

## Excerpt from the Conservation Authorities Act – Section 21.2(1) – 21.2(12) – Fees for Programs and Services

**Note:** On January 1, 2023, the day named by proclamation of the Lieutenant Governor, the Act is amended by adding the following section:  
(See: 2017, c. 23, Sched. 4, s. 21)

### **Fees for programs and services**

**21.2** (1) The Minister may determine classes of programs and services in respect of which an authority may charge a fee. 2017, c. 23, Sched. 4, s. 21.

### **Publication of list**

(2) The Minister shall publish the list of classes of programs and services in respect of which an authority may charge a fee in a policy document and distribute the document to each authority. 2017, c. 23, Sched. 4, s. 21.

### **Updating list**

(3) If the Minister makes changes to the list of classes of programs and services in respect of which an authority may charge a fee, the Minister shall promptly update the policy document referred to in subsection (2) and distribute the new document to each authority. 2017, c. 23, Sched. 4, s. 21.

### **Where authority may charge fee**

(4) An authority may charge a fee for a program or service that it provides only if it is set out on the list of classes of programs and services referred to in subsection (2). 2017, c. 23, Sched. 4, s. 21.

### **Amount of fee**

- (5) The amount of a fee charged by an authority for a program or service it provides shall be,
- (a) the amount prescribed by the regulations; or
  - (b) if no amount is prescribed, the amount determined by the authority. 2017, c. 23, Sched. 4, s. 21.

### **Fee schedule**

- (6) Every authority shall prepare and maintain a fee schedule that sets out,
- (a) the list of programs and services that it provides and in respect of which it charges a fee; and
  - (b) the amount of the fee charged for each program or service or the manner in which the fee is determined. 2017, c. 23, Sched. 4, s. 21.

### **Fee policy**

- (7) Every authority shall adopt a written policy with respect to the fees that it charges for the programs and services it provides, and the policy shall set out,
- (a) the fee schedule described in subsection (6);
  - (b) the frequency within which the fee policy shall be reviewed by the authority under subsection (9);
  - (c) the process for carrying out a review of the fee policy, including the rules for giving notice of the review and of any changes resulting from the review; and
  - (d) the circumstances in which a person may request that the authority reconsider a fee that was charged to the person and the procedures applicable to the reconsideration. 2017, c. 23, Sched. 4, s. 21.

### **Fee policy to be made public**

- (8) Every authority shall make the fee policy available to the public in a manner it considers appropriate. 2017, c. 23, Sched. 4, s. 21.

### **Periodic review of fee policy**

- (9) At such regular intervals as may be determined by an authority, the authority shall undertake a review of its fee policy, including a review of the fees set out in the fee schedule. 2017, c. 23, Sched. 4, s. 21.

### **Notice of fee changes**

- (10) If, after a review of a fee policy or at any other time, an authority wishes to make a change to the list of fees set out in the fee schedule or to the amount of any fee or the manner in which a fee is determined, the authority shall give notice of the proposed change to the public in a manner it considers appropriate. 2017, c. 23, Sched. 4, s. 21.

**Reconsideration of fee charged**

(11) Any person who considers that the authority has charged a fee that is contrary to the fees set out in the fee schedule, or that the fee set out in the fee schedule is excessive in relation to the service or program for which it is charged, may apply to the authority in accordance with the procedures set out in the fee policy and request that it reconsider the fee that was charged. 2017, c. 23, Sched. 4, s. 21.

**Powers of authority on reconsideration**

(12) Upon reconsideration of a fee that was charged for a program or service provided by an authority, the authority may,

- (a) order the person to pay the fee in the amount originally charged;
- (b) vary the amount of the fee originally charged, as the authority considers appropriate; or
- (c) order that no fee be charged for the program or service. 2017, c. 23, Sched. 4, s. 21.