

GOVERNMENT AMENDMENT

AMENDMENTS TO BILL 19

LAND ASSEMBLY PROJECT AREA ACT

A1C Agreed to April 21, 2009

The Bill is amended as follows:

C Section 5 is struck out and the following is substituted:

Request to purchase by registered owner

5(1) Subject to section 5.1, at any time, at the request of the registered owner of land within a Project Area, the Crown shall enter into an agreement with the registered owner to purchase the land at market value.

(2) Where under subsection (1) the registered owner agrees to sell the land and the Crown agrees to purchase the land but there is no agreement as to the market value of the land, the registered owner may apply to the Land Compensation Board or the Court of Queen's Bench or in accordance with any other process agreed on by the parties for a determination of the market value of the land as at the time the registered owner made the request under subsection (1) or as at such other time as the parties agree on.

(3) If the registered owner requests that the Land Compensation Board make the determination as to the market value of the land, for the purpose of making the determination, the Land Compensation Board has jurisdiction with respect to the determination of market value under this Act and may exercise the powers given to it pursuant to section 28 of the *Expropriation Act*.

(4) The registered owner referred to in subsection (3) or the Minister may, within 30 days after receiving notice of the determination of the Land Compensation Board, appeal the

determination to the Court of Appeal, and section 37 of the *Expropriation Act* applies to the appeal.

Requirement of land by the Crown

5.1 When the land within a Project Area is required by the Crown for or in connection with the public project, the Crown may acquire the land by purchase or expropriation.

Funding for acquisition of land

5.2 Money required for the acquisition of land under this Act shall be paid out of money voted by the Legislature for the purpose.

Administration of land

5.3 Land acquired under this section is under the administration of the Minister unless, before or after the acquisition, the Lieutenant Governor in Council directs that it is under the administration of some other Minister.