

## BRIEFING NOTE FOR DECISION

**DATE:** October 26, 2023

**PREPARED FOR:** Honourable Nathan Cullen, Minister of Water, Land and Resource Stewardship  
Honourable George Heyman, Minister of Environment and Climate Change Strategy

**ISSUE:** Joint ministry support required for proposed increase to violation ticket fine amounts for offences under the *Wildlife Act* and Regulations

### RECOMMENDED OPTION:

s.13

### BACKGROUND:

- British Columbia's wildlife resource holds significant cultural and economic importance for First Nations and British Columbians, with conservation governed by the *Wildlife Act*, including hunting and fishing regulations.
- Penalties for *Wildlife Act* violations range from prescribed violation ticket fine amounts to court-imposed fines, with the violation tickets being the first line of enforcement.
- Violation ticket fine amounts for offences under the *Wildlife Act* and its Regulations have not been substantially updated since 2000.
- There is a notable disparity in ticketable fine amounts for offences under the *Wildlife Act*, with some higher fine amounts as new laws are brought into effect and others remaining unchanged. For example:
  - snowmobiling in a caribou closure incurs a \$575 ticket fine, whereas killing a caribou in a closed season results in a \$345 ticket fine;
  - fishing with a barbed hook is a \$575 ticket fine (Federal), whereas killing a stone sheep, mule deer or other big game in a closed season is \$345 ticket fine (Provincial).

### DISCUSSION:

Violation ticket fine amounts aim to provide a penalty for violating an act or regulation and deter future non-compliance by eliminating any financial gain or benefit from non-compliance. Current violation ticket fine amounts for *Wildlife Act* and Regulations offences do not effectively deter non-compliance and do not align with the significance of the offence.

First Nations and interested parties across the Natural Resource Sector (including BC Wildlife Federation, Commercial Bear Viewing Association, the Guide Outfitters Association of BC, the First Nations - BC Wildlife and Habitat Conservation Forum, the Minister's Wildlife Advisory Council, and the Fish, Wildlife & Habitat Coalition) have raised concerns regarding low fine amounts for *Wildlife Act* offences and/or have endorsed an increase in fine amounts. An environmental scan in 2023 revealed that BC's wildlife violation ticket fines for some offences are well below other jurisdictions, and do not reflect the social value of wildlife and habitat.

The BC Conservation Officer Service (COS) is the primary enforcement agency for the *Wildlife Act* and Regulations. The COS has led the development of the proposed fine increase package with full support and cooperation from the Fish and Wildlife Branch.<sup>s.12</sup>

s.12

s.12

s.13

#### FINANCIAL IMPLICATIONS:

- Treasury Board no longer requires or reviews a Fine Issue paper for ticket fines.
- Total tickets issued under the Wildlife Act between 2018 and 2022 represent \$1,213,170 in fines total, or an average of \$242,634 fines issued annually.
- Based on the annual average 1,149 tickets issued, s.13; s.17  
s.13; s.17
- s.13
- The Victims Surcharge, legislated under the *Victims of Crime Act*, applies on all fines under all enactments in B.C.; the revenue is directed to the Victim Surcharge Special Account.

#### OPTIONS:

s.13



## RECOMMENDATION: Option 1

Approved / Not Approved

Signature  
Honourable Nathan Cullen, Minister of  
Water, Land and Resource Stewardship

Date

Approved / Not Approved

Signature  
Honourable George Heyman, Minister of  
Environment and Climate Change Strategy

Date

## ATTACHMENTS: s.12; s.13

- Appendix 1:

### Contact:

ADM: David Muter  
Land Use Policy, Planning and  
Ecosystems Division  
Phone: 250 217-5385

### Alternate Contact:

Logan Wenham  
Fish and Wildlife Branch  
Phone: 778 698-9221

### Prepared by:

Terry Ahern  
Fish and Wildlife Branch  
Phone: 778 698-9228

### Contact:

ADM: Jim Standen  
Conservation and Recreation  
Division  
250-387-1288

### Alternate contact for content:

Cam Schley  
Conservation Officer Service  
250 876-6831

### Prepared by:

Kelsey Currie  
Conservation Officer Service  
250 876-6831

Ministry of Water, Land and Resource Stewardship		
Reviewed by	Initials	Date
DM	LH	Nov 3, 2023
CFO	SM	Nov 2, 2023
ADM	DM	Nov 1, 2023
ED	RE	Oct 26, 2023
DIR.	LW/RE	Sept. 15, 2023 (FOR), Oct. 26 (WLRS)

Ministry of Environment and Climate Change Strategy		
Reviewed by	Initials	Date
DM		
DMO		
ADM	JS	Oct 4, 2023
PRGM Dir./Mgr.		

Page 04 of 17 to/à Page 17 of 17

Withheld pursuant to/removed as

s.12 ; s.13