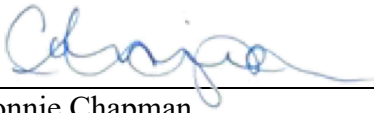




Ministry of Water, Land and Resource Stewardship

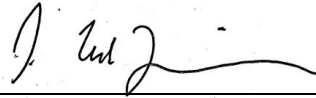
NAME OF POLICY:	Refunds for Applications
APPLICATION:	This policy applies to applications for a water licence, use approval, change approval, permit over Crown land, drilling authorization and any applications under sections 26 [amendment or substitution of authorization, change approval, or permit], 27 [transfer of appurtenancy] and 28 [apportionment of rights under licences] of the <i>Water Sustainability Act</i> .
ISSUANCE:	Executive Director, Water Management Branch, Ministry of Water, Land and Resource Stewardship, and Executive Director, Watershed Stewardship and Security Branch, Ministry of Water, Land and Resource Stewardship.
IMPLEMENTATION:	WLRS
LEGISLATIVE REFERENCES:	<i>Water Sustainability Act</i> (Ch. 15, S.B.C. 2014) Water Sustainability Regulation (B.C. Reg. 36/2016) Water Sustainability Fees, Rentals and Charges Tariff Regulation (B.C. Reg 37/2016, 43/2016) <i>Financial Administration Act</i> (Ch. 138, R.S.B.C. 1996) Ministry of Finance Core Policy and Procedures Manual (section 7.2.11)
RELATED POLICIES:	Refusal of Applications on Oversubscribed Sources
POLICY AMENDMENT:	To amend this policy a request must be made in writing to the Executive Director, Watershed Stewardship and Security Branch and the Executive Director, Water Management Branch, Ministry of Water, Land and Resource Stewardship.



Connie Chapman
Executive Director
Water Management Branch
Ministry of Water, Land and
Resource Stewardship

January 30, 2026

Date



Ted Zimmerman
Executive Director
Watershed Stewardship and Security
Branch
Ministry of Water, Land and Resource
Stewardship

February 4, 2026

Date:

APPROVED AMENDMENTS:		
Effective date	Briefing Note /Approval	Summary of Changes:
June 1, 2009	BN 105976 May 19, 2009 BN 109249 July 20, 2009	Originating policy LWBC Inc. August 16 th , 2004. Changes made are as a result of updating water policies. Policy removes reference to Land and Water BC Inc. and tenures issued under the <i>Land Act</i> . The former policy has been updated to include direction concerning refunds for <i>Water Act</i> Approvals, Crown land permits and applications to amend water licences.
December 1, 2013	BN 198568 October 2, 2013	Policy amended in order to provide the current water management agencies of Ministry of Forests, Lands and Natural Resource Operations and the Ministry of Environment.
April 12, 2016	BN April 5, 2016	Administrative changes to align the policy with the <i>Water Sustainability Act</i> .
April 16, 2018	IN April 9. 2018	Policy amended to include refunds for fees accepted erroneously, overpayments and applications that are withdrawn or refused at the initial screening stage (i.e. prior to acceptance into elicensing for technical assessment). Amendments to provide greater clarity regarding refunds of water rentals paid on application.
February 19, 2019	March 12, 2019	Update further to OIC 058 February 19, 2019 regarding groundwater licensing transition period.
February 4, 2026	February 4, 2026	Policy amended to include language regarding how refunds should be considered when legislative or regulatory changes have been made for applications within the queue prior to the effective date. Policy also updated to provide the current water management agency of Ministry of Water, Land and Resource Stewardship.

TABLE OF CONTENTS

1.	POLICY STATEMENT	5
2.	DEFINITIONS.....	5
3.	REASON FOR POLICY	6
4.	LEGISLATION.....	6
5.	PROCEDURES.....	7
5.1	Refunds of application fees.....	7
5.2	Refunds of water rentals paid on application.....	7

1. POLICY STATEMENT

Refunds of application fees and any water rentals paid on application for a:

- water licence,
- use approval,
- change approval,
- permit over Crown land,
- drilling authorization, and
- any fees associated with changes to the above under sections 26 [*amendment or substitution of authorization, change approval, or permit*], 27 [*transfer of appurtenancy*] and 28 [*apportionment of rights under licences*] of the *Water Sustainability Act*,

will be calculated in accordance with Section 5: Procedures.

This policy does not apply to refunds of water rentals or rentals for permits over Crown land that accrue after a licence has been granted.

Miscellaneous fees (Schedule 3 of the Water Sustainability Fees, Rentals and Charges Tariff Regulation) paid on application will not be refunded.

The Water Revenue Branch reserves the right to apply refunds in payment of other debts owed by the applicant under the *Water Sustainability Act* (e.g. unpaid fees, water rentals and charges).

