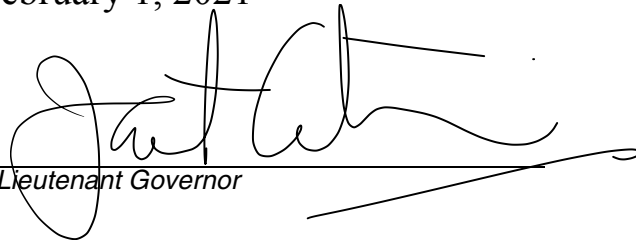


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 052

, Approved and Ordered February 1, 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 Administrative Penalties (*Environmental Management Act*) Regulation, B.C. Reg. 133/2014, is amended as set out in the attached Schedule.



Minister of Environment and Climate Change Strategy



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: *Environmental Management Act*, R.S.B.C. 1996, c. 53, s. 138

Other: OIC 426/2014

R10481151

SCHEDULE

1 Section 12 of the Administrative Penalties (Environmental Management Act) Regulation, B.C. Reg. 133/2014, is amended

- (a) **in subsection (1) by striking out “72 (1) or (2) or 76.2” and substituting “72 (1) or (2), 76.2, 91.11 (1) (a) or (4), 91.2 (2) or 91.41 (4)”**,
- (b) **in subsection (2) by striking out “107 (3), 109 (6) or 111 (2.1)” and substituting “91.11 (1) (b) or (c) or (2) or (3) (a), (c) or (d), 91.2 (1) (a) or (b) or (c) (i) or (ii) or (6) (a) (i) or (ii) or (b), 91.31 (6) (b), 91.51 (1) or (2), 91.71 (1) (a), (b), (c) or (d), 109 (6) or 111 (2.1)”**, and
- (c) **by adding the following subsection:**

(2.1) A person who contravenes section 91.11 (1) (d) or (e) or (3) (b), 91.2 (6) (c), 91.31 (6) (a) or (c) or 91.71 (2) of the Act is liable to an administrative penalty not exceeding \$10 000.

2 The following sections are added:

Prescribed provisions of Spill Contingency Planning Regulation

- 37.1** (1) A person who contravenes section 3 of the Spill Contingency Planning Regulation is liable to an administrative penalty not exceeding \$40 000.
- (2) A person who contravenes section 4, 5 (1) or (2), 6 (1) or (2), 7 (1) or (2), 8, 9 (1), 10, 11 (1) or 12 (1), (2), (3) or (4) of the Spill Contingency Planning Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Spill Preparedness, Response and Recovery Regulation

- 37.2** A person who contravenes section 6, 9, 10 or 11 of the Spill Preparedness, Response and Recovery Regulation is liable to an administrative penalty not exceeding \$10 000.

Prescribed provisions of Spill Reporting Regulation

- 37.3** (1) A person who contravenes section 4 (1) of the Spill Reporting Regulation is liable to an administrative penalty not exceeding \$75 000.
- (2) A person who contravenes section 7 (3) of the Spill Reporting Regulation is liable to an administrative penalty not exceeding \$40 000.
- (3) A person who contravenes section 4 (2), 5 or 6 of the Spill Reporting Regulation is liable to an administrative penalty not exceeding \$10 000.