

 <p>Agricultural Land Commission Act</p>	<p>FILE CLOSURE</p>	<p>Policy P-09</p> <p>Amended October 2019</p> <p>October 2016</p>
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To establish policy and procedures for closing Provincial Agricultural Land Commission (“Commission”) application files where the applicant or the applicant’s agent has not responded to a request for material or information for a period of one year or more; and to establish policy and procedures for closing Notice of Intent (“NOI”) files where the landowner or the landowner’s agent has not responded to a request for material for a period of 60 days or more. This policy applies to all applications to the Commission for inclusion, exclusion, non-farm use, non-adhering residential use, soil and fill use, subdivision, transportation and utility use, and to all NOIs submitted to the CEO under section 20.3(1)(c)(ii) of the *Agricultural Land Commission Act*.

Section A. Application Files

1. Application File Closure Process

- 1.1. The applicant or the applicant’s agent must submit to the Commission all requested or required application material and information as soon as practicable but in any event, no later than one year from the date on the transmittal letter from the Commission notifying the applicant or the applicant’s agent of the need to provide the material and information. Subject to Section 2, the file on that application will be closed if the applicant or the applicant’s agent fails to ensure that the material and information has been received by the Commission within the one year period.
- 1.2. Letters sent to an applicant or an applicant’s agent requesting information will provide information about the Commission’s File Closure Policy.
- 1.3. Written notification of an impending file closure will be emailed to the applicant thirty (30) days prior to the scheduled file closure date. Upon expiration of the thirty (30) day notice period the file will be closed.
- 1.4. Once an application file has been closed, a new application must be made and full application fees paid for the new application.

2. Application Exemption

Upon receipt at any time within the one year period of a written request supported by reasons, from the applicant or the applicant’s agent, the Commission may extend the one year file closure period.

Section B. Notice of Intent (NOI) Files

3. NOI File Closure Process

- 3.1. The landowner or the landowner's agent must submit to the CEO all requested or required material and information as soon as practicable but in any event, no later than 60 days from the date on the CEO's letter notifying the landowner or the landowner's agent of the need to provide the material and information. Subject to Section 4, the file on that NOI will be closed if the landowner or the landowner's agent fails to ensure that the material and information has been received by the CEO within the 60 day period.
- 3.2. Letters sent to a landowner or a landowner's agent requesting information will provide information about the Commission's File Closure Policy.
- 3.3. Written notification of an impending file closure will be emailed to the landowner five (5) business days prior to the scheduled file closure date. Upon expiration of the five (5) business day notice period the file will be closed.
- 3.4. Once an NOI file has been closed, a new NOI must be made and full fees paid for the new NOI.

4. NOI Exemption

Upon receipt at any time within the 60 day period of a written request supported by reasons, from the landowner or the landowner's agent, the CEO may extend the 60 day file closure period.

Definitions

In this policy:

"business day" means a day other than a Saturday, Sunday, or statutory holiday in British Columbia; and

"day" means a day, whether or not it is a business day.