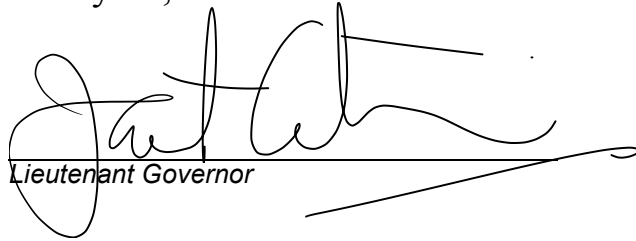


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 042

, Approved and Ordered January 28, 2021



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 the Permit Regulation, B.C. Reg. 253/2000, is amended as set out in the attached Schedule.



Minister of Forests, Lands, Natural Resource
Operations and Rural Development



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: *Wildlife Act*, R.S.B.C. 1996, c. 488, s. 108

Other: OIC 994/2000

R10473261

SCHEDULE

1 Section 3 (1) (c) of the Permit Regulation, B.C. Reg. 253/2000, is repealed.

2 The following section is added:

Permit for use of conveyance

- 3.1** (1) Subject to subsections (2) to (4), a regional manager may issue a permit in accordance with this regulation on the terms and for the period the regional manager specifies authorizing a person to undertake one or more of the following activities prohibited by section 27 of the Act:
- (a) discharging a firearm or wounding or killing wildlife from a motor vehicle or from a boat that is propelled by a motor;
 - (b) hunting wildlife from an aircraft;
 - (c) using a helicopter to transport hunters or game, or while on a hunting expedition;
 - (d) herding or harassing wildlife with the use of a motor vehicle, aircraft, boat or other mechanical device.
- (2) A regional manager may not issue a permit under subsection (1) (a) unless
- (a) the activity to be undertaken under the permit is for one of the following purposes:
 - (i) a scientific purpose;
 - (ii) an educational purpose;
 - (iii) to destroy wildlife that is dangerous to public safety;
 - (iv) to destroy wildlife that is so badly injured that prolonging the animal's life would result in the animal suffering unduly;
 - (v) to address a matter of animal health among wildlife populations;
 - (vi) to control wildlife populations;
 - (vii) to accommodate hunting by a person with a physical disability, or
 - (b) the regional manager considers that issuing the permit is necessary for the proper management of a wildlife resource.
- (3) A regional manager may not issue a permit under subsection (1) (b) or (d) unless
- (a) the regional manager is satisfied that the person who will be undertaking the activity under the permit has sufficient skill to undertake that activity, and
 - (b) one the following applies:
 - (i) the activity to be undertaken under the permit is for a purpose referred to in any of subsection (2) (a) (i) to (vi);
 - (ii) the regional manager considers that issuing the permit is necessary for the proper management of a wildlife resource.
- (4) A regional manager may not issue a permit under subsection (1) (c) unless
- (a) the activity to be undertaken under the permit is for a purpose referred to in any of subsection (2) (i) to (vi),

(b) the regional manager considers that exigent circumstances exist and use of the helicopter will assist in

(i) addressing a risk to the life or health of a person, or

(ii) retrieving property, including game that has been taken or killed, or

(c) the regional manager considers that issuing the permit is necessary for the proper management of a wildlife resource.

(5) Subject to subsection (6), a person who undertakes an activity in accordance with a permit issued under subsection (1) is exempt from the following:

(a) section 35 (2) of the Act;

(b) section 18 (1) (q) of the Hunting Regulation, B.C. Reg. 190/84.

(6) The exemption under subsection (5) does not apply to a permit issued under subsection (1) (a) for the purpose referred to in subsection (2) (a) (vii).

3 Section 14 is amended by striking out “3 (1) (a), (c) or (d)” and substituting “3 (1) (a) or (d) or 3.1”.

4 Section 22 is amended

(a) in subsection (1) by striking out “section 2, 3 or 4” and substituting “section 2, 3, 3.1 or 4”, and

(b) in subsection (3) by striking out “section 2 (a), (f), (h), (j), (l), (m), (r) or (z), section 3 (1) (a), (c), (d), (f) or (g) or (2)” and substituting “section 2 (a), (f), (h), (j), (l), (m), (r) or (z), 3 (1) (a), (d), (f) or (g) or (2) or 3.1”.

5 Section 23 is amended

(a) in subsection (4) (d) by striking out “section 3 (1) (c) (i) or (2)” and substituting “section 3 (2) or 3.1 (1) (a)”, and

(b) in subsection (5) by striking out “section 2, 3 or 4” and substituting “section 2, 3, 3.1 or 4”.

6 The table in Schedule 3 is amended

(a) by deleting the following row:

Column 1 Permit (section number)	Column 2 Wildlife, Purpose, or Method	Column 3 Fee \$	Column 4 Surcharge \$
3 (1) (c)		50	5

, and

(b) by adding the following row:

Column 1 Permit (section number)	Column 2 Wildlife, Purpose, or Method	Column 3 Fee \$	Column 4 Surcharge \$
3.1 (1)		50	5