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BILL 37

ENERGY STATUTES AMENDMENT ACT, 2022

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Minister of Energy, Mines and Low Carbon Innovation

Explanatory Notes

CLAUSE 1: *[Oil and Gas Activities Act, title]* changes the title of the Act.

CLAUSE 2: *[Oil and Gas Activities Act, section 1]* adds and amends definitions.

BILL 37 – 2022

ENERGY STATUTES AMENDMENT ACT, 2022

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

Oil and Gas Activities Act

- 1 The Oil and Gas Activities Act, S.B.C. 2008, c. 36, is amended by repealing the title and substituting the following:*

ENERGY RESOURCE ACTIVITIES ACT .

- 2 Section 1 (2) is amended*

- (a) by repealing the definition of “appeal tribunal” and substituting the following:*

“**appeal tribunal**” means the Energy Resource Appeal Tribunal continued under section 19; ,

- (b) by repealing the definition of “commission” and substituting the following:*

“**regulator**” means the British Columbia Energy Regulator continued under section 2; ,

- (c) by repealing the definition of “commissioner” and substituting the following:*

“**commissioner**” means the commissioner appointed under section 6.1 (1); ,

- (d) by adding the following definitions:*

“**energy resource**” means

- (a) petroleum,
- (b) natural gas,
- (c) hydrogen,
- (d) methanol, or
- (e) ammonia;

“**energy resource road**” means a road referred to in paragraph (g) of the definition of “energy resource activity”; ,

CLAUSE 2: *[Oil and Gas Activities Act, section 1 – continued]*

(e) in the definition of “facility” by striking out “petroleum, natural gas” and substituting “an energy resource”,

(f) by repealing the definition of “oil and gas activity” and substituting the following:

“energy resource activity” means any of the following:

- (a) the exploration for or development of petroleum or natural gas;
- (b) the production, gathering, processing, storage or disposal of petroleum or natural gas;
- (c) the exploration for or development or use of a storage reservoir
 - (i) in relation to another energy resource activity, or
 - (ii) for the purposes of storing or disposing of carbon dioxide or a prescribed substance, whether or not in relation to another energy resource activity;
- (d) the construction or operation of a facility for the purposes of an activity described in paragraph (a), (b) or (c);
- (e) the construction or operation of any of the following facilities:
 - (i) a facility for manufacturing hydrogen, ammonia or methanol from petroleum, natural gas, water or another substance;
 - (ii) a facility for converting natural gas into organic compounds;
 - (iii) a petroleum refinery;
 - (iv) a prescribed facility;
- (f) the construction or operation of a pipeline;
- (g) the construction or maintenance of a prescribed road;
- (h) a prescribed activity;

“oil and gas or storage activity” means

- (a) an activity described in paragraph (a), (b), (c) or (d) of the definition of “energy resource activity”,
- (b) the construction or operation of a pipeline that is used to
 - (i) transport petroleum or natural gas, or
 - (ii) facilitate the carrying out of an activity described in paragraph (a) of this definition, or
- (c) the construction or maintenance of an energy resource road, if that activity is being carried out to facilitate the carrying out of an activity described in paragraph (a) or (b) of this definition; ,

CLAUSE 2: *[Oil and Gas Activities Act, section 1 – continued]*

CLAUSE 3: *[Oil and Gas Activities Act, section 1.1]* provides that the Act does not apply to prescribed energy resource activities.

CLAUSE 4: *[Oil and Gas Activities Act, heading to Division 1 of Part 2]* is consequential to amendments made by this Bill to the Act.

CLAUSE 5: *[Oil and Gas Activities Act, section 2]*

- renames the Oil and Gas Commission as the British Columbia Energy Regulator;
- changes the composition of and some of the rules relating to the board.

(g) in the definition of “pipeline” by repealing paragraphs (a) and (b) and substituting the following:

- (a) an energy resource;
- (b) water used for, or produced in the course of, an energy resource activity; ,

(h) in the definition of “pipeline” by adding the following paragraph:

- (a.1) carbon dioxide; , *and*

(i) in the definition of “spillage” by striking out “petroleum, natural gas” and substituting “an energy resource”.

3 *Part 1 is amended by adding the following section:*

Application

- 1.1** This Act does not apply in relation to a prescribed energy resource activity.

4 *The heading to Division 1 of Part 2 is repealed and the following substituted:*

Division 1 – British Columbia Energy Regulator .

5 *Section 2 is repealed and the following substituted:*

British Columbia Energy Regulator

- 2** (1) The Oil and Gas Commission is renamed as the British Columbia Energy Regulator and is continued as a corporation consisting of a board of directors appointed under this section.
- (2) The board is to consist of at least 5 and no more than 7 directors appointed by the Lieutenant Governor in Council as follows:
 - (a) one director who is a deputy minister;
 - (b) one director who is an Indigenous person;
 - (c) at least 3 and no more than 5 additional directors.
- (3) The chair of the board is a director who
 - (a) is designated in writing as chair by the minister, or
 - (b) if a chair is not designated under paragraph (a), is appointed by the board in accordance with procedures established under section 5 (1).
- (4) The board must elect a vice chair from among the directors.
- (5) An individual may be appointed as a director for a term of no more than 5 years and may be reappointed.
- (6) A majority of the directors holding office constitutes a quorum at meetings of the board.

CLAUSE 5: *[Oil and Gas Activities Act, section 2 – continued]*

CLAUSE 6: *[Oil and Gas Activities Act, section 4]* changes the purposes of the regulator.

CLAUSE 7: *[Oil and Gas Activities Act, section 6.1]* provides for the appointment of a commissioner who is not a member of the board.

CLAUSE 8: *[Oil and Gas Activities Act, section 9]* updates a reference to a federal enactment.

CLAUSE 9: *[Oil and Gas Activities Act, section 19]* continues the Oil and Gas Appeal Tribunal as the Energy Resource Appeal Tribunal.

- (7) If there is a tie vote, the chair of the board or, in the absence of the chair, the vice chair has the deciding vote.
- (8) A vacancy in the membership of the board or the incapacity of one of the directors does not impair the power of the remaining directors to act.
- (9) If a director dies or is unable to act or if a director's position is otherwise vacant, the minister, by order, may appoint an acting director for a period not longer than 6 months.
- (10) The regulator may pay to a director remuneration and expense allowances at rates set by the minister.

6 Section 4 is repealed and the following substituted:

Purposes

- 4 The purpose of the regulator is to regulate energy resource activities in a manner that protects public safety and the environment, supports reconciliation with Indigenous peoples and the transition to low-carbon energy, conserves energy resources and fosters a sound economy and social well-being.

7 The following section is added:

Commissioner

- 6.1 (1) The Lieutenant Governor in Council may appoint an individual, to be known as the commissioner, as the chief executive officer of the regulator.
- (2) If the commissioner dies or is unable to act or if the commissioner's position is otherwise vacant, the minister, by order, may appoint an individual to be the acting commissioner for a period not longer than 6 months.
- (3) The board may appoint a deputy commissioner.
- (4) A deputy commissioner has the powers of the commissioner, unless the board otherwise directs, and is subject to any directions given by the commissioner.

8 Section 9 (1) and (2) is amended by striking out “the National Energy Board Act (Canada)” wherever it appears and substituting “the Canadian Energy Regulator Act (Canada)”.

9 Section 19 (1) is repealed and the following substituted:

- (1) The Oil and Gas Appeal Tribunal is continued as the Energy Resource Appeal Tribunal.

CLAUSE 10: *[Oil and Gas Activities Act, heading to Part 3]* is consequential to amendments made by this Bill to the Act

CLAUSE 11: *[Oil and Gas Activities Act, sections 24 and 39]* is consequential to amendments made by this Bill to the *Petroleum and Natural Gas Act*.

CLAUSE 12: *[Oil and Gas Activities Act, section 28]* is consequential to amendments made by this Bill to the Act.

