



PLEASE NOTE

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For more information concerning the history of this Act, please see the [Table of Public Acts](#).

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CHAPTER L-5

PRINCE EDWARD ISLAND LANDS PROTECTION ACT

INTERPRETATION

- 1.** (1) In this Act
- (a) repealed by 1995,c.22,s.1;
- (b) “aggregate land holding”
- (i) in relation to a person, includes
- (A) all land holdings of that person, and of the person’s minor children,
- (B) the relevant amount of land holdings of any corporation in which the person, or any of them, hold more than 5 per cent of the shares, and
- (C) the relevant amount of land holdings of any other corporation in which more than 5 per cent of the shares are held by a corporation in which the shareholder or the shareholder’s minor children own more than 5 per cent of the shares,
- (ii) in relation to a corporation, includes
- (A) all land holdings of that corporation,
- (B) all land holdings of any person, and of the person’s minor children, who holds more than 5 per cent of the shares in that corporation,
- (C) all land holdings of any other corporation that holds more than 5 per cent of the shares in that corporation, and
- (D) the relevant amount of land holdings of any other corporation in which more than 5 per cent of the shares are held by
- (I) that corporation,
- (II) a person referred to in paragraph (B), or
- (III) a corporation referred to in paragraph (C).
- (c) “Commission” means the Island Regulatory and Appeals Commission established under section 2 of the *Island Regulatory and Appeals Commission Act*, R.S.P.E.I. 1988, Cap. I-11;
- (d) “corporation” includes a partnership, cooperative association or body corporate whether formed or incorporated under the law of this province or any other province or of Canada or outside of Canada, and for the purposes of this Act a corporation and other corporations
- Definitions
- agriculture
- aggregate land holding
- Commission
- corporation

	directly or indirectly controlled by the same person, group or organization shall be deemed to be one corporation;
farm corporation	(e) repealed by 1990,c.28,s.1;
hold	(e.1) “hold”, in relation to shares, includes shares held by any trustee, legal representative, agent or other intermediary, as well as a person or corporation that has beneficial ownership of such shares;
land	(f) “land” means real property in the province but does not include any parcel of land, existing on May 1, 1995, of less than one acre that is situated within a city or town;
land holding	(g) “land holding” means, subject to subsection (3), an interest conferring the right to use, possession or occupation of land, but does not include land or an interest in land acquired by a bank, trust company or other financial institution in the ordinary course of its business by way of security for a debt or other obligation;
Minister	(h) “Minister” means that member of the Executive Council charged by order of the Lieutenant Governor in Council with the administration of this Act;
municipality	(i) repealed by 1995,c.22,s.1;
person	(j) “person” means a natural person;
resident person	(k) “resident person” means a person who resides in the province for one hundred and eighty-three days or more a year;
share	(l) “share” means <ul style="list-style-type: none"> (i) in relationship to a partnership or co-operative association, a unit representing a proportion of the ownership of the partnership or association; (ii) in relation to a corporation, an issued share carrying voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes <ul style="list-style-type: none"> (A) a security currently convertible into such a share, and (B) currently exercisable options and rights to acquire such a share or such a convertible security.
Deemed interest in land	(1.1) Any person or corporation that holds shares in a corporation is deemed to have an interest in land to the extent of the relevant amount of land holdings as prescribed by subsection (2).
Relevant amount, calculation of	(2) For the purposes of clause (1)(b), the relevant amount is determined by multiplying the total land holding of the corporation by the proportion that the number of shares in that corporation held by the shareholder and, if the shareholder is a person by his minor children

bears to the total number of shares in the corporation but where the total land holding of a corporation exceeds the limit imposed by clause 2(b), the amount of the excess shall, subject to section 6.2, be excluded in the calculation of the relevant amount in respect of a person or corporation that owns shares in that corporation.

(3) For the purpose of calculating the aggregate land holding of any person or corporation

Calculation of aggregate land holding

(a) at any time before January 1, 1996, land under lease to another person or corporation shall be deemed to be in the possession of that other person or corporation;

(b) on or after January 1, 1996, land under lease to another person or corporation shall be deemed to be in the possession of both the lessor and lessee.

