

 <p>Agricultural Land Commission Act</p>	<p style="text-align: right;">Policy P-06 January 2016</p> <p style="text-align: center;">WAIVING OF APPLICATION FEES</p>
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This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act, 2002](#), including amendments as of September 2014, (the "ALCA") and BC Regulation 171/2002 ([Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#)), including amendments as of August 2016, (the "Regulation"). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.

REFERENCE:

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

(4) If the commission considers that a case of hardship exists, it may waive the application fee payable under section 34(3).

INTERPRETATION

Section 35 (4) of the ALCA provides for local governments to waive application fees where the Agricultural Land Commission (the "Commission") considers there is a case of hardship. It is the policy of the Commission that the Secretary or Clerk of a local government may waive the collection of application fees 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.

FEE WAIVER REQUEST NOT MEETING THE ABOVE CRITERIA:

Local governments 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.