CLAUSE 13: *[Oil and Gas Activities Act, section 42]* is consequential to amendments made by this Bill to the Act.

CLAUSE 14: *[Oil and Gas Activities Act, Division 2.1 of Part 3]* establishes a scheme to expand responsibility for energy resource activities to various persons with an interest in the activity.

10 *The heading to Part 3 is repealed and the following substituted:*

PART 3 – ENERGY RESOURCE ACTIVITIES .

11 *Sections 24 (4) (c) and 39 (3) (a) (iii) are amended by striking out “storage reservoir lease” and substituting “storage reservoir licence”.*

12 *Section 28 is amended*

(a) in subsection (1) by repealing the definition of “regulator” and substituting the following:

“authority” means a person authorized to grant an approval under an applicable Act. , and

(b) in subsection (3) by striking out “regulator” wherever it appears and substituting “authority”.

13 *Section 42 is amended by striking out “A transfer under section 29” and substituting “A transfer under section 29, 43.09 or 43.10”.*

14 *The following Division is added to Part 3:*

Division 2.1 – Expanded Responsibility

Definitions

43.01 In this Division:

“former permit holder” means a person who held a permit that

- (a) was cancelled under section 26, 33 or 43.3,
- (b) was declared spent under section 27, or
- (c) expired under section 32;

“permit holder” means a person who holds a permit;

“principal”, in relation to a corporation, means an individual who

- (a) is a director or officer of the corporation,
- (b) is directly or indirectly in control of the corporation, or
- (c) in the case of a corporation that has ceased to exist, was a person described in paragraph (a) or (b) immediately before the corporation ceased to exist;

“responsible person”, in relation to a permit, has the meaning given to it in section 43.02.

CLAUSE 14: *[Oil and Gas Activities Act, Division 2.1 of Part 3 – continued]*

Responsible person

- 43.02** (1) The following are responsible persons for a permit:
- (a) a person who holds the petroleum or natural gas rights or the location for the permit;
 - (b) a person who has a legal or beneficial interest in the petroleum or natural gas rights or the location for the permit;
 - (c) a person who has a legal or beneficial interest in production or profits resulting from an energy resource activity authorized by the permit;
 - (d) a person who is made responsible for the permit under
 - (i) section 43.05 (2) [*register of responsible persons*], or
 - (ii) section 43.06 [*evasion of responsibility*].
- (2) Without limiting subsection (1), the following are also responsible persons for a permit:
- (a) if the location for the permit is cancelled, reverts or is abandoned, a person who was described in subsection (1) (a) or (b) immediately before that event;
 - (b) if the permit is cancelled under section 26, 33 or 43.3, is declared spent under section 27 or expires under section 32, a person who was described in subsection (1) (c) immediately before that event.
- (3) Despite this section, the following are not responsible persons:
- (a) the government;
 - (b) a person excluded by regulation.

Application of this Division

- 43.03** This Division applies in relation to any of the following:
- (a) a permit for an oil and gas or storage activity;
 - (b) a permit for a prescribed energy resource activity.

Identifying responsible persons

- 43.04** (1) A permit holder and a responsible person for a permit must
- (a) prepare and maintain the prescribed records, and
 - (b) at the request of the regulator or as prescribed by regulation, submit those records to the regulator.
- (2) Subsection (1) does not apply in relation to a permit that is cancelled under section 26, 33 or 43.3, is declared spent under section 27 or expires under section 32.

CLAUSE 14: *[Oil and Gas Activities Act, Division 2.1 of Part 3 – continued]*

- (3) The following persons must, at the request of the regulator, submit to the regulator any information or records in the custody or control of the person that might assist the regulator in identifying responsible persons for a permit:
 - (a) the permit holder or former permit holder;
 - (b) a responsible person for the permit;
 - (c) a person who the regulator has reasonable grounds to believe has information or records that might assist the regulator in identifying responsible persons for the permit.
- (4) Information and records required to be submitted under this section must be submitted in the form and manner the regulator requires.

Register of responsible persons

- 43.05** (1) Subject to the regulations, the regulator may establish a register of responsible persons.
- (2) A person who is listed in the register as a responsible person for a permit is conclusively deemed to be a responsible person for the permit for the purposes of this Division unless the person
 - (a) satisfies the regulator that the person is not a responsible person, and
 - (b) if required by the regulator, submits to the regulator any information or records that might assist the regulator in identifying responsible persons for the permit.
 - (3) Information and records required to be submitted under this section must be submitted in the form and manner the regulator requires.

Evasion of responsibility

- 43.06** The regulator, by order, may designate a person who has ceased to be a responsible person for a permit as a responsible person for the permit, after giving the person an opportunity to be heard, if
 - (a) the regulator is satisfied, having regard to the circumstances in which the person ceased to be a responsible person, that the person intended to evade responsibility, or
 - (b) the person ceased to be a responsible person in prescribed circumstances and the regulator is not satisfied that the person did not intend to evade responsibility.

CLAUSE 14: *[Oil and Gas Activities Act, Division 2.1 of Part 3 – continued]*

Expanded responsibility – orders

- 43.07** (1) In this section, “**specified provision**” means any of the following:
- (a) section 30 (1) *[order requiring security]*;
 - (b) section 40 (f) *[order to carry out restoration or protection]*;
 - (c) section 49 (1) *[order issued by official]*;
 - (d) section 50 (1) (c) *[order to repay regulator]*;
 - (e) section 53 (3) *[order to pay costs of proceedings]*.
- (2) If a permit holder or former permit holder has ceased to exist or fails to comply with an order under a specified provision, the regulator may make an order under the specified provision against
- (a) a responsible person for the permit, or
 - (b) a principal of the permit holder or former permit holder or of a responsible person described in paragraph (a).

Expanded responsibility – limited work order

- 43.08** (1) The regulator may make an order in relation to an orphan site against
- (a) a responsible person for the permit for the orphan site, or
 - (b) a principal of the permit holder or former permit holder for the orphan site or of a responsible person described in paragraph (a).
- (2) An order under subsection (1) may require a person to
- (a) perform an obligation described in section 40 (d),
 - (b) comply with a requirement described in section 40 (e), or
 - (c) carry out an action that might have been ordered under section 40 (f).

Expanded responsibility – transfer of permit

- 43.09** (1) The regulator, by order, may transfer a permit in relation to an orphan site to
- (a) a responsible person for the permit for the orphan site, or
 - (b) a principal of the permit holder or former permit holder for the orphan site or of a responsible person described in paragraph (a).
- (2) A transfer under this section may be made without the consent of the permit holder or former permit holder or the person to receive the permit.
- (3) Section 29 (2.2), (2.3) and (3) applies in relation to a transfer under this section.

Expanded responsibility – transfer of authorization

- 43.10** (1) In this section, “**linked authorization**”, in relation to an orphan site, means an authorization issued to the permit holder or former permit holder for the orphan site for related activities of an energy resource activity permitted by the permit.

CLAUSE 14: *[Oil and Gas Activities Act, Division 2.1 of Part 3 – continued]*

- (2) The regulator, by order, may transfer a linked authorization for an orphan site to a person, despite anything in a specified enactment prohibiting the transfer, if
 - (a) an order under section 43.08 (1) in relation to the orphan site is made against the person, or
 - (b) the permit for the orphan site is transferred under section 43.09 (1) to the person.
- (3) A transfer under this section may be made without the consent of the permit holder or former permit holder or the person to receive the linked authorization.
- (4) Section 29 (3) applies in relation to a transfer under this section.

Expanded responsibility – administration in relation to orders

- 43.11** (1) This section applies to
- (a) an order contemplated by section 43.07 (2), or
 - (b) an order under section 43.08 (1), 43.09 (1) or 43.10 (2).
- (2) Before making an order to which this section applies against a principal, the regulator must give the principal an opportunity to be heard.
- (3) An order to which this section applies is not unreasonable, if made against a person other than a principal, only because the order imposes a burden on the person that is disproportionate to that person’s interest in, control over or benefit from the relevant energy resource activity.

