



SPECIAL INVESTIGATIONS

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Definitions

The following definitions apply for the purposes of this Policy:

“Appointed Board” means the appointed members of the Forest Practices Board and includes the Chair, the Vice-Chair and Board Members.

“Appointed Board members” means individual members of the Appointed Board.

“Board staff” means staff employed by the Forest Practices Board.

“Board” means the Forest Practices Board organization as a whole, and includes Appointed Board members and Board staff.

“Board or Board’s mandate” means the purpose and duties of the Forest Practices Board as specified in the following legislation:

- *Forest and Range Practices Act*
- *Wildfire Act*
- Forest Practices Board Regulation

“Chair” means Chair of the Forest Practices Board.

“Party” means government, or the holder of a licence under the *Forest Act* or the *Range Act*.

1. Purpose

This policy describes how the Board will implement its mandate under section 122(b) of the *Forest and Range Practices Act* (FRPA) and section 68 of the *Wildfire Act* to carry out special investigations of compliance with, and the appropriateness of, the Government of British Columbia's enforcement of FRPA and the *Wildfire Act*.

2. Objectives

- a) Ensure that special investigation policies and procedures are current and consistent with legislation, regulations and the Board's strategic plan, mission and values.
- b) Increase transparency in the conduct of Board activities.

3. Legislation and Regulations

Forest and Range Practices Act

122 (1) In accordance with the regulations, the board

- (a) must carry out periodic independent audits, and
- (b) may carry out special investigations to determine
- (c) compliance with the requirements of Parts 2 to 5 and the regulations and standards made in relation to those Parts by a party, and
- (d) (d) the appropriateness of government enforcement under Part 6.

Wildfire Act

68 (1) In accordance with the regulations,

- (a) the board
 - (i) must carry out periodic independent audits, and
 - (ii) may carry out special investigations to determine
 - (iii) compliance with the requirements of Parts 1 and 2 and the regulations made in relation to those Parts by a party, and
 - (iv) the appropriateness of government enforcement under Part 3, and
- (b) the board must deal with complaints from the public respecting prescribed matters that relate to this Act.

4. Application

This policy applies to Appointed Board Members, Board staff, and contractors retained by the Board for the purposes of conducting special investigations.

5. Policy

5.1 Policy

Special investigations are an option provided to the Board through FRPA and the *Wildfire Act*.¹ The following policy guides the use of the Board's special investigations powers.

- a) Special investigations will generally deal with matters of significant public interest that cannot be adequately addressed through a complaint investigation or an audit.
- b) Special investigations focus on compliance with legislation or appropriateness of enforcement, but may also examine policy and/or procedures that influence or impact forest and range practices carried out by parties under FRPA or the *Wildfire Act*.
- c) Special investigations usually deal with regional or provincial issues and look at the activities of a broad range of parties, rather than individual operations or site-specific matters, and will not normally report on compliance by individual parties.
- d) Priority topics for special investigations will be identified in the Board's Annual Special Projects Plan, but are not limited thereby.
- e) The Appointed Board will approve special investigations to be carried out by the Board, including terms of reference.
- f) Planning for special investigations will take into account the appropriate balance of other Board functions including audits and complaints.
- g) The Board will report the conclusion of special investigations, consistent with the Board's policy on reports.

5.2 Roles and Responsibilities

Chair

- Approves the annual special projects plan, based on a recommendation of the Appointed Board.

Appointed Board Members

- Identify priority topics for potential special investigations.

Appointed Board

- Approve specific special investigation topics for implementation.
- Approve terms of reference for special investigations.
- Recommend an annual special projects plan.

Executive Director

- Approves procedures established for the purpose of carrying out special investigations.

Director of Investigations

- Develops and implements annual special projects plan, overseeing selection of special investigations to be conducted each year based on direction from the Appointed Board.
- Assigns qualified staff and contractors to conduct special investigations and provides leadership, direction, guidance, advice and support to special investigation teams.

¹ Unlike audits and complaint investigations, the Board is not required to conduct special investigations.

- Ensures special investigations are carried out consistent with this policy and other relevant policies and procedures.
- Identifies the need for updates to the procedures for special investigations and/or the special investigation policy.

Board Staff

- Carries out special investigation work in accordance with this policy and any procedures established to guide the conduct of special investigations.

6. Procedures

To be developed.

7. References

- Board Policy and Procedures Policy
- Panels Policy
- Reports Policy
- Representations Policy
- Recommendations Policy

8. Document Control Information

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Approved by:



Kevin Kriese, Chair
Forest Practices Board