(4) For the purpose of calculating the aggregate land holding of any person or corporation land held on trust shall be deemed to be in the possession of both the trustee and the beneficiary.

Land held on trust

(5) For the purpose of calculating the aggregate land holding of any person or corporation

Attribution, tenants in common and joint tenants

(a) where land is held by tenants in common, the land holding attributed to each tenant in common shall be equal to the proportion of each tenant's interest in the land;

(b) where land is held by joint tenants, the land holding attributed to each joint tenant shall be deemed to be equal to the proportion of each tenant's interest in the land as if the land were held by tenancy in common;

(c) where shore frontage is held by tenants in common, the shore frontage attributed to each tenant in common shall be equal to the proportion of each tenant's interest in the land;

(d) where shore frontage is held by joint tenants, the shore frontage attributed to each joint tenant shall be deemed to be equal to the proportion of each tenant's interest in the land as if the land were held by tenancy in common. 1982,c.16,s.1; 1990,c.28,s.1; 1995,c.22,s.1; 1996,c.22,s.1; 1998,c.79,s.1; 2002,c.32,s.1.

PURPOSE

1.1 The purpose of this Act is to provide for the regulation of property rights in Prince Edward Island, especially the amount of land that may be held by a person or corporation. This Act has been enacted in the recognition that Prince Edward Island faces singular challenges with regard to property rights as a result of several circumstances, including

Purpose

- (a) historical difficulties with absentee land owners, and the consequent problems faced by the inhabitants of Prince Edward Island in governing their own affairs, both public and private;
- (b) the province's small land area and comparatively high population density, unique among the provinces of Canada; and
- (c) the fragile nature of the province's ecology, environment, and lands and the resultant need for the exercise of prudent, balanced, and steadfast stewardship to ensure the protection of the province's ecology, environment, and lands. 1998,c.79,s.20.

CONTROL OF LAND HOLDINGS

Maximum land holdings	<p>2. Subject to section 6.1,</p> <p>(a) no person shall have an aggregate land holding in excess of 1000 acres;</p> <p>(b) no corporation shall have an aggregate land holding in excess of 3000 acres. 1982,c.16,s.2; 1995,c.22,s.2,16.</p>
Computation of aggregate	<p>3. For the avoidance of doubt it is declared that a land holding acquired before May 7, 1982 shall be taken into account in determining the aggregate land holding of any person or corporation for the purposes of this Act. 1982,c.16,s.3; 1998,c.79,s.3.</p>
Non-resident person	<p>4. A person who is not a resident person shall not have an aggregate land holding in excess of five acres or having a shore frontage in excess of one hundred and sixty-five feet unless he first receives permission to do so from the Lieutenant Governor in Council. 1982,c.16,s.4; 1988,c.37,s.1; 1995,c.22,s.2,16.</p>
Corporations	<p>5. (1) A corporation shall not have an aggregate land holding in excess of five acres or having a shore frontage in excess of one hundred and sixty-five feet unless it first receives permission to do so from the Lieutenant Governor in Council.</p>
<i>Idem</i>	<p>(2) Repealed by 1990,c.28,s.2.</p>
Transitional provisions	<p>5.1 Where an aggregate land holding not exceeding ten acres in area or having a shore frontage of less than three hundred and thirty feet has been lawfully acquired by a non-resident person or corporation in accordance with the law in force at the time of acquisition, it shall be deemed to be held in compliance with this Act as if a permit therefor had been granted under section 4 or 5, as the case may be. 1995,c.22,s.3.</p>
Transitional provisions	<p>5.2 Where an aggregate land holding in excess of five acres or having a shore frontage in excess of one hundred and sixty-five feet has been acquired by a resident person who subsequently ceases to be a resident</p>

person, he or she may continue to have and hold that hand holding without obtaining a permit under section 4. 1995,c.22,s.3.

5.3 (1) Where a person or corporation intends to acquire by lease a land holding for which permission is required pursuant to section 4 or section 5, the person or corporation shall

Application to lease land

- (a) apply pursuant to section 4 or 5 for permission to acquire by lease that specific land holding; or
- (b) apply for permission pursuant to this section to acquire by lease and to continue to hold a certain number of acres of land as part of the applicant's aggregate land holding.

(2) Where permission has been granted by the Lieutenant Governor in Council for a lease of land pursuant to an application made under clause (1)(b), the person or corporation shall

Annual statement

- (a) within one year of receiving permission; and
- (b) in every subsequent year, prior to December 31,

file a statement disclosing information prescribed by subsection (3).

(3) The statement required by subsection (2) shall disclose

Information required in statement

- (a) the parcel number;
- (b) the acreage leased; and
- (c) the term of the lease or leases;

for each parcel leased during the reporting period covered by the statement.

(4) Where a person or corporation permitted to hold land pursuant to this section intends to increase the amount of land held beyond the amount previously permitted by the Lieutenant Governor in Council, a new application shall be made by the person or corporation.

Increase in land holding

(5) Where a person or corporation permitted to hold land pursuant to this section intends to vary the amount of land held, but not to increase the amount of land held beyond the amount previously permitted by the Lieutenant Governor in Council, no new application need be made pursuant to this section. 1998,c.79,s.4.

Variance of land holding

6. For the avoidance of doubt it is declared that where a person or corporation has an aggregate land holding for which permission is required under section 4 or 5, any subsequent acquisition of a land holding by that person or corporation similarly requires such permission except where the aggregate land holding, including the land holding proposed to be acquired, is less than the maximum prescribed by that section. 1982,c.16,s.6; 1995,c.22,s.16.

Subsequent acquisitions

6.1 (1) Where a person or corporation has on December 31, 1994, an aggregate land holding that exceeds the limit set out in section 2

Transitional provisions

- (a) as a result of the change in the method of calculation effected by clause 1(3)(b);
- (b) by virtue of a special permit held by the person or corporation; or
- (c) for any other reason;
- the person or corporation shall, before June 1, 1996,
- (d) submit a land holding disclosure statement to the Commission in the form prescribed in the regulations; and
- (e) apply for a permit under this section.
- Late filing (1.1) Notwithstanding subsection (1), the Commission shall consider any application filed pursuant to subsection (1) that is filed
- (a) after June 1, 1996; and
- (b) within thirty days of the coming into force of this section.
- Existing land holding, permit (2) Upon application for a permit under subsection (1), the Lieutenant Governor in Council may issue a permit authorizing the holder to have and continue to have an aggregate land holding in excess of the limit set out in section 2, subject to
- (a) the divestiture schedule;
- (b) clause (4)(a); and
- (c) any other conditions the Lieutenant Governor in Council may place on the permit.
- Effect of permit (3) A permit issued under subsection (2) shall include a divestiture schedule that requires the divestiture of that portion of the aggregate land holding of the holder in excess of the limit set out in section 2, as follows:
- (a) at least fifty per cent of the excess land holding shall be divested within five years from the date the permit was issued;
- (b) at least eighty per cent of the excess land holding shall be divested within seven years from the date the permit was issued; and
- (c) the holder shall comply with the limit set out in section 2 within nine years from the date the permit was issued.
- Conditions (4) A permit issued under subsection (2)
- (a) shall be issued subject to the condition that the holder of the permit shall ensure that the amount of land in excess of the limit set out in section 2 shall at all times prior to divestiture be leased to another person or corporation;
- (b) may be issued subject to any other conditions that the Lieutenant Governor in Council may determine; and
- (c) shall not authorize an aggregate land holding in excess of the aggregate land holding of the applicant on December 31, 1994, taking into account the calculation under clause 1(3)(b).
- Permit transfer (5) A permit issued under subsection (2) is

- (a) in the case of a person, not transferable except to a spouse, sibling or direct descendant or ancestor of that person in accordance with any conditions the Lieutenant Governor in Council may prescribe; and
- (b) in the case of a corporation, not transferable. 1998,c.79,s.5.

6.2 Where a person or corporation that holds shares in a corporation (the parent corporation) has an aggregate land holding that would have exceeded the limit set out in section 2 except for the exclusion in the determination of the relevant amount pursuant to subsection 1(2) of excess land owned by the parent corporation, the person or corporation shall ensure that the amount of land that is in excess of the limit set out in section 2 shall at all times be leased to another person or corporation and divested in the same way as if a permit had been issued under section 6.1. 1998,c.79,s.6.

Transitional provision, *re* lease-out and divestiture of land

7. Repealed by 1992,c.38,s.1.

Special permits

8. (1) The Commission shall

Review of applications

- (a) review all applications under sections 4, 5, and 5.3;
- (b) obtain information pertinent to the application;
- (c) recommend to the Lieutenant Governor in Council on the disposition of the application; and
- (d) recommend to the Lieutenant Governor in Council on a divestiture schedule for each applicant pursuant to section 6.1.

(2) Recommendations made by the Commission under subsection (1) shall be based on the following considerations:

Basis for review

- (a) an assessment of the best use of the land based on the guidelines and policies established by the Lieutenant Governor in Council under clause 7(a) of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8;
- (b) the most effective manner of ensuring the best land use;
- (c) such other matters in relation to the economic and cultural needs of the people of the province as may be specified in policies adopted under section 8.1.

(3) The Lieutenant Governor in Council, in determining whether or not to grant a permit under section 4 or 5, shall consider the recommendations of the Commission. 1982,c.16,s.9; 1991,c.18,s.22; 1992,c.38,s.3; 1995,c.22,s.5; 1996,c.22,s.4; 1998,c.79,s.7.

Consideration of Commission's recommendation

8.1 The Lieutenant Governor in Council may adopt policies regarding the ownership, possession, occupation or use of land and such policies shall be published in the Gazette. 1995,c.22,s.6.

Policies

Conditions of permit under section 4 or 5

9. (1) The Lieutenant Governor in Council may impose such conditions on a permit issued under section 4 or 5 as he may consider expedient including a condition

(a) that the land not be subdivided except for

(i) use for the purposes of agricultural, forestry or fisheries production,

(ii) conservation use pursuant to a designation as a natural area under the *Natural Areas Protection Act* R.S.P.E.I. 1988, Cap. N-2, an archaeological site under the *Archaeological Sites Protection Act* R.S.P.E.I. 1988, Cap. A-17 or a heritage place under the *Heritage Places Protection Act* R.S.P.E.I. 1998, Cap. H-3.1,

(iii) parks use by the Federal, provincial or a municipal government,

(iv) residential use by the owner;

(b) that the land be identified under the land identification program;

(c) that the land be consolidated with an adjoining parcel or parcels of land;

(d) that the applicant become a resident within such period of time as may be specified in the permit.

Variation, etc.

(2) Subject to subsection (3), the Lieutenant Governor in Council may cancel, suspend, or amend any condition imposed under subsection (1) upon receipt of an application by a permit holder.

Notice required for variation application

(3) Every application made by a permit holder pursuant to subsection (2) shall be supported by a notice that shall

(a) be in the form prescribed by regulation;

(b) have been published in a newspaper circulating in the area where the land is located, with the publication to have occurred at least seven days prior to receipt of the application by the Commission; and

(c) state to the Commission the intent to make the application and the details of the variation applied for. 1998,c.79,s.8.

ADMINISTRATIVE PROVISIONS

Disclosure statement, on request

10. (1) The Minister or the Commission may request any person or corporation believed to have an aggregate land holding

(a) in the case of a person, of more than 750 acres; or

(b) in the case of a corporation, of more than 2,250 acres,

to make a land holding disclosure statement in the form prescribed in the regulations.

Annual disclosure statement

(2) Without prejudice to subsection (1), any person or corporation having an aggregate land holding in excess of the limit specified in

subsection (1) shall, not later than December 31 of each year, file a disclosure statement with the Commission.

(3) Repealed by 1998,c,79,s.9.

Penalty

11. (1) A disclosure statement shall include particulars of the following:

- (a) the acreage of each parcel comprised in the aggregate land holding;
- (b) the parcel number as set out on the most recent assessment notice under the *Real Property Assessment Act* R.S.P.E.I. 1988, Cap. R-4;
- (c) the nature of the interest held and where that interest is a leasehold interest, the term of lease, and where the interest is held on trust, the name and address of the beneficial owner,

and in the case of a corporation,

- (d) the classes of shares, and the number of shares in each class;
- (e) the name and address of each shareholder holding more than 5 per cent of the shares and the proportion to the total number of voting shares held by each such shareholder;
- (f) any transfer of 10 per