Compensation for restoration by responsible persons

- 43.12** Subject to the regulations, the regulator may, on application by a responsible person who has restored an orphan site in whole or in part, pay to the person an amount of compensation determined as follows out of the fund:

$$\text{compensation} = \text{costs} \times \text{compensable share}$$

where

costs = the costs reasonably incurred by the person in carrying out the restoration, as determined by the regulator;

compensable share = the permit holder’s interest in the energy resource activity that was carried out at the orphan site, expressed as a percentage of all interests in that activity, as determined by the regulator.

CLAUSE 15: *[Oil and Gas Activities Act, section 44]* expands responsibility under section 45 (7) of the Act for costs incurred by the regulator to restore an orphan site to various persons with an interest in the energy resource activity that gave rise to the site.

CLAUSE 16: *[Oil and Gas Activities Act, section 44.1]* enables the regulator to designate an individual as a principal of a party.

CLAUSE 17: *[Oil and Gas Activities Act, section 45]* is consequential to amendments made by this Bill to the Act.

CLAUSE 18: *[Oil and Gas Activities Act, section 45.01]* extends the limitation period for actions and the filing of certificates to recover debts relating to costs incurred by the regulator to restore an orphan site.

15 Section 44 is amended

(a) by repealing the definition of “interest holder”,

(b) by repealing the definition of “parties” and substituting the following:

“parties”, in relation to an orphan site, means

- (a) the permit holder or former permit holder for the orphan site,
- (b) the responsible persons for that permit holder or former permit holder,
and
- (c) an individual who is designated by order under section 44.1; , **and**

(c) by adding the following definitions:

“principal” has the same meaning as in section 43.01;

“responsible person” has the same meaning as in section 43.01; .

16 The following section is added:

Parties – designating principals

- 44.1** (1) The regulator, by order, may designate a principal of a party described in paragraph (a) or (b) of the definition of “parties” in section 44 as a party for the purposes of paragraph (c) of that definition.
- (2) Before making an order under subsection (1) against a principal, the regulator must give the principal an opportunity to be heard.

17 Section 45 is amended

(a) in subsection (2) (a) by striking out “oil and gas road” wherever it appears and substituting “energy resource road”, and

(b) in subsection (4) by adding the following paragraph:

- (c.2) money received by the regulator from a disposition described in section 45.03 (1) or (2); .

18 The following section is added:

Reclamation of orphan sites – limitation periods

- 45.01** (1) In this section, “restoration debt proceeding” means
- (a) an action referred to in section 45 (7), or
 - (b) the filing of a certificate under section 93.1 for the purposes of section 45 (7).
- (2) A restoration debt proceeding may be commenced at any time within 7 years after the date on which the debt becomes payable.

CLAUSE 19: *[Oil and Gas Activities Act, sections 45.02 and 45.03]*

- provides for an online list of orphan sites;
- establishes a scheme governing the disposition of abandoned property by the regulator in the course of restoring orphan sites or incidental to certain transfers of permits.

19 *The following sections are added:*

Registry of orphan sites

- 45.02** The regulator must publish, on a publicly accessible website maintained by or on behalf of the regulator,
- (a) a list of orphan sites, and
 - (b) a notice that property abandoned at the listed orphan sites may be available for disposition.

Disposition of abandoned property

- 45.03** (1) If the regulator, in the course of restoring an orphan site under section 45 (1), disposes of property abandoned at the orphan site, the regulator must pay into the fund any money received in relation to the disposition.
- (2) If the regulator transfers a permit to a person under section 29, in circumstances described in section 29 (1.2), or under section 43.09 (1), the regulator
- (a) may dispose of property abandoned at the site of the permit to the person or another person, and
 - (b) must pay into the fund any money received in relation to the disposition.
- (3) Good and sufficient title vests in a person to whom property is disposed of under this section, as against any other person who claims or might claim against the property.
- (4) Subject to subsection (5) and the regulations, if the regulator is satisfied that a person has a claim to property disposed of by the regulator in relation to which money has been paid into the fund under subsection (1) or (2) (b), the regulator may pay out of the fund to the person an amount in relation to the claim.
- (5) The total amount that may be paid to persons under subsection (4) in relation to property disposed of by the regulator must not exceed the difference between
- (a) the amount of money paid into the fund in relation to the disposition of the property, and
 - (b) the amount of money paid out of the fund in relation to the disposition of the property.

CLAUSE 20: ***[Oil and Gas Activities Act, section 48]*** provides for the enforcement under Part 5 of the Act of authorizations issued under section 138 of the *Petroleum and Natural Gas Act*.

CLAUSE 21: ***[Oil and Gas Activities Act, section 50]*** extends the application of section 50 of the Act to orders under section 40 (f) of the Act.

CLAUSE 22: ***[Oil and Gas Activities Act, section 51]*** enables an official to restrict or prohibit access to a public area to facilitate an investigation.

CLAUSE 23: ***[Oil and Gas Activities Act, section 75]*** is consequential to amendments made by this Bill to the *Natural Gas Development Statutes Amendment Act, 2015*.

CLAUSE 24: ***[Oil and Gas Activities Act, section 79]*** is consequential to amendments made by this Bill to the Act.

20 Section 48 (1) (c) is repealed and the following substituted:

- (c) a reference to “an authorization”
 - (i) includes an authorization under section 138 [*entry on unoccupied Crown land*] of the *Petroleum and Natural Gas Act*, and
 - (ii) does not include any of the following:
 - (A) an authorization under the *Environmental Management Act* or the *Water Sustainability Act* issued by the regulator under section 8 of this Act;
 - (B) an approval, as defined in section 9 of this Act and as issued by the regulator under that section, under the *Environmental Management Act* or the *Water Sustainability Act*; .

21 Section 50 (1) is amended by striking out “If an official issues an order under section 49 (1) and the person to whom the order was issued has not complied with the order by the date specified in the order under section 49 (3) (c),” and substituting “If a person to whom an order is issued under section 40 (f) or 49 (1) has not complied with the order by the date specified in the order,”.

22 Section 51 is amended

(a) by repealing subsection (1) and substituting the following:

- (1) Subject to this section, an official, by order, may restrict or prohibit, in a manner prescribed by regulation, access to a public area, including a highway, road, resource road, and railway, if the official is of the opinion that the restriction or prohibition is necessary
 - (a) because of hazardous conditions relating to an energy resource activity, or
 - (b) to facilitate an investigation relating to hazardous conditions described in paragraph (a). , **and**

(b) by adding the following subsections:

- (3) An order under subsection (1) (b) may not restrict or prohibit access to a public area for a period of more than 30 days.
- (4) An order under subsection (1) (b) may not restrict or prohibit access to a provincial public highway within the meaning of the *Transportation Act*.

23 Section 75 (1) is amended by adding the following paragraph:

- (c.1) the development or use of a storage reservoir; .

24 Section 79 (1) (b) is amended by striking out “a permit holder or an authorization holder” and substituting “a permit holder, an authorization holder or the holder of an authorization under section 138 of the *Petroleum and Natural Gas Act*”.

CLAUSE 25: *[Oil and Gas Activities Act, section 94]* provides that regulations of the Lieutenant Governor in Council may provide differently for different circumstances.

CLAUSE 26: *[Oil and Gas Activities Act, section 99]* is consequential to amendments made by this Bill to the Act.

CLAUSE 27: *[Oil and Gas Activities Act, section 100]* is consequential to the addition by this Bill of section 45.03 to the Act.

CLAUSE 28: *[Oil and Gas Activities Act, section 100.1]* is consequential to the addition by this Bill of Division 2.1 of Part 3 to the Act.

CLAUSE 29: *[Oil and Gas Activities Act, section 106]* provides that regulations of the board may provide differently for different circumstances.

