

	<p style="text-align: center;"><b>WAIVING OF APPLICATION FEES</b></p>	<p style="text-align: right;"><b>Policy P-06</b></p> <p style="text-align: right;">Amended October 2021 January 2016</p>
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*This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act](#), 2002, (the "ALCA") and BC Regulation 57/2020 ([Agricultural Land Reserve General Regulation](#)), (the "General Regulation"). In case of ambiguity or inconsistency, the ALCA and General Regulation will govern.*

#### **REFERENCE:**

*Agricultural Land Commission Act, S.B.C. 2002, c. 36, Section 35*

- (1) The commission may waive an application fee payable under section 34 (2) or 34.1 (3) if the commission considers that a case of hardship exists.*
- (2) A designated local government officer or an official designated for this purpose by a first nation government may waive an application fee payable under section 34.1 (1) if the designated officer or official considers that a case of hardship exists.*
- (3) The Financial Administration Act does not apply in relation to the waiver of a fee under this section.*

#### **INTERPRETATION**

Section 35 of the ALCA provides for local governments, First Nation Governments and the Agricultural Land Commission (the "Commission") to waive their respective portions of the ALC application fees where the Commission or the local government or First Nation Government considers there is a case of hardship.

It is the policy of the Commission that the collection of the Commission's portion of the application fees may be waived on the basis of hardship for the following:

1. Senior citizens (65 years or older) on income assistance, and persons with disabilities on income assistance provided that:
  - no ineligible third party has an interest in the property under application, and
  - no ineligible third party will, in the opinion of the Commission, be a beneficiary if the application is allowed.

The documentation required to accompany the application when forwarded to the Commission is as follows:

- proof of income assistance (Government issued documentation)
- proof of age
  - copy of driver's license, or
  - copy of birth certificate
- proof of disability
  - HR0095 Form from Ministry of Social Development and Social Innovation, or
  - proof of receiving a Homeowner Grant for Persons with Disabilities.

2. Application by a local government involving a community need for a school, hospital or other publicly funded institution.

The local government or First Nation Government may waive an application fee payable under section 34.1(1) of the ALCA. Waiving of the local government or First Nation Government portion of the fee is at the discretion of the local government or the First Nation Government.

#### FEE WAIVER REQUEST NOT MEETING THE ABOVE CRITERIA:

Applicants may refer to the Commission a request for a waiver of fees not meeting the above criteria. The Commission may, at its discretion, allow a request if exceptional or unforeseen circumstances apply.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Regulation.