



**Yukon
Water Board**

*Office des eaux
du Yukon*

**Yukon Water Board
Authority to Reconsider Licence Decisions**

In general, quasi-judicial bodies, such as the Yukon Water Board, have no inherent power to reconsider a decision after it has been made. After a final decision has been rendered, a quasi-judicial body has completed its work.

Once the Chairperson of the Yukon Water Board has signed a water use licence, the Board will not revisit their decisions. Similarly, the Board will not interpret ambiguous or unclear clauses after the licence has been issued.

The only exception is for the Chairperson to correct a decision on evidence of an accidental slip or omission. The courts have used this procedure in their rule which permits a court to correct a clerical mistake in an order or an error arising from an accidental slip or omission.

Generally, "clerical and accidental errors" and "omissions" can be tracked (through review of notes and minutes). "Ambiguity" is more difficult. The rule of thumb is that if the ambiguity is such that the licence does not reflect the intent of the Board, then it is an accidental omission or slip that can be corrected. However, the overriding principle is that the Board cannot, under the guise of clarification of ambiguity, amend, alter, vary or revoke a decision.

Prior to correcting a decision or reasons, due to a slip or omission, the Chairperson will review the meeting minutes, the register, staff notes and the recorded audio tape, if available.

The Chairperson will correct a decision, if evidence of an accidental slip or omission, where it is necessary to correct a typographical mistake, numbering error or clarification, by inserting words to make sense, so long as the intent of the Board is not changed.

This guideline has been amended by the Yukon Water Board on February 4, 2009.
Bruce Willis, Chairperson