25 *Section 94 (2) (c) is amended by striking out “persons, places, things, decisions, transactions or activities” and substituting “persons, places, things, decisions, transactions, activities or circumstances”.*

26 *Section 99 (1) is amended*

(a) by repealing paragraph (a) and substituting the following:

(a) prescribing facilities or activities for the purposes of the definition of “energy resource activity” in section 1 (2); , *and*

(b) by adding the following paragraphs:

(a.1) prescribing energy resource activities for the purposes of paragraph (d) of the definition of “oil and gas or storage activity” in section 1 (2);

(c.1) prescribing energy resource activities for the purposes of section 1.1; .

27 *Section 100 (2) is amended by adding the following paragraph:*

(b.1) respecting payments under section 45.03 (4), including, without limitation, specifying classes of claims or claimants in relation to which payments may or may not be made; .

28 *The following section is added:*

Regulations respecting expanded liability

100.1 The Lieutenant Governor in Council may make regulations as follows:

(a) respecting the determination of whether an individual is directly or indirectly in control of a corporation for the purposes of paragraph (b) of the definition of “principal” in section 43.01;

(b) respecting the determination of whether a person has a legal or beneficial interest for the purposes of section 43.02 (1) (b) or (c);

(c) specifying classes of persons as excluded for the purposes of section 43.02 (3) (b);

(d) prescribing energy resource activities for the purposes of section 43.03;

(e) respecting the establishment and administration of a register under section 43.05 (1);

(f) prescribing circumstances for the purposes of section 43.06 (b);

(g) respecting the determination under section 43.12 of costs incurred in carrying out restoration and interests in oil and gas activities.

29 *Section 106 (1) (c) is amended by striking out “persons, places, things, decisions, transactions or activities” and substituting “persons, places, things, decisions, transactions, activities or circumstances”.*

CLAUSE 30: *[Oil and Gas Activities Act, section 106]* is consequential to the addition by this Bill of Division 2.1 of Part 3 to the Act.

CLAUSE 31: *[Oil and Gas Activities Act, section 111]* is consequential to amendments made by this Bill to the *Petroleum and Natural Gas Act*.

CLAUSE 32: *[Oil and Gas Activities Act, section 111]* is consequential to amendments made by this Bill to the Act.

CLAUSE 33: *[Oil and Gas Activities Act, section 111.2]* is consequential to the addition by this Bill of Division 2.1 of Part 3 to the Act.

CLAUSE 34: *[Oil and Gas Activities Act, section 118.1]* is consequential to amendments made by this Bill to the Act.

CLAUSE 35: *[Petroleum and Natural Gas Act, section 1]* adds and amends definitions.

- 30 ***Section 106 (3) is amended in subsection (3) by striking out “111.1 (1) (b) or” and substituting “111.1 (1) (b), 111.2 (a) or”.***
- 31 ***Section 111 (1) (n) is amended by striking out “an underground formation” and substituting “a storage reservoir”.***
- 32 ***Section 111 (2) (a) is repealed and the following substituted:***
(a) prescribing roads for the purposes of paragraph (g) of the definition of “energy resource activity” in section 1 (2); .
- 33 ***The following section is added:***

Regulations respecting expanded liability

111.2 The board may make regulations as follows:

- (a) prescribing records for the purposes of section 43.04 (1) and respecting the maintenance and submission of those records;
- (b) respecting applications under section 43.12 and specifying criteria that a responsible person must meet to be eligible to make an application under that section.
- 34 ***Section 118.1 is amended by striking out “paragraph (f) of the definition of “oil and gas activity” in section 1 (2)” and substituting “paragraph (g) of the definition of “energy resource activity” in section 1 (2)”.***

Petroleum and Natural Gas Act

- 35 ***Section 1 of the Petroleum and Natural Gas Act, R.S.B.C. 1996, c. 361, is amended***
(a) in the definition of “licence” by striking out “a licence to explore for a storage reservoir under this Act” and substituting “a licence under section 126 (3) or 130 (3)”,
(b) in the definition of “storage reservoir” by striking out “a naturally occurring underground reservoir” and substituting “an underground reservoir” and by striking out “storage or recovery of petroleum, natural gas,” and substituting “storage or recovery of petroleum, natural gas, carbon dioxide,”
(c) by adding the following definition:
“storage reservoir licence” means a licence under section 130 (3); ,

CLAUSE 35: *[Petroleum and Natural Gas Act, section 1 – continued]*

CLAUSE 36: *[Petroleum and Natural Gas Act, section 1]* adds and amends definitions.

- (d) by repealing the definition of “storage well” and substituting the following:**
“storage well” means a well in which casing is run and that, in the opinion of the commission, is used or is capable of being used to dispose of or recover, into or from a storage reservoir,
- (a) petroleum or natural gas,
 - (b) carbon dioxide,
 - (c) water produced in relation to the production of petroleum or natural gas,
 - (d) waste, or
 - (e) any other prescribed substance; ,
- (e) in paragraph (b) of the definition of “unitized operation” by striking out “operation of a storage reservoir” and substituting “use of a storage reservoir”, and**
- (f) in paragraph (b) of the definition of “well” by striking out “storage or disposal of petroleum, natural gas,” and substituting “storage or disposal of petroleum, natural gas, carbon dioxide,”.**

36 Section 1 is amended

- (a) by repealing the definition of “commission” and substituting the following:**
“regulator” has the same meaning as in the *Energy Resource Activities Act*; ,
- (b) by repealing the definition of “commissioner”,**
- (c) by repealing the definition of “natural gas” and substituting the following:**
“natural gas” means
- (a) all fluid hydrocarbons, before and after processing, that are not defined as petroleum, and
 - (b) any of the following that is produced from a well:
 - (i) carbon dioxide;
 - (ii) helium;
 - (iii) hydrogen;
 - (iv) hydrogen sulphide; ,
- (d) by repealing the definition of “oil and gas activity” and substituting the following:**
“oil and gas or storage activity” has the same meaning as in section 1 (2) of the *Energy Resource Activities Act*; , and

CLAUSE 36: *[Petroleum and Natural Gas Act, section 1 – continued]*

CLAUSE 37: *[Petroleum and Natural Gas Act, section 50]* is consequential to amendments made by this Bill to the Act.

CLAUSE 38: *[Petroleum and Natural Gas Act, section 71]* provides that drilling licences may be disposed of under section 71 of the Act.

CLAUSE 39: *[Petroleum and Natural Gas Act, section 117]* is consequential to amendments made by this Bill to the Act.

CLAUSE 40: *[Petroleum and Natural Gas Act, section 117.1]* authorizes the minister to reinstate and transfer permits, drilling licences or leases associated with orphan sites and sites that could be designated as orphan sites.

(e) by adding the following definition:

“orphan site” has the same meaning as in section 44 of the *Energy Resource Activities Act*; .

37 Section 50 (2) (b) is amended

(a) by striking out “storage lease” and substituting “storage reservoir licence”, and

(b) by striking out “an underground formation” and substituting “a storage reservoir”.

38 Section 71 (3) is amended by repealing paragraphs (a) and (b) and substituting the following:

(a) a permit issued under this section is subject to the terms of this Act as though it had been issued under Part 5,

(b) a drilling licence issued under this section is subject to the terms of this Act as though it had been issued under Part 5.1, and

(c) a lease issued under this section is subject to the terms of this Act as though it had been issued under Part 6.

39 Section 117 is amended by adding the following subsection:

(0.1) This section applies in relation to a permit, drilling licence or lease.

40 The following section is added:

Transfers relating to orphan sites

117.1 (1) When a location has been cancelled, reverted or abandoned, the minister may transfer a permit, drilling licence or lease for the location to a person who wants to acquire the permit, drilling licence or lease, as the case may be, if

(a) the location is associated with

(i) an orphan site, or

(ii) a well, facility, pipeline, energy resource road or area that meets the criteria under section 45 (2) of the *Energy Resource Activities Act* for designation as an orphan site, and

(b) the minister is satisfied that it is not in the public interest to dispose of the location under section 71 of this Act and the person pays the price, if any, approved by the minister.

