

# Forest Appeals Commission

## PRACTICE DIRECTIVE NO. 1

This Practice Directive addresses the requirement in section 12(1) of the *Administrative Tribunals Act*, S.B.C. 2004, c. 45, for the Commission to issue practice directives respecting the usual time periods: (a) to complete an appeal and the procedural steps within an appeal, and (b) to release the final decision and reasons on an appeal.

### Timelines for Completing an Appeal/ Release of Final Decision with Reasons

#### a) Completion of a Hearing

The Commission is committed to providing a fair, timely and effective avenue of appeal. Appeals to the Commission will be processed as quickly as practicable, and generally within the following timelines:

- For matters where the hearing is conducted in writing, or the total number of days required to complete the hearing is 2 days or less, the hearing will generally be completed within 5 months from the date that a Notice of Appeal is received by the Commission.
- For matters where the total number of hearing days required to complete the matter is 3, 4 or 5 days, the hearing will generally be completed within 6 months from the date that a Notice of Appeal is received by the Commission.
- For matters where the total number of hearing days required to complete the matter is 6 days or more, the hearing will generally be completed within 9 months from the date that a Notice of Appeal is received by the Commission.

#### b) Release of Final Decision and Written Reasons

The panel presiding over an appeal under the *Forest and Range Practices Act*, the *Private Managed Forest Land Act*, the *Range Act*, the *Wildfire Act* or appeals under the *Forest Act*, except for appeals under section 105(1) of the *Forest Act* (stumpage determinations)<sup>1</sup>, will endeavour to provide the parties with its final decision and written reasons as soon as practicable after the completion of the hearing. Final written decisions with reasons will generally be released within the following timelines:

- For matters where the hearing is conducted in writing or the total number of hearing days required to complete the appeal is 2 days or less, the final decision will generally be released within 3 months of the close of the hearing and receipt of all closing submissions.
- For matters where the total number of hearing days required to complete the matter is 3, 4 or 5 days, the final decision will generally be released within 6 months of the close of the hearing and receipt of all closing submissions.
- For matters where the total number of hearing days required to complete the matter is 6 days or more, the final decision will generally be released within 9 months of the close of the hearing and receipt of all closing submissions.

Alan Andison, Chair  
Forest Appeals Commission  
July, 2016

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<sup>1</sup> For stumpage appeals, a decision must be issued no later than 42-days after the final day of hearing (s. 26 of the *Administrative Review and Appeal Procedure Regulation*).