



## COMMERCIAL FILMING GUIDELINES

In recognition of the economic and promotional benefits to the Province, the **Ministry of Environment** (hereinafter called "the Ministry") supports the film industry by permitting commercial filming within provincial parks, recreation areas, protected areas and ecological reserves (hereinafter called "protected areas") provided the activity is done within the provisions of the Acts and in accordance with approved policy.

For the purposes of these filming guidelines the following definitions apply.

**"commercial filming"** means all images captured on film, videotape, disk or by other means undertaken with the intent of monetary return or for use as public educational, entertainment, promotional, or advertising material except for news purposes, still or video photography and film studies.

**"film studies"** means a course on filming undertaken through an educational institute accredited by the Province of British Columbia in which the students are on assignment.

**"major shoot"** means all commercial filming that is not considered a minor shoot.

**"minor shoot"** means commercial filming taking one day at one location with no disturbance to protected area users or natural resources. The following criteria are also used to determine what is considered a minor shoot:

- limited number of vehicles (five or less), no large trucks/vans;
- no props, sets or major equipment;
- no disturbance to protected area facilities, furniture, signs, etc.;
- no use or occupancy of park facilities;
- ten or less persons;
- use of hand held photographic equipment (includes a tripod); and
- no or minimal monitoring required by the Ministry.

If the proposed commercial filming production does not meet any one of the above mentioned criteria it is considered a **"major shoot"**.

**"natural resource"** means land, water and atmosphere, their mineral, vegetable and other components including the flora and fauna on and in them.

**"news purposes"** means filming or photography that has as its subject an unexpected current event, is undertaken during or soon after the event as an urgent response to the event, and is for the express purpose of inclusion in a television news bulletin, newspaper, news magazine or similar topical publication.

**“still or video photography”** means a single photographer or videographer taking photographs or video with no disturbances to protected area users, natural resources and facilities.

## **1. Background**

Before making an application you should be familiar with the following requirements regarding commercial filming in protected areas.

Under the provisions of the *Park Act* all commercial film productions taking place in a park, recreation area or protected area must be authorized by a valid park use permit.

Under the *Ecological Reserve Act* and the Ecological Reserve Regulations there is no authority to issue an ecological reserve permit for commercial film production except for films of a research or educational intent.

Prior to scouting potential filming locations in a protected area, the film company should consult with the Recreation Officer at the appropriate Ministry Regional office to determine if the filming activity being proposed will be considered in the protected area.

For specific information on and the location of protected areas, please access the Ministry web site at <http://wlapwww.gov.bc.ca/bcparks/>.

## **2. Application**

The Ministry will accommodate the film industry in British Columbia by permitting film productions which do not adversely affect:

- the natural and cultural heritage, recreation, use and appreciation values of the protected area;
- the public right to free and reasonable access to protected areas for their inspiration, use and enjoyment; and
- the rights of existing permittees.

A written application (see attached) must be submitted to the appropriate Regional Office (see attached address list) for all filming requests. The application form requests the basic information required to do a review under Level – 1 Preliminary Screen of the Ministry Impact Assessment Process. A minimum of **ten (10) business days** should be allowed for the review. Incomplete information will delay the review.

**For film productions which propose major disruptions to a protected area, the applicant may be required to complete Level 2 or greater of the Ministry Impact Assessment Process.**

## **3. Site Inspection Costs**

Pursuant to the *Park Act*, if the proposed filming will have significant effect on protected area lands, all costs incurred in examining and inspecting the site may be required to be paid by the applicant whether the application is approved or not.

#### 4. Permit Documents

Commercial filming may not be undertaken without a valid park use permit or an ecological reserve permit issued by the appropriate Regional office.

#### 5. Permit Fees

The base permit fee for a major shoot is \$500 or \$100/day whichever is greater. Permit fee for a minor shoot is \$100.

Over and above the base permit fee for a commercial film production, the following permit fees may also be applied depending on the requirements of the production;

- occupancy of land for sets, props, storage, parking, cast/crew facilities, structures, etc.; and
- occupancy and use of provincially owned structures.

Permit fees are **non-refundable** and cheques are to be made payable to the Minister of Finance and must include the Goods and Services Tax (GST) imposed under the Excise Tax Act (Canada).