(2) A permit, drilling licence or lease transferred under subsection (1) is reinstated and, unless subsequently continued, expires on the date that it would have expired had it not been cancelled, reverted or abandoned.

CLAUSE 41: *[Petroleum and Natural Gas Act, sections 118, 120 and 125.1]* is consequential to amendments made by this Bill to the Act.

CLAUSE 42: *[Petroleum and Natural Gas Act, section 121]* is consequential to amendments made by this Bill to the Act.

CLAUSE 43: *[Petroleum and Natural Gas Act, section 122]* is consequential to amendments made by this Bill to the Act.

CLAUSE 44: *[Petroleum and Natural Gas Act, sections 125.3 and 125.4]* gives the government rights to explore for, access, develop and use storage reservoirs for the purpose of storing or disposing of certain substances.

41 *Sections 118 (c), 120 and 125.1 are amended by striking out “drilling licence” and substituting “licence”.*

42 *Section 121 (1) is amended*

(a) by striking out “a storage reservoir is being operated” and substituting “each lease or licence under which a storage reservoir is being used for storage or disposal”, and

(b) by striking out “the lessee” wherever it appears and substituting “the holder of the lease or licence”.

43 *Section 122 (1) is amended by striking out “a storage reservoir lease” and substituting “a storage reservoir licence”.*

44 *Part 14 is amended by adding the following sections:*

Application

125.3 Subject to the regulations, this Part does not apply in relation to the following lands:

- (a) treaty lands of a treaty first nation;
- (b) Nisga’a lands;
- (c) Nisga’a Fee Simple Lands within the meaning of the Nisga’a Final Agreement;
- (d) the lands over which the Supreme Court of Canada in *Tsilhqot’in Nation v. British Columbia*, 2014 SCC 44, granted a declaration of Aboriginal title and the lands found by the British Columbia Supreme Court in *Tsilhqot’in Nation v. British Columbia*, 2007 BCSC 1700, to be proven title area outside the claim area.

Government right to storage reservoirs

125.4 (1) The government has a right to explore for, access, develop and use storage reservoirs for the purpose of storing or disposing of

- (a) carbon dioxide,
- (b) a substance referred to in section 50 (2) (b), or
- (c) a prescribed substance.

(2) No compensation is payable by the government, and proceedings must not be commenced or continued to claim compensation from the government or to obtain a declaration that compensation is payable by the government, in respect of the effect of this section or section 125.3, or the regulations referred to in those sections.

- CLAUSE 44: *[Petroleum and Natural Gas Act, sections 125.3 and 125.4 – continued]*
- CLAUSE 45: *[Petroleum and Natural Gas Act, sections 127, 128 and 129]* is consequential to amendments made by this Bill to the Act.
- CLAUSE 46: *[Petroleum and Natural Gas Act, section 129.1]* precludes the use of storage reservoirs to store or dispose of certain substances without a petroleum and natural gas lease or a storage reservoir license.
- CLAUSE 47: *[Petroleum and Natural Gas Act, section 130]* is consequential to amendments made by this Bill to the Act.
- CLAUSE 48: *[Petroleum and Natural Gas Act, section 130]* removes limits on who may apply for a storage reservoir licence.
- CLAUSE 49: *[Petroleum and Natural Gas Act, section 132]* is consequential to amendments made by this Bill to the Act.

- (3) For certainty, subsection (2) does not limit the operation of Part 17 [*Entry on Private Land*].

45 *Sections 127, 128 and 129 are repealed.*

46 *The following section is added:*

Restriction on use of storage reservoirs

- 129.1** A person must not use a storage reservoir to store or dispose of a substance described in section 125.4 (1) unless the person does so in accordance with
- (a) a lease under Part 6 [*Petroleum and Natural Gas Leases*], or
 - (b) a licence under section 130 [*storage reservoir licence*].

47 *Section 130 is amended*

- (a) *in subsection (1) by striking out* “an exploration licence granted under section 126” *and substituting* “a licence under section 126 (3) or subsection (3) of this section”,
- (b) *in subsection (2) by striking out* “a lease under subsection (3)” *and substituting* “a licence under subsection (3)”, *and*
- (c) *in subsection (3) by striking out* “may lease a storage reservoir that is owned by the government to a person who applies under subsection (1)” *and substituting* “may grant to a person who applies under subsection (1) of this section a licence to access, develop or use a storage reservoir to store or dispose of a substance described in section 125.4 (1)” *and by striking out* “grant a lease” *wherever it appears and substituting* “grant a licence”.

48 *Section 130 (1) is repealed and the following substituted:*

- (1) A person may apply to the minister for a licence under subsection (3).

49 *Section 132 is repealed and the following substituted:*

Regulations for this Part

- 132** Without limiting section 133, the Lieutenant Governor in Council may make regulations as follows:
- (a) for the purposes of section 125.3, providing that this Part applies to some or all of the lands described in that section;
 - (b) providing that any or all of the provisions of this Part do not apply in relation to land, a person or operation or a class of lands, persons or operations;
 - (c) respecting applications for licences under this Part, including, without limitation, publication of applications;

CLAUSE 49: *[Petroleum and Natural Gas Act, section 132 – continued]*

CLAUSE 50: *[Petroleum and Natural Gas Act, section 132]* is consequential to amendments made by this Bill to the Act and to the *Natural Gas Development Statutes Amendment Act, 2015*.

CLAUSE 51: *[Petroleum and Natural Gas Act, section 133]*

- is consequential to amendments made by this Bill to the Act;
- provides that regulations may provide differently for different circumstances.

CLAUSE 52: *[Petroleum and Natural Gas Act, sections 138, 140, 142 and 164]* is consequential to amendments made by this Bill to the Act and to the *Oil and Gas Activities Act*.

CLAUSE 53: *[Petroleum and Natural Gas Act, section 143]* is consequential to amendments made by this Bill to the Act.

CLAUSE 54: *[Petroleum and Natural Gas Act, section 152]* is consequential to amendments made by this Bill to the Act.

- (d) respecting licences under this Part, including, without limitation,
 - (i) the form, content and terms and conditions of licences, or
 - (ii) rents to be charged under licences under section 130 (3) and the payment or collection of rents;
- (e) respecting the application of any or all of the provisions of the *Fire Services Act* or of regulations made under the *Fire Services Act* to a storage reservoir or to a person who explores for, develops or uses a storage reservoir.

50 Section 132 is amended by adding the following paragraphs:

- (d.1) prescribing requirements for the purposes of section 130 (2) (a) or (2.1);
- (d.2) respecting amendments and transfers under section 130 (5); .

51 Section 133 is amended

(a) in subsection (2) (d.2) by striking out “locations of permits and leases” and substituting “locations of permits, licences and leases”,

(b) in subsection (2) (i) by striking out “operate a storage reservoir” and substituting “use a storage reservoir”,

(c) in subsection (2) (p) (iv) by striking out “or leases” wherever it appears, and

(d) by adding the following subsection:

- (4) In making a regulation under this Act, the Lieutenant Governor in Council may make different regulations for different persons, places, things, decisions, transactions, activities or circumstances.

52 Sections 138 (1) (c), 140 (1) (a), 142 (a) and 164 (1) (b) are amended by striking out “oil and gas activity” wherever it appears and substituting “oil and gas or storage activity”.

53 Section 143 (1) is amended by repealing the definition of “orphan site”.

54 Section 152 is amended

(a) in subsection (1) by striking out “Subject to subsection (2), the parties” and substituting “The parties”, and

(b) by repealing subsection (2).

CLAUSE 55: ***[Energy Resource Activities Act transition – directors and commissioner]*** provides that the deputy minister and the commissioner do not continue as members of the board but otherwise continues the appointment of the commissioner.

CLAUSE 56: ***[Energy Resource Activities Act transition – orphan-site restoration costs]*** provides that certain amendments made by this Act to expand responsibility for energy resource activities do not apply in relation to sites that have already been designated as orphan sites.

