



Forest Appeals Commission

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Appealing a Decision Under the *Private Managed Forest Land Act*

The *Private Managed Forest Land Act* (the “Act”) grants appeal rights to a person who is the subject of certain orders, decisions, and determinations made by the Private Managed Forest Land Council (or, for stop work orders, someone with written authorization of that council). Appeals of these orders, decisions, and determinations may be filed with the Forest Appeals Commission (the “Commission”).

The orders, decisions and determinations for which appeal rights exist are:

- determinations by the Private Managed Forest Land Council under section 26(1) or section 27(1), that an owner or a contractor, employee, or agent of an owner contravened a provision of the *Act* or its regulations;
- an order under section 27(2) to remedy a contravention of the *Act* or its regulations;
- a stop work order under section 30;
- a notification issued under section 31(1), to an assessor appointed under the *Assessment Authority Act*, that an owner or a contractor, employee, or agent of an owner, in the course of carrying out that contract, employment, or agency, has contravened or is contravening the *Act* or its regulations;
- rescissions or variations, under section 32, of orders, decisions, or determinations of the Private Managed Forest Land Council or an authorized person under the *Act*.

Appeals must be filed within 30 days. The Commission may extend this timeframe in special circumstances. If seeking an extension, you need to explain the reasons for your delay in filing your appeal, and any special circumstances that you think the Commission should consider.

To start the appeal, you must submit a Notice of Appeal. Most people use the [Notice of Appeal](#) form, created by the Commission. You do not have to use it, however. Just make sure that you include the following:

- your name, address, telephone number and email (if applicable);
- the name and daytime address, telephone number and email of your representative (if you have one);

- an address for delivery of official documents, if different from your address;
- identification of the decision being appealed (including the decision-maker, the date, the issue(s) decided, and a copy of the decision letter, if available);
- the date you received or were informed of the decision;
- a description of why the decision is wrong and should be changed;
- a description of what you want the Board to order at the end of the appeal; and
- your signature.

If you do not provide all necessary information, the Commission will contact you to advise you what else you need to provide. A timetable will be established for you to provide the missing information. Failure to do so within the timeframe given may result in your appeal being rejected or dismissed.

You can send your Notice of Appeal by:

- delivering it to or leaving a copy at the Commission's office, located on the fourth floor of 747 Fort Street, Victoria BC, V8W 3E9, from 8:30 am to 4:30 pm Monday to Friday, except on public holidays;
- submitting via facsimile to (250) 356-9923; or
- emailing it to info@bcfac.ca.

Please note, a decision remains effective while it is appealed unless it is the subject of a "stay". Generally, all orders, decisions, and determinations under the *Act*, other than stop work orders, are automatically stayed on appeal. Stop work orders remain effective while appeals are before the Commission.

For more information, please consult section 33 of the *Private Managed Forest Land Act*, sections 22 and 24 of the [Administrative Tribunals Act](#), and [Rule 5](#) from the Commission's Rules.