaws.ca).

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at [www.bclaws.ca](http://www.bclaws.ca).

Prepared by:  
Office of Legislative Counsel  
Ministry of Attorney General  
Victoria, B.C.

*Clean Energy Act*

**FIRST NATIONS CLEAN ENERGY  
BUSINESS FUND REGULATION**

**B.C. Reg. 377/2010**

**Definition**

- 1** In this regulation, “**Act**” means the *Clean Energy Act*.

**Power projects**

- 2** (1) For the purposes of paragraph (a) in the definition of “power project” in section 20 (1) of the Act, the prescribed class of projects is projects for the generation of electricity from a clean or renewable resource, including transmission of the electricity to a point of interconnection with the equipment or facilities of a public utility.
- (2) A project is not a power project if an organization of the government reporting entity has a financial interest in the project.
- (3) For the purposes of paragraph (c) in the definition of “power project” in section 20 (1) of the Act, the prescribed authorizations are tenures granted under
- (a) section 11 or 14 of the *Land Act*, or
  - (b) section 9 of the *Ministry of Lands, Parks and Housing Act*.

**Initial balance**

- 3** The initial balance of the First Nations Clean Energy Business Fund is \$5 million.

**Increase of balance**

- 4** (1) The percentage prescribed for the purposes of section 20 (4) (b) of the Act is 55%.
- (2) The land and water revenues prescribed for the purposes of section 20 (4) (b) of the Act are
- (a) land revenues received from tenures granted under
    - (i) section 11 or 14 of the *Land Act*, or
    - (ii) section 9 of the *Ministry of Lands, Parks and Housing Act*, and
  - (b) rentals payable under the Water Sustainability Fees, Rentals and Charges Tariff Regulation for the diversion, use and storage of water, or the use of Crown land, in relation to a power project, excluding interest and penalties.
- (3) The percentage prescribed for the purposes of section 20 (5) (a) of the Act is 68.18%.

[am. B.C. Regs. 98/2016; 7/2017, ss. (a) and (c); 149/2018, s. (a).]

Point in time from July 13, 2018 to March 31, 2020

# AMENDMENT NOT IN FORCE

*Clean Energy Act*

## FIRST NATIONS CLEAN ENERGY BUSINESS FUND REGULATION, B.C. REG. 377/2010

**amended by B.C. Reg. 7/2017**

*effective April 1, 2020*

*Section 4 of the First Nations Clean Energy Business Fund Regulation, B.C. Reg. 377/2010, is amended*

*(b) effective April 1, 2020, in subsection (1) by striking out “55%” and substituting “50%”.*

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# AMENDMENT NOT IN FORCE

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## FIRST NATIONS CLEAN ENERGY BUSINESS FUND REGULATION, B.C. REG. 377/2010

**amended by B.C. Reg. 149/2018**

*effective April 1, 2020*

*Section 4 (3) of the First Nations Clean Energy Business Fund Regulation, B.C. Reg. 377/2010, is amended*

*(b) effective April 1, 2020, by striking out “68.18%” and substituting “75%”.*

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