CLAUSE 57: ***[Petroleum and Natural Gas Act transition – former storage activities]*** precludes compensation and related proceedings for certain historical activities relating to storage reservoirs.

Transitional Provisions

Energy Resource Activities Act transition – directors and commissioner

- 55 (1) In this section, words and expressions have the same meaning as in the *Energy Resource Activities Act*.
- (2) The deputy minister and the commissioner are not continued as directors of the board.
- (3) Subject to subsection (2), the appointment of the commissioner under section 2 (3) of the *Energy Resource Activities Act*, as that section read immediately before the date this section comes into force, if the commissioner is holding office on that date, is deemed to have been made under section 6.1 (1) of that Act.

Energy Resource Activities Act transition – orphan-site restoration costs

- 56 (1) In this section, words and expressions have the same meaning as in the *Energy Resource Activities Act*.
- (2) The following sections of the *Energy Resource Activities Act* do not apply in relation to an orphan site that is designated under section 45 (2) of that Act before this section comes into force:
- (a) section 43.08 [*expanded responsibility – limited work order*];
 - (b) section 43.09 [*expanded responsibility – transfer of permit*];
 - (c) section 43.10 [*expanded responsibility – transfer of authorization*];
 - (d) section 45 (7) [*reclamation of orphan sites – joint and several liability*], as it relates to a party other than a permit holder, a former permit holder or a person who holds the petroleum or natural gas rights or the location for the permit.

Petroleum and Natural Gas Act transition – former storage activities

- 57 (1) In this section, “**former storage activity**” means the exploration for or access, development or use of a storage reservoir for the purposes of storing or disposing of a substance described in section 125.4 (1) (a) or (b) of the *Petroleum and Natural Gas Act* that occurred before that section comes into force under a lease issued under Part 6 or section 71 of that Act.
- (2) No compensation is payable by the government or any person, and proceedings must not be commenced or continued to claim compensation from the government or any person or to obtain a declaration that compensation is payable by the government or any person, on the ground that a former storage activity constitutes trespass.

CLAUSE 57: *[Petroleum and Natural Gas Act transition – former storage activities – continued]*

CLAUSE 58: *[Petroleum and Natural Gas Act transition – storage reservoir leases]*
continues storage reservoir leases as storage reservoir licences.

CLAUSE 59: *[Petroleum and Natural Gas Act transition – storage reservoir licences]*
applies a regulation relating to storage reservoir leases to storage reservoir licences.

CLAUSES

60 to 65: *[Various statutes]* are consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

- (3) For certainty, subsection (2) does not limit the operation of Part 17 [*Entry on Private Land*] of the *Petroleum and Natural Gas Act*.

***Petroleum and Natural Gas Act transition –
storage reservoir leases***

- 58 A lease granted under section 130 (3) of the *Petroleum and Natural Gas Act*, as that section read immediately before this section comes into force, is deemed to have been issued as a licence under section 130 (3) of that Act, as amended by this Act, and, despite any other provision of that Act, the minister may amend the terms of the licence for the purposes of this section.

***Petroleum and Natural Gas Act transition –
storage reservoir licences***

- 59 (1) The *Petroleum and Natural Gas Storage Reservoir Regulation*, B.C. Reg. 350/97, applies in relation to a licence under section 130 (3) of the *Petroleum and Natural Gas Act*, and, for that purpose, a reference in that regulation to a lease is to be read as a reference to a licence under that section.
- (2) This section may be repealed by regulation of the Lieutenant Governor in Council.

Consequential Amendments

- 60 *The Acts listed in Column 1 of Schedule 1 are amended in the provisions listed opposite them in Column 2 by striking out “Oil and Gas Activities Act” wherever it appears and substituting “Energy Resource Activities Act”.*
- 61 *The Acts listed in Column 1 of Schedule 2 are amended in the provisions listed opposite them in Column 2 by striking out “Oil and Gas Commission” wherever it appears and substituting “British Columbia Energy Regulator”.*
- 62 *The Acts listed in Column 1 of Schedule 3 are amended in the provisions listed opposite them in Column 2 by striking out “commission” wherever it appears and substituting “regulator”.*
- 63 *The Acts listed in Column 1 of Schedule 4 are amended in the provisions listed opposite them in Column 2 by striking out “commission’s” wherever it appears and substituting “regulator’s”.*
- 64 *The Acts listed in Column 1 of Schedule 5 are amended in the provisions listed opposite them in Column 2 by striking out “oil and gas activity” wherever it appears and substituting “energy resource activity”.*

CLAUSES

60 to 65: *[Various statutes – continued]*

CLAUSE 66: *[Environmental Management Act, section 39]* is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

CLAUSE 67: *[Expropriation Act, section 2]* is consequential to the addition by this Bill of section 125.4 to the *Petroleum and Natural Gas Act*.

CLAUSE 68: *[Fire Safety Act, section 67]* is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

CLAUSE 69: *[Forest Act, section 47.4]* is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

CLAUSE 70: *[Geothermal Resources Act, section 1]* is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

- 65 *The Acts listed in Column 1 of Schedule 6 are amended in the provisions listed opposite them in Column 2 by striking out “oil and gas activities” wherever it appears and substituting “energy resource activities”.*

Environmental Management Act

- 66 *Section 39 (1) of the Environmental Management Act, S.B.C. 2003, c. 53, is amended by repealing the definition of “commission” and substituting the following:*

“regulator” has the same meaning as in the *Energy Resource Activities Act*; .

Expropriation Act

- 67 *Section 2 of the Expropriation Act, R.S.B.C. 1996, c. 125, is amended by adding the following subsection:*

(9) This Act does not apply in respect of section 125.4 of the *Petroleum and Natural Gas Act*.

Fire Safety Act

- 68 *Section 67 of the Fire Safety Act, S.B.C. 2016, c. 19, is amended by striking out “Section 132 (i) of the Petroleum and Natural Gas Act” and substituting “Section 132 (e) of the Petroleum and Natural Gas Act”.*

Forest Act

- 69 *Section 47.4 (2) (b) (i) (A) of the Forest Act, R.S.B.C. 1996, c. 157, is repealed and the following substituted:*

(A) an energy resource activity under the *Energy Resource Activities Act*; .

Geothermal Resources Act

- 70 *Section 1 (1) of the Geothermal Resources Act, R.S.B.C. 1996, c. 171, is amended by repealing the definition of “commission” and substituting the following:*

“regulator” has the same meaning as in the *Energy Resource Activities Act*; .

CLAUSE 71: ***[Natural Gas Development Statutes Amendment Act, 2015, sections 2, 22, 25, 26 and 29]*** is consequential to amendments made by this Bill to the *Oil and Gas Activities Act* and the *Petroleum and Natural Gas Act*.

CLAUSE 72: ***[Natural Gas Development Statutes Amendment Act, 2015, section 28]*** is consequential to amendments made by this Bill to the *Petroleum and Natural Gas Act*.

