
PART II
REGULATIONS

EC1999-222

**REAL PROPERTY ASSESSMENT ACT
REGULATIONS
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 20 April 1999.)

Pursuant to section 35 of the *Real Property Assessment Act* R.S.P.E.I. 1988, Cap. R-4 Council made the following regulations:

1. Section 14 of the Real Property Assessment Act Regulations (EC490/72) is revoked and the following substituted:

14. (1) Persons employed in the Assessment Services Section of the Department of the Provincial Treasury shall have access to individual selling prices obtained from affidavits, and this information may be communicated to

Communication of information; selling prices

- (a) any Minister of the Crown in right of Canada or the provinces;
- (b) the chairman and vice-chairman of the Island Regulatory and Appeals Commission;
- (c) the Office of the Auditor General; and
- (d) any appellant or agent of an appellant involved in an assessment appeal.

(2) All other data on property assessment may pass freely within the Department of the Provincial Treasury and may be made available to

Other property assessment data

- (a) municipalities;
- (b) the Island Regulatory and Appeals Commission; and
- (c) Revenue Canada Taxation.

2. These regulations come into force on May 1, 1999.

EXPLANATORY NOTES

The restrictions limiting access to sales information contained in the "Affidavit of Purchaser" required to be filed with the Registrar of Deeds, are being reduced to allow for the information to be available not only to employees of the Assessment Services Section of the Department of the Provincial Treasury, but also to property owners or their agents involved in assessment appeals.

Section 17 of the *Real Property Assessment Act* provides that information obtained under the Act may only be communicated to persons authorized by regulation. This amendment to section 14 of the regulations will name those who are authorized to obtain information contained in the Purchaser's Affidavit.

With this amendment, persons involved in appeal proceedings may have access to data contained in the affidavit giving them the same opportunity as the government in any proceedings and removing any perception of unfairness in the process.

Section 15 of the Act still requires the purchaser to file an affidavit providing the selling price of the property to be conveyed.

Certified a true copy,
Lynn E. Ellsworth
Clerk of the Executive Council

PART II
REGULATIONS INDEX

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
R-4	Real Property Assessment Act Regulations	EC490/72	s.14 [R&S] [eff] May 1/99	EC1999-222 (20.04.99)	39-40