

Formerly the Lower Maximum Administrative Penalty Regulation
[Amended by B.C. Reg. 279/2019, effective April 6, 2020.]

Section 1 [Definition](#)

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1 Definition

In this regulation, "**Act**" means the *Workers Compensation Act*.

2 Administrative penalties

(1) In this section:

"*comply*" means comply with an OHS provision of the Act, or the regulations, as specified in section 3 of this regulation;

"*non-compliance date*" means the date the Board, under section 94 of the Act, is satisfied an employer has failed to comply;

"*penalty date*" means the date of the order by which the Board imposes an administrative penalty under section 94 of the Act.

[Amended by B.C. Reg. 279/2019, effective April 6, 2020.]

(2) The following administrative penalties are prescribed for the purposes of section 94 of the Act:

(a) a penalty that is half of the maximum amount allowable for an administrative penalty under section 94 of the Act, if, under that section, the Board is satisfied that an employer has failed to comply;

(b) a penalty that is the maximum amount allowable for an administrative penalty under section 94 of the Act, if, respecting an employer,

(i) the Board is satisfied the employer has failed to comply,

(ii) the non-compliance date of the failure to comply referred to in subparagraph (i) is within 3 years after the non-compliance date of a previous failure to comply by the employer, and

(iii) the penalty date of the previous failure to comply referred to in subparagraph (ii) is earlier than the penalty date of the failure to comply referred to in subparagraph (i).

[Amended by B.C. Reg. 279/2019, effective April 6, 2020.]

3 Specified provisions

The following provisions are specified for the purposes of section 94 of the Act:

(a) section 21(1)(b) of the Act, as it pertains to orders;

(b) section 88(2), (3) or (4) of the Act if,

(i) as set out in subsection (1) of that section, an order includes a requirement for compliance reports, and

(ii) in the case of subsection (4)(d) of that section, the Board requires the employer to send a copy of the compliance reports to the Board;

(c) section 2.4 of the Occupational Health and Safety Regulation, as it pertains to orders.

[Amended by B.C. Reg. 279/2019, effective April 6, 2020.]