CLAUSE 73: ***[Oil and Gas Activities Amendment Act, 2018, section 4]*** is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

CLAUSE 74: ***[Oil and Gas Activities Amendment Act, 2018, section 17]*** is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

CLAUSE 75: ***[Safety Standards Act, section 3]*** is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

Natural Gas Development Statutes Amendment Act, 2015

- 71 *Sections 2, 22, 25, 26 and 29 of the Natural Gas Development Statutes Amendment Act, 2015, S.B.C. 2015, c. 40, are repealed.*
- 72 *Section 28, as it enacts section 130 (2), (4) and (5) of the Petroleum and Natural Gas Act, R.S.B.C. 1996, c. 361, is amended by striking out “lease” wherever it appears and substituting “licence”.*

Oil and Gas Activities Amendment Act, 2018

- 73 *Section 4 of the Oil and Gas Activities Amendment Act, 2018, S.B.C. 2018, c. 54, is amended*
- (a) *as it enacts section 25.1 (1) of the Oil and Gas Activities Act, S.B.C. 2008, c. 36, by repealing the definition of “oil and gas management area” and substituting the following:*
- “energy resource management area” means an energy resource management area established under section 105.1 (1) (b) (i); , and*
- (b) *as it enacts section 25.1 (2) of the Oil and Gas Activities Act, S.B.C. 2008, c. 36, by striking out “oil and gas management area” wherever it appears and substituting “energy resource management area”.*
- 74 *Section 17, as it enacts section 105.1 (1) (b) (i) and (ii), (2) and (4) of the Oil and Gas Activities Act, S.B.C. 2008, c. 36, is amended by striking out “oil and gas management area” wherever it appears and substituting “energy resource management area”.*

Safety Standards Act

- 75 *Section 3 (1) of the Safety Standards Act, S.B.C. 2003, c. 39, is amended*
- (a) *by repealing the definition of “facility” and substituting the following:*
- “facility” means a facility within the meaning of section 1 (2) of the Energy Resource Activities Act, other than a facility to which that Act does not apply; , and*
- (b) *by repealing the definition of “pipeline” and substituting the following:*
- “pipeline” means a pipeline within the meaning of section 1 (2) of the Energy Resource Activities Act, other than a pipeline to which that Act does not apply; .*

CLAUSE 76: *[Safety Standards Amendment Act, 2016, section 4]* is consequential to amendments made by this Bill to the *Oil and Gas Activities Act*.

Safety Standards Amendment Act, 2016

76 *Section 4 of the Safety Standards Amendment Act, 2016, S.B.C. 2016, c. 17, is amended by repealing the definition of “commission” and substituting the following:*

“regulator” has the same meaning as in the *Energy Resource Activities Act*.

Commencement

77 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 10	By regulation of the Lieutenant Governor in Council
3	Sections 12 to 20	By regulation of the Lieutenant Governor in Council
4	Section 22	By regulation of the Lieutenant Governor in Council
5	Section 24	By regulation of the Lieutenant Governor in Council
6	Sections 26 to 28	By regulation of the Lieutenant Governor in Council
7	Section 30	By regulation of the Lieutenant Governor in Council
8	Sections 32 to 34	By regulation of the Lieutenant Governor in Council
9	Section 36	By regulation of the Lieutenant Governor in Council
10	Section 40	By regulation of the Lieutenant Governor in Council
11	Section 48	By regulation of the Lieutenant Governor in Council
12	Section 50	By regulation of the Lieutenant Governor in Council
13	Sections 52 and 53	By regulation of the Lieutenant Governor in Council

Item	Column 1 Provisions of Act	Column 2 Commencement
14	Sections 55 and 56	By regulation of the Lieutenant Governor in Council
15	Sections 60 to 66	By regulation of the Lieutenant Governor in Council
16	Sections 69 and 70	By regulation of the Lieutenant Governor in Council
17	Sections 73 to 76	By regulation of the Lieutenant Governor in Council

SCHEDULE 1

(Section 60)

Item	Column 1 Act being amended	Column 2 Provision
1	<i>Environmental Management Act</i> , S.B.C. 2003, c. 53	40 (3) 48 (3) (e)
2	<i>Expropriation Act</i> , R.S.B.C. 1996, c. 125	2 (1.3)
3	<i>Flathead Watershed Area Conservation Act</i> , S.B.C. 2011, c. 20	3
4	<i>Forest Act</i> , R.S.B.C. 1996, c. 157	47.5 (2) (c) and (d) (ii)
5	<i>Forest and Range Practices Act</i> , S.B.C. 2002, c. 69	1 (1), in the definition of “official” 58 (1) (a) 203 (1) and (2) 204 (1) and (2)
6	<i>Geothermal Resources Act</i> , R.S.B.C. 1996, c. 171	1 (1), in the definitions of “board”, “commissioner” and “facility” 24 (2) (c) and (p)
7	<i>Income Tax Act</i> , R.S.B.C. 1996, c. 215	211 (3)
8	<i>Land Surveyors Act</i> , R.S.B.C. 1996, c. 248	75 (1) (g)
9	<i>Land Title Act</i> , R.S.B.C. 1996, c. 250	99 (1) (j) 218 (1) (c)
10	<i>Mines Act</i> , R.S.B.C. 1996, c. 293	16

Item	Column 1 Act being amended	Column 2 Provision
11	<i>Miscellaneous Statutes Amendment Act, 2015</i> , S.B.C. 2015, c. 23	51 (1)
12	<i>Muskwa-Kechika Management Area Act</i> , S.B.C. 1998, c. 38	8 (2)
13	<i>Park Act</i> , R.S.B.C. 1996, c. 344	33 (1) and (5) (c)
14	<i>Petroleum and Natural Gas Act</i> , R.S.B.C. 1996, c. 361	1, in the definitions of “certificate of restoration”, “pipeline” and “related activity” 38 (1) and (2) 43 (1) 49.1 (1) and (2) 50 (2) (a) 53 (1) and (3) 58 (1), in the definition of “eligible spacing area” 60 (2) and (5) 61.1 (1), in the definition of “eligible spacing area” 65 (1) 65.1 (2) 68 (3) (b) 78 110 111 114 (1) 118 (a) 119 (1) 122.1 (a) and (b) 126 (1) (b) and (4) 135 (b) 138 (1) (a) and (b) 141 (1), in the definition of “flow line” 142 143 (1), in the definition of “termination date” 160 (4)
15	<i>Regulations Act</i> , R.S.B.C. 1996, c. 402	Schedule
16	<i>Safety Standards Amendment Act, 2016</i> , S.B.C. 2016, c. 17	9 (1), (2), (3) and (4) 10

Item	Column 1 Act being amended	Column 2 Provision
17	<i>Securities Act</i> , R.S.B.C. 1996, c. 418	1 (1), in the definition of “security”
18	<i>Water Sustainability Act</i> , S.B.C. 2014, c. 15	1 (1), in the definition of “well”
19	<i>Wildfire Act</i> , S.B.C. 2004, c. 31	1, in the definition of “official”
20	<i>Wildlife Act</i> , R.S.B.C. 1996, c. 488	7 (2)

SCHEDULE 2

(Section 61)

Item	Column 1 Act being amended	Column 2 Provision
1	<i>Financial Information Act</i> , R.S.B.C. 1996, c. 140	Schedule 2
2	<i>Flathead Watershed Area Conservation Act</i> , S.B.C. 2011, c. 20	3
3	<i>Forest and Range Practices Act</i> , S.B.C. 2002, c. 69	1 (1), in the definition of “official”
4	<i>Income Tax Act</i> , R.S.B.C. 1996, c. 215	209
5	<i>Regulations Act</i> , R.S.B.C. 1996, c. 402	Schedule
6	<i>Wildfire Act</i> , S.B.C. 2004, c. 31	1, in the definition of “official”

SCHEDULE 3

(Section 62)

Item	Column 1 Act being amended	Column 2 Provision
1	<i>Environmental Management Act</i> , S.B.C. 2003, c. 53	40 (3) 47 (3) (d) 48 (3) (e)

Item	Column 1 Act being amended	Column 2 Provision
2	<i>Geothermal Resources Act</i> , R.S.B.C. 1996, c. 171	1 (1), in the definitions of “board” and “geothermal exploration” 4 (1) (b), (4) and (6) 12 (1), (4) and (6) 14 (1), (2) and (3) 15 16 (2), (3), (4) and (5) 19.1 (2) 19.2 (1) 20 (2) and (3) 23 (1) (b), (f) and (i) and (2)
3	<i>Miscellaneous Statutes Amendment Act, 2000</i> , S.B.C. 2000, c. 9	43 (a), as it enacts section 58 (2.1) (a) of the <i>Petroleum and Natural Gas Act</i> , R.S.B.C. 1996, c. 361
4	<i>Oil and Gas Activities Act</i> , S.B.C. 2008, c. 36	1 (2), in the definitions of “board” and “certificate of restoration” 3 5 (1) (c) and (d) and (2) (a) (i) and (c) 6 (1), (2), (3) and (4) 7 (1), (2), (3) and (5) (a) 8 (1), (2), (3) and (4) 9 (4) (a) 10 (1), (2) and (4) 11 (2) 12 (1) and (2) 13 (1) and (2) 14 (1), (2), (3), (4), (5), (6), (8) and (9) 15 16 (1) and (2) 18 (2) and (3) 22 (2), (4), (5) and (6) 23 (1) and (2) (b) (i) 24 (1) and (3) 25 (1), (1.1), (2) and (4) 26 (0.1), in the definition of “associate”, (1), (2), (3), (4), (5), (6), (7) and (8) (a) 27 (1), (2) and (3) 28 (2) (a) 29 (1), (1.1), (1.2) (d), (2), (2.2) and (2.3) 30 (1)