2. DEFINITIONS

Applicant means a person applying for a: conditional water licence; final water licence; use approval; change approval; permit over Crown land; drilling authorization; and changes to the above under sections 26 [*amendment or substitution of authorization, change approval, or permit*], 27 [*transfer of appurtenancy*] and 28 [*apportionment of rights under licences*] of the *Water Sustainability Act*.

Application Fee is a fee prescribed in Schedule 1 of the Water Sustainability Fees, Rentals and Charges Tariff Regulation.

Authorization means a licence or use approval, except in references to drilling authorizations.

licensing refers to the electronic licensing application system used by the province of BC to process water authorization applications.

Existing groundwater user: Until March 1, 2022¹, a transition period was in place to license groundwater use that was occurring prior to March 1, 2016. This process required applicants to estimate and pay water rentals accruing from March 1, 2016 to the year when their application for an authorization was submitted to virtual FrontCounter BC.

Licence means a conditional licence or a final licence.

¹ Changed from March 1, 2019 by OIC 058, February 19, 2019.

Paid on application means payments submitted in association with an application, either at the time the application is submitted or during the application process.

Permit means a permit issued to flood, or to construct, maintain or operate works on Crown land.

Water Rental means the amount payable in accordance with Schedule 2 of the Water Sustainability Fees, Rentals and Charges Tariff Regulation, for the diversion or use of water under an authorization (licence or use approval).

Use approval means an approval issued under section 10 WSA [*use approvals*].

Change approval means an approval issued under section 11 WSA [*changes in and about a stream*].

3. REASON FOR POLICY

A water application will not be considered complete unless it is accompanied by the appropriate application fee(s) as prescribed in Schedule 1 of the *Water Sustainability Fees, Rentals and Charges Tariff Regulation*.

Applicants for use approvals must also pay water rentals on application, as prescribed in Schedule 2 of the *Water Sustainability Fees, Rentals and Charges Tariff Regulation*.

Existing groundwater use applications were exempt from paying application fees provided that the application was received before March 1, 2022². However, for existing groundwater use applications, any water rentals that had accrued from March 1, 2016, required payment upon application.

A policy is required to identify the circumstances where a refund of application fees and any water rentals paid on application may be granted and the extent of the refund.

4. LEGISLATION

Section 16 of the *Financial Administration Act* [Refunds] provides government with discretion to refund money that has been erroneously paid or collected or for any purpose that is not fulfilled.

Schedule 1 of the Water Sustainability Fees, Rentals and Charges Tariff Regulation prescribes the application fees which must be paid by an applicant.

Schedule 2 of the Water Sustainability Fees, Rentals and Charges Tariff Regulation prescribes the water rentals which must be paid in respect of an authorization, as well as by existing groundwater users required to pay rentals from March 1, 2016 when applying for an authorization.

Schedule 3 of the Water Sustainability Fees, Rentals and Charges Tariff Regulation prescribes the Miscellaneous Fees payable for particular services.

² Changed from March 1, 2019 by OIC 058, February 19, 2019.

5. PROCEDURES

5.1 Refunds of application fees

A full refund of application fees for applications made under the *Water Sustainability Act* may be provided:

- Where the applicant was directed in error by a staff member of the provincial government to submit an application or if the application was erroneously accepted;
- Where the application is withdrawn or rejected during the initial review stage carried out by FrontCounter BC. This stage occurs before the application is accepted into elicensing for technical assessment; or
- In the event of an overpayment of application fees.
- If legislative or regulatory changes occur after an application has been submitted, and before an authorization is granted, and those changes remove the requirement or make it optional to submit an application, whether the application is with FrontCounterBC or in elicensing.

In all other scenarios refer to Table 1 to calculate refunds of application fees:

Table 1. Application Fee Refund Matrix

Column 1: Scenario	Column 2: Refund Amount
Any type of application where the application fee submitted is \$250 or less.	No refund
Any type of application for change or amendment to an existing licence (conditional or final), use approval, change approval, apportionment, transfer of appurtenancy, permit over Crown land or drilling authorization.	No refund
Where the application is withdrawn before a decision on it is made and the application fee submitted is greater than \$250.	Refund 50 percent of application fee
Where an application is refused.	No refund
Where a water licence, use approval, change approval, permit over crown land or drilling authorisation is issued in response to an application.	No refund

Note that, subject to section 2(2) and (3) of the Water Sustainability Fees, Rentals and Charges Tariff Regulation, the application fee referred to in Column 1 is calculated as the sum of all application fees associated with the application, including application fees for related permits over Crown land.

5.2 Refunds of water rentals paid on application

If water rentals are paid on application, these may be refunded:

- If the applicant was directed in error by a staff member of the provincial government to submit the associated application or the associated application was erroneously accepted;

- If the associated application is withdrawn, rejected or refused; or
- In the event of an overpayment, for example to address a change in volume or purpose under the application.