

PROVINCE OF BRITISH COLUMBIA

STATUTES

Passed in the Session Held in the Twenty-seventh
Year of the Reign of Her Majesty
QUEEN ELIZABETH II

Being the Third Session of the Thirty-first Parliament of British
Columbia Held at Victoria, convened on March 30, 1978
and adjourned on June 29, 1978.



HONOURABLE HENRY P. BELL-IRVING
Lieutenant-Governor

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in right of the Province of British Columbia.
1978

1978

MINISTRY OF FORESTS

CHAP. 27

CHAPTER 27

Ministry of Forests Act

[Assented to June 29, 1978.]

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Interpretation

1. In this Act
- "minister"
means that member of the Executive Council charged by order of the Lieutenant-Governor in Council with the administration of this Act;
- "ministry"
means the Ministry of Forests.

Ministry constituted

2. (1) There shall be a Ministry of the Public Service of the Province to be called the Ministry of Forests.
- (2) The minister shall preside over and be responsible to the Lieutenant-Governor in Council for the direction of the ministry.
- (3) The minister
- shall continue a forest service, and
 - may establish such other branches or divisions as he considers advisable.

Deputy and employees

3. (1) There may be appointed pursuant to the Public Service Act
- a deputy minister,
 - a chief forester,
 - a regional manager for a forest region established under the Forest Act and a range district established under the Range Act, and
 - such other employees as are required to carry out the functions of the ministry.
- (2) The minister may, subject to the Public Service Act, designate the title, office and responsibilities of employees of the ministry.
- (3) The minister
- may, notwithstanding the Public Service Act, engage and retain consultants, experts, or specialists and may fix their remuneration, and

- (b) shall establish a forest research council and may establish other committees or councils to advise him with respect to any matter included in his duties, powers and functions, and a person serving on a committee or council shall be paid his necessary and reasonable travelling and living expenses while performing his duties and in addition may be paid such remuneration as the minister determines.

Minister's duties

4. The duties, powers and functions of the minister extend to and include all matters relating to forest and range resources in the Province that are not, by law or by order of the Lieutenant-Governor in Council, assigned to another minister, ministry, branch, or agency of the Government.

Purposes and functions of ministry

5. The purposes and functions of the ministry are, under the direction of the minister,

- (a) to encourage the attainment of maximum productivity of the forest and range resources in the Province,
- (b) to manage, protect and conserve the forest and range resources of the Crown, having regard to the immediate and long term economic and social benefits they may confer on the Province,
- (c) to plan the use of the forest and range resources of the Crown, so that the production of timber and forage, the harvesting of fisheries, the grazing of livestock and the realization of natural resource values are co-ordinated and integrated, in consultation and co-operation with other ministries and agencies of the Crown and with the private sector,
- (d) to encourage a vigorous, efficient and world-competitive timber processing industry in the Province, and
- (e) to assert the financial interest of the Crown in its forest and range resources in a systematic and equitable manner.

Power to acquire property

6. For the purpose of carrying out his duties, powers and functions the minister may, on behalf of the Crown and with the approval of the Lieutenant-Governor in Council, acquire real property.

Agreements and grants

7. The minister may
- (a) enter into an agreement or arrangement with any person, province, or Canada relating to a matter included in the minister's duties, powers and functions, and
 - (b) grant money to organizations engaged in forest research or education.

1978

MINISTRY OF FORESTS

CHAP. 27

Resource analysis every 10 years

8. Not later than September 30, 1979, September 30, 1984 and September 30 of every 10th year afterward the minister shall prepare and submit to the Lieutenant-Governor in Council a forest and range resource analysis containing

- (a) a description of the inventory of the forest and range resources in the Province,
- (b) a description of the location and extent of areas of forest land in the Province that
 - (i) have been denuded of timber through harvesting or otherwise and that, in the opinion of the chief forester, have not become re-stocked with commercially valuable species of timber, or
 - (ii) are producing timber at a rate that, in the opinion of the chief forester, is substantially lower than their potential,
- (c) a description of the programs of the ministry respecting public and private forest and range management, protection, conservation, investment and research,
- (d) an analysis of trends in and a forecast of
 - (i) domestic and international demand for and uses of the forest and range resources in the Province and products manufactured from them, and
 - (ii) the supply of the forest and range resources in the Province and products manufactured from them, in relation to the supply from areas outside the Province, and
- (e) a summary of developments in and questions of public policy that are expected to influence significantly and to affect the use, ownership, licensing and management of forest and range resources.

5 year resource program

9. Not later than September 30, 1979 and September 30 of each year afterward the minister shall submit to the Lieutenant-Governor in Council a forest and range resource program containing

- (a) a presentation of the alternatives available for re-stocking forest land, for increasing the productivity of forest and range land and for otherwise improving forest and range resources in the Province, identifying
 - (i) the estimated capital and current expenditures associated with each alternative,
 - (ii) the estimated effect of each alternative on the productivity of the resources,
 - (iii) the estimated direct and indirect economic and social benefits and costs associated with each alternative, and
 - (iv) an assessment of the priorities that should be given to each alternative, and
- (b) a program recommended to be implemented by the ministry during the 5 year period beginning April 1 of the year following the

date it is submitted, for re-stocking forest land, for increasing the productivity of forest and range land, and for otherwise improving forest and range resources in the Province, including

- (i) a schedule for implementing the program,
- (ii) the method to be used and priorities adopted for implementing the program, and
- (iii) the respective roles to be played by the Crown and the private sector in implementing the program.

Analysis and program to
be laid before Assembly

10. A forest and range resource analysis and a forest and range resource program shall be laid before the Legislative Assembly no later than 15 days after commencement of the first session in the calendar year following its submission to the Lieutenant-Governor in Council under sections 8 and 9.

Annual report

11. (1) The minister shall submit to the Lieutenant-Governor in Council an annual report respecting the work performed by the ministry and the report shall be laid before the Legislative Assembly within 15 days after commencement of the first session in the year following the end of the year for which it is made.

(2) The annual report shall include

- (a) a review of the forest and range program then in effect, a statement of the expenditures incurred to implement it, an assessment of the effect it has had on the productivity of forest and range resources in the Province and an analysis of the direct and indirect economic and social benefits and costs associated with its implementation, and
- (b) a summary of forest land in the Province, showing areas denuded of forest during the year, areas re-stocked during the year and areas the productivity of which has been improved during the year.

Regulations

12. The Lieutenant-Governor in Council may make regulations.

Appropriation

13. Money required for the purpose of this Act shall, until March 31, 1979,

- (a) in the absence of an appropriation, or
 - (b) where money appropriated is insufficient,
- be paid out of the Consolidated Revenue Fund.

1978

MINISTRY OF FORESTS

CHAP. 27

Commencement

14. This Act comes into force on a day to be fixed by Proclamation.

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