Item	Column 1 Act being amended	Column 2 Provision
		31 (1) (b), (1.1), (2), (3), (4), (5), (6), (7), (9) and (11) 32 (2), (3), (4), (5), (6), (7) and (8) 33 (1), (1.1), (2), (2.1) and (3) 34 (5) 36 (2) 37 (1) (b) and (2) (d) 38 (1) (b), (c), (d) and (e) 38.1 39 (1), (2) and (4) (a) and (c) 40 (d) and (f) 41 (1), (2) and (3) 43.4 (2), (3), (4) and (5) 45 (1), (2), (3), (4) (a), (c) and (c.1), (4.1), (5), (7) and (8) 45.1 46 (1), (2) and (3) 47 (3) 49 (2) and (4) (f) 49.1 (1) and (2) 50 (1) 51 (2) 52 (2) and (3) 53 (1) and (2) 54 55 56 (2) and (3) 60 (1) (e) 61.1 (1) 61.2 61.3 (1) 61.4 (1) and (2) 62 (1), (5), (6) and (7) (b) 63 (1) and (2) 64 66 (2) (b) 67 69 (1), in the definitions of “determination”, “eligible person” and “review official” 72 (5) 73 74 (3)

Item	Column 1 Act being amended	Column 2 Provision
		75 (1), (2) and (3) 76 (1) (d), (2), (3), (4), (5) and (6) 77 78 (1), in the definition of “decision”, (2) and (3) 79 (3) and (4) 80 (1) and (2) 87 (2) 88 (1) and (2) 91 (d) 92 (1) 93 93.1 (1) and (3) 95 (1) 99 (1) (j.2) 102 109 (d) 111 (1) (a) and (n) 112 (1) (c) and (d.2) 116 (2) (d) 118
5	<i>Oil and Gas Activities Amendment Act, 2018</i> , S.B.C. 2018, c. 54	1 (a), as it enacts the definition of “off-site environmental mitigation activity” in section 1 (2) of the <i>Oil and Gas Activities Act</i> , S.B.C. 2008, c. 36 4, as it enacts section 25.1 (2) and (3) of the <i>Oil and Gas Activities Act</i>
6	<i>Petroleum and Natural Gas Act</i> , R.S.B.C. 1996, c. 361	1, in the definitions of “certificate of restoration”, “gas well”, “geophysical exploration”, “petroleum well” and “zone” 53 (3) 65.1 (2) 118 126 (4) 133.1 (3) 138 (1) and (2) 139 (1) and (3) 140 (1) (c) 142 (c) 143 (1), in the definition of “termination date”

Item	Column 1 Act being amended	Column 2 Provision
		150 (1) (b) 151 (3) 159 (3) and (5) 164 (1) (b) 167 (3) (b) (iii) 176 (2) 180 (2)
7	<i>Safety Standards Amendment Act, 2016, S.B.C. 2016, c. 17</i>	9 (1), (2), (3) and (4)

SCHEDULE 4

(Section 63)

Item	Column 1 Act being amended	Column 2 Provision
1	<i>Geothermal Resources Act, R.S.B.C. 1996, c. 171</i>	16 (5)
2	<i>Oil and Gas Activities Act, S.B.C. 2008, c. 36</i>	5 (1) (c) 9 (2), (3) and (4) 25 (1.1) 52 (2) 56 (1) 76 (6) (a) 98 (3) 99 (1) (j.2)
3	<i>Safety Standards Amendment Act, 2016, S.B.C. 2016, c. 17</i>	10

SCHEDULE 5

(Section 64)

Item	Column 1 Act being amended	Column 2 Provision
1	<i>Miscellaneous Statutes Amendment Act, 2015, S.B.C. 2015, c. 23</i>	51 (1)

Item	Column 1 Act being amended	Column 2 Provision
2	<i>Oil and Gas Activities Act</i> , S.B.C. 2008, c. 36	1 (2), in the definitions of “operating area” and “related activity” 21 22 (2) 24 (1) (a) 25 (5) (a) and (6) 26 (2) (d) and (5) 29 (1) (b) 32 (1) 33 (2) (b) 34 (2) 36 (1) and (2) 37 (1) and (2) 39 (1) 43.1, in the definitions of “dormant site” and “portfolio” 43.3 43.4 (1) 45 (2) (b) 49 (1) (a) and (4) (d) and (e) 57 (2) (a) 69 (1), in the definition of “determination” 72 (5) (a) and (b) 75 (1) (d) and (3) 97 (a) 99 (1) (o) 103 (1) and (2) 111 (1) 111.1 (1) (a)
3	<i>Oil and Gas Activities Amendment Act, 2018</i> , S.B.C. 2018, c. 54	1 (a), as it enacts the definition of “off-site environmental mitigation activity” in section 1 (2) of the <i>Oil and Gas Activities Act</i> , S.B.C. 2008, c. 36 1 (b), as it enacts paragraph (b) (i) of the definition of “related activity” in section 1 (2) of the <i>Oil and Gas Activities Act</i> 4, as it enacts section 25.1 (2) and (3) (a) and (b) of the <i>Oil and Gas Activities Act</i> 5 (b), as it amends section 26 (5) of the <i>Oil and Gas Activities Act</i>

Item	Column 1 Act being amended	Column 2 Provision
		6, as it amends section 29 (1) (b) of the <i>Oil and Gas Activities Act</i> 7 (a), as it amends section 32 (1) of the <i>Oil and Gas Activities Act</i> 8, as it enacts section 33 (2) (b) (i) and (ii) of the <i>Oil and Gas Activities Act</i> 9, as it amends sections 34 (2), 36 (1) and (2), 37 (1) and (2), 45 (2) (b) and 103 (1) and (2) of the <i>Oil and Gas Activities Act</i> 11, as it amends sections 49 (1) (a) and 57 (2) (a) of the <i>Oil and Gas Activities Act</i> 12, as it enacts section 49 (4) (d) and (e) of the <i>Oil and Gas Activities Act</i> 14, as it enacts section 72 (5) (a) (i) of the <i>Oil and Gas Activities Act</i> 17, as it enacts section 105.1 (1) (a) of the <i>Oil and Gas Activities Act</i>

SCHEDULE 6

(Section 65)

Item	Column 1 Act being amended	Column 2 Provision
1	<i>Oil and Gas Activities Act</i> , S.B.C. 2008, c. 36	8 (1) 12 (1) (b) 22 (3) 25 (2) (a) 26 (4) (b) 35 (1) and (2) 39 (1) and (2) (a) 53 (1) (a) 69 (1), in the definition of “determination” 75 (1) (c) 77

2	<i>Oil and Gas Activities Amendment Act</i> , 2018, S.B.C. 2018, c. 54	3, as it amends sections 22 (3) and 35 (1) of the <i>Oil and Gas Activities Act</i> , S.B.C. 2008, c. 36 4, as it enacts section 25.1 (2) of the <i>Oil and Gas Activities Act</i> 5 (a), as it amends section 26 (4) (b) of the <i>Oil and Gas Activities Act</i> 17, as it enacts section 105.1 (1) (a) of the <i>Oil and Gas Activities Act</i>
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