



ALC Information Update

March 13, 2020 – Please circulate to all relevant staff

Bill 15 - Phase 1: ALC Act and ALR General Regulation Changes in Effect

On March 12, 2020, Order in Council 131/2020 brought parts of Bill 15 into force and effect as well as made changes to the ALR General Regulation.

As of March 12, 2020 there will be three ALR Regulations that have effect in the ALR:

1. **NEW ALR General Regulation** – OIC 131/2020 partially in effect.
2. **ALR Transitional Regulation** – partially repealed previous ALR General Regulation.
3. ALR Use Regulation - remains unchanged.

Read OIC 131/2020 [here](#).

Please note that the ALC Act, the new ALR General Regulation and the ALR Transitional Regulation have not been consolidated on the BC Laws website yet, so you will need to refer to the OIC for clarification on what has effect.

Effective Immediately, the following topics have force and effect in the ALR:

Flexible Panel Structure (Section 11 ALC Act):

The Commission continues to operate in a regional panel structure, with a panel in each of the six administrative regions of the province, as directed by the ALC Chair Jennifer Dyson.

The flexibility provided in Bill 15 allows for Commission members to serve on more than one panel if quorum or individual members' expertise warrants it; the chair of the Commission may also serve on a panel.

Read the ALC Chair's Panel Directive [here](#).

Application Fee Process (Section 34.1 ALC Act):

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The change to s. 34.1 of the ALC Act modifies the application payment process. Applications submitted to local government after March 12, 2020 will follow the new process:

1. Applicants will pay the local government only their portion of the legislated

application fee (\$300.00) when submitting an application to the local government.

2. If a local government forwards an application to the ALC, the applicant will then pay the remainder of the application fee (\$1,200.00) directly to the ALC.

Note: The Application Portal is in the process of being updated to inform applicants about the new payment process.

Decision Making Criteria (Section 6(2) ALC Act):

The addition of s. 6(2) of the ALC Act requires the Commission to give priority to protecting and enhancing the size, integrity, and continuity of the land base of the ALR, as well as the use of the ALR for farm use.

Applications with the ALC:

All applications currently with the ALC will receive a s.6(2) advisory email providing them the opportunity to review s.6(2) and provide any additional information about their application prior to the Commission making a decision.

Please note that local governments will not be cc'd on every advisory, but a generic copy can be reviewed [here](#).

Applications with Local Governments:

Applications that are currently with local governments will receive the s.6(2) advisory email when an application is forwarded to the ALC. No advisory action is required by local governments at this time.

Note: The Application Portal is in the process of being updated to reflect s.6(2) language.

Reconsiderations (Section 33 ALC Act):

The changes to the reconsideration process have partially been brought into effect.

Please refer to the new ALC Information Bulletin 08 – Request for Reconsideration for a summary of changes. There is a difference between decisions made prior to March 12, 2020 and those that will be made after March 12, 2020.

Read ALC Information Bulletin 08 – Request for Reconsideration [here](#).

Note: There are no substantive changes to s. 33.1 of the ALC Act (“Chair Reconsiderations”).

The following topics will have force and effect in the ALR on September 30, 2020:

Exclusion Applications (Section 29(1) ALC Act):

Local Governments, First Nation Governments, the Province of BC, and prescribed public bodies may make application to exclude land from the ALR. Individual landowners may no longer submit exclusion applications to the ALC.

The ALC is available to work with local governments who wish to discuss what their options are as it relates to adopting exclusion related policies before September 30, 2020. Please contact an ALC Regional Planner for more information [here](#).

Registering a Statutory Right of Way (Section 18.1 ALC Act)

- Before the Land Title Survey Authority (LTSA) can register a statutory right of way in the ALR, an applicant will have to prove that the ALC has been notified. The Ministry of Agriculture, ALC, and the LTSA are currently working on the form of the notice and how it will be requested from and returned to the applicant.

Compliance & Enforcement – Notice of Remediation Orders on Title (Section 52.1 ALC Act):

- The CEO of the ALC will have the ability to register a remediation notice on a property's certificate of title if such an order is issued through ALC compliance and enforcement.

The ALC will continue to send updates through the ALC Information Update email and the ALC website regarding the changes in effect right now, and those coming into effect on September 30, 2020. If you have any questions about a specific process, please contact us.

Contact Us:

<https://www.alc.gov.bc.ca/alc/content/contact-us>