#### 6. Cost of Supervision and Inspections

Permits issued for film productions usually require a considerable amount of time to supervise and inspect the activity. Depending upon the size of the production, film companies will be required to pay all costs for a Location Supervisor appointed by the Ministry.

#### 7. Parking Fees

As of May 15, 2003, there will be a day-use vehicle parking fee of \$3.00 or \$5.00/vehicle/day in 28 parks on Vancouver Island and in the Lower Mainland. Film companies will be required to pay parking fees for all film company vehicles parked within the Park during the filming.

Parking fees will be calculated based on the total of one dollar per lineal foot of circus and the daily parking fees for the number of passenger vehicles required to complete the film shoot.

#### 8. Miscellaneous Costs

The film company is required to reimburse the Province for costs associated with the film production which may include but are not limited to the following:

- use of Ministry equipment;
- use of Ministry supplies; and
- consumption of metered water and electrical power.

#### 9. Insurance

Film companies must maintain and pay for **Commercial (General) Liability Insurance**, with insurers licensed in British Columbia, in an amount not less than **\$2,000,000** during the term of the permit. The minimum coverage may be increased if deemed necessary.

The Province is to be added as an insured under the policy and the policy must contain a cross liability clause. Proof of insurance shall be provided by a completed "Province of British Columbia Certificate of Insurance" form.

Contact the Regional office to obtain a copy of the form and specific insurance requirements.

#### **10. Financial Guarantee**

A minimum \$2,000 financial guarantee is required to ensure diligent bona fide use, site restoration, clean up, payment of monies owing and compliance with the provisions of the permit. The financial guarantee must be in the form of a certified cheque, postal or bank money order payable to the Minister of Finance.

The financial guarantee will be refunded to the film company after all invoices have been paid and after satisfactory clean up and restoration of the film site.

For minor film productions the financial guarantee may be reduced or waived at the discretion of the Regional office.

#### **11. Designated Representative**

The film company must appoint one legally Designated Representative from the company who will be responsible for all film company activities within a protected area. The Designated Representative must:

- be present at the film site during all filming activity;
- provide the Ministry with a 24 hour contact number;
- be responsible to ensure the film company personnel and contractors are informed of and abide by applicable Acts and regulations, the permit and the Ministry Commercial Filming Guidelines;
- be responsible to ensure that no filming activities beyond what has been approved in the permit is undertaken without prior approval from the Ministry; and
- be fully responsible for carrying out all instructions and orders verbal or written received from the Ministry Location Supervisor.

#### **12. Ministry Location Supervisor**

The Location Supervisor appointed by the Ministry is responsible for:

- overseeing all on-site activities associated with the film production;
- ensuring that no activities of the film production threaten protected area resources or impact negatively on the protected area or its visitors;
- inspecting the film production site prior to and after filming activities to ensure that all the conditions regarding site clean-up and restoration have been met;
- ensuring that no filming activities take place beyond what are approved in the permit; and
- recording all costs incurred as a result of the film production.

### **13. Hours of Operation and Scheduling**

- The Ministry administration hours are between the hours of 8:30 a.m. to 4:30 p.m. Monday through Friday.
- Except as approved within the permit, no filming activity will be permitted on weekends or statutory holidays. Filming may also be further restricted in high use protected areas throughout the summer. This is to recognize the increase volume of protected area users on weekends and during peak summer seasons.
- Except as approved within the permit, filming activity is restricted to the hours of 6:00 a.m. to 10:00 p.m.
- After the permit has been issued, all substantial scheduling changes must be submitted in writing to the Ministry for approval. Allow a minimum of 24 hours for approval. The Location Supervisor has the authority to approve or deny minor changes to the filming schedule.

### **14. Vehicular Use/Access**

- Protected area users and staff must at no time be unduly inconvenienced by restricted access to the park except as approved within the permit.
- The film company must not stop the normal flow of traffic at any time except as approved within the permit. For approved road closures, the film company shall supply flag persons who will be stationed at the road closure boundaries and maintain communication through radio contact.
- All vehicles that require access into the protected area must display proper film company identification.
- Vehicles must park only in designated parking areas except as approved within the permit. If required the film company, at its own expense, will provide a shuttle service from the designated parking areas to the filming location.
- Vehicles and equipment used must be in sound mechanical condition. Vehicles or equipment displaying oil leaks, deteriorating hydraulic hoses and/or other fluid leaks shall not be used in the protected area.
- Vehicles and equipment contaminated with extraneous material (mud, vegetation, sludge, etc.) are prohibited from entering into the protected area until cleaned to the satisfaction of the Ministry. This is to prevent the introduction of foreign plant species into the protected area.
- Vehicles or aircraft may not be permitted in protected areas or portions thereof where access is closed to other park users due to safety or ecological considerations except as approved within the permit.

