

Tribunal Appointee Remuneration Plan

Agricultural Land Commission

Overview

The Agricultural Land Commission (ALC; the “Commission”) is an independent statutory tribunal responsible for administering the *Agricultural Land Commission Act* (ALCA) and its Regulations in regard to the Agricultural Land Reserve (ALR). The ALR is a provincial land use zone where agriculture is recognized as the priority use and non-agricultural uses are regulated. The ALC adjudicates 500 – 700 applications and appeals a year. Most of these appeals and applications involve requests to conduct activities not permitted by regulation in the ALR. The ALC conducts virtual and in-person adjudications out of its office in Burnaby and across the province as needed.

The work of the ALC is carried out by at least 11 but no more than 19 part-time members from six administrative regions of the province who collectively serve as the board of directors of the ALC. The Chair is appointed by Lieutenant Governor in Council through an Order in Council and all other members are appointed by Ministerial Order of the Minister of Agriculture, following consultation with the Chair.

Appointees are selected based on merit and their knowledge in matters related to agriculture, land-use planning, local government and First Nations government, as set out in Section 5(1) of the ALCA. The Chair appoints vice chairs and designates panels from the members appointed by the minister.

The Chair is responsible for establishing quality adjudication, performance and productivity standards for members of the ALC, and evaluating the members according to those standards. All members seeking reappointment go through a performance evaluation process.

The adjudicative appointees are supported by a CEO with statutory decision-making authority to issue orders for compliance and 43 FTE ALC employees who deliver operational support.

ALC’s Complement of Appointees (funded positions FY 2020/21, actual numbers may vary)			
Category*	Position Name**	Number of Positions	Role Description
Chair (PT)	Chair	1	The Chair has enumerated accountabilities and is responsible for assigning work, establishing panels, appointing vice chairs, designating panel chairs, performance standards, administrative practices, and facilitating public access to decisions.
Vice Chair (PT)	Vice Chair	6	Vice Chairs support the Chair in coordinating panels and other leadership functions as part of the ALC’s executive committee. May be appointed to chair or serve on “ALC panels” to adjudicate applications, requests for reconsideration and appeals.
Member (PT)	Panel Member Panel Chair	8	Member appointed to “ALC panels” to adjudicate appeals and hear requests for reconsideration; may also be designated to hold panel chair roles.

* Type of appointee per TBD 1-20.

** The name of a position may differ from the classification under TBD 1-20, e.g. an individual may be appointed as a “member” but the position they hold may be called “panel chair”, if appointed in accordance with section 5 of the ALC Act.

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Appointee Remuneration

This remuneration plan applies to ALC’s adjudicative appointees and is set pursuant to Treasury Board Directive 1-20 – Remuneration Guidelines for Administrative Tribunals and Regulatory Boards (TBD 1-20). ALC is classified as a Level 3 administrative tribunal. TBD 1-20 sets different maximum remuneration rates for individuals appointed as chairs, vice-chairs, or as members.

Remuneration Ranges (Per Diem)		
	Minimum	Maximum
Chair (PT)	\$650/day or \$81.75 hourly*	\$725/day or \$90.63 hourly*
Vice Chair (PT)	\$550/day or \$68.75 hourly*	\$625/day or \$78.13 hourly*
Member (PT)	\$450/day or \$56.25 hourly*	\$500/day or \$62.50 hourly*

**Not to exceed the daily per diem rate*

Remuneration is paid on a “per diem basis” for individuals appointed to the Commission part time to serve “as and when required”. Per diem rates for appointees are set on appointment or reappointment according to their tenure with the Commission, as follows:

- First two years with the Commission – minimum of the above range.
- 2+ years with the Commission – maximum of the above range.

Remuneration increases for all appointees are approved by the Deputy Minister of Agriculture and must be managed within the ALC’s existing budget and the ranges set by this remuneration plan.

Appointees are only entitled to one full per diem allowance in any 24-hour day while working for the ALC. Appointee remuneration is calculated by hourly rate (prorated per diem) to a maximum of eight hours. Travel time may be included in the calculation if the meeting location is over 32km from appointee’s residence. Appointees will be reimbursed by hourly rate for necessary meeting preparation to a maximum equal to two full day per diem.

All appointees are reimbursed for transportation, accommodation, meal and out of pocket expenses incurred in the course of their duties in accordance with the Group 2 rates, policies, and procedures outlined in the Terms and Conditions of Employment for Excluded Employees and Appointees.

The work of part-time appointees to the ALC is neither insurable nor pensionable and therefore remuneration is not subject to either Employment Insurance or Canada Pension Plan deductions. Appointee remuneration is taxable income and income tax may be payable in accordance with the federal *Income Tax Act* unless the total remuneration for the tax year for the appointee (from all sources) is less than the basic personal amount. Appointees to ALC are “office holders” under the *Excise Tax Act* therefore remuneration is not subject to GST (charged or payable).

Effective Date: January 27, 2021