



**Agricultural Land
Commission Act**

Policy G-02

October 2016

**POLICY STATEMENT CONCERNING THE ROLE OF ELECTED
OFFICIALS IN APPLICATIONS TO AND OTHER ADJUDICATIVE
DECISION-MAKING FUNCTIONS OF THE PROVINCIAL
AGRICULTURAL LAND COMMISSION**

Background

This policy is intended to set out the parameters for any interaction and communication between elected officials on the one hand, and members of the Provincial Agricultural Land Commission (the “Commission”) and/or staff members of the Commission on the other, with regard to the adjudicative processes and decisions of the Commission under the [Agricultural Land Commission Act](#) (the “Act”).

Communication with the Commission

This policy is designed to ensure that the Commission’s adjudicative decision-making functions of any kind or nature, including applications to authorize a non-farm use or applications to subdivide or include land in or exclude land from the agricultural land reserve, boundary reviews and appeals from compliance and enforcement decisions are at all times not only be fair, impartial and independent but also perceived to be fair, impartial and independent.

The following procedural rules will apply:

1. Elected representatives have no standing to advocate before the Commission on behalf of a constituent on any application or any other adjudicative decision-making matter.
2. The Commission will receive and respond to communications from elected officials only where those communications satisfy the following requirements:
 - (a) The communication is directed to the Commission Chair and/or the Chief Executive Officer;
 - (b) The communication is for the limited purpose of obtaining information to assist a constituent to understand the Commission’s application or other adjudicative decision-making process or to inquire as to the status of such a process before the Commission; and
 - (c) The communication is neutral in tone and avoids any reasonable perception that it is an attempt to influence either the outcome or the timing of the decision.
3. If an elected official contacts a member of the Commission or staff member about an application or in relation to another adjudicative decision-making matter of the Commission, that Commission member or staff member must refer the matter to the Commission Chair and/or the Chief Executive Officer.

This policy is subject to (i) the role of local government providing resolutions and comments under sections 25(3) and 30(4) of the Act, and (ii) the authority granted to the Lieutenant Governor in council under sections 40 to 45 inclusive of the Act.