### **15. Garbage and Waste Disposal**

- The film company must, at its own expense, collect and properly dispose of all garbage and refuse resulting from the filming activity to an area outside the boundaries of the protected area.
- Except where public toilets are available, the film company must provide and maintain approved toilet facilities. Toilet wastes must be properly disposed of outside the boundaries of the protected area.

## **16. General Restrictions**

- Animals may be brought into any protected area only as approved within the permit. A veterinarian's certificate may be required and a permit under the *Wildlife Act* will be required for all wild or exotic animals used in a film production.
- The Ministry normally discourages the filming of special effects and stunts within protected areas. Requests for special effects and stunts will be reviewed on a case by case basis.
- No chemicals or hazardous materials shall be brought into or used in a protected area except as approved within the permit.
- Construction or modification of facilities shall only take place as approved within the permit.
- The film company shall not destroy, cut down, remove, relocate or drive over any tree, shrub, moss, foot path or natural area without prior written approval.
- No foreign plant material or non-native plant species shall be brought into the protected area. This is to prevent the introduction of foreign plant species into the protected area.

## **17. Suspension or Halt to Film Production**

- The Ministry may suspend or order the cessation of any or all of the film production activity if it is:
  - causing environmental damage;
  - causing damage to improvements or other facilities in the protected area;
  - causing a significant disturbance to other users of the protected area; or
  - in default of the permitand in such circumstance, no further film production can be undertaken without written approval from the Province.
- The Ministry reserves the right to suspend or order the cessation of any or all of the film production activities due to high fire hazard or safety concerns.
- The Permittee will not be entitled to any compensation from the Province, in damages or otherwise, if any film production activity under the permit is suspended or ceased.

## **18. Accreditation**

The Ministry reserves the right to request the film to display a credit line identifying the protected area used as the site location:

## **19. Specific Regional Restrictions**

**Ministry of Environment  
Environmental Stewardship Division  
Regional Offices**

<b>Cariboo Region</b> 400 - 640 Borland Street Williams Lake BC V2G 4T1 Telephone: (250) 398-4530 Facsimile: (250) 398-4214 Murray Carruthers, Recreation Officer	<b>Kootenay Region</b> 401 - 353 Victoria Street Nelson BC V1L 4K3 Telephone: (250) 354-6333 Facsimile: (250) 954-6332 Roger Tierney, Recreation Officer
<b>Okanagan Region</b> 201 - 3547 Skaha Lake Road Penticton BC V2A 7K2 Telephone: (250) 490-8200 Facsimile: (250) 492-1314 Dave Richmond, Recreation Officer	<b>Omineca Region</b> 1011 Fourth Avenue Prince George BC V2L 3H9 Telephone: (250) 565-6135 Facsimile: (250) 565-6629 Robin Draper, Recreation Officer
<b>Peace Region</b> 400 - 10003 - 110 Avenue Fort St. John BC V1J 6M7 Telephone: (250) 787-3411 Facsimile: (250) 787-3219 Don Roberts	<b>Skeena Region</b> 3726 Alfred Avenue, Bag 5000 Smithers BC V0J 2N0 Telephone: (250) 847-7434 Facsimile: (250) 847-7728 John Howard, Recreation Officer
<b>South Coast (Lower Mainland) Region</b> 2 <sup>nd</sup> Floor, 10470 - 152 <sup>nd</sup> Street Surrey BC V3R 0Y3 Telephone: (604) 582-5227 Facsimile: (604) 930-7119 Anna Guercio	<b>South Interior (Thompson) Region</b> 1269 Dalhousie Drive Kamloops BC V2C 5Z6 Telephone: (250) 371-6200 Facsimile: (250) 828-4000 Ron Routledge, Recreation Officer
<b>Vancouver Island Region</b> 2080A Labieux Road Nanaimo BC V6T 6J9 Telephone: (250) 751-3100 Facsimile: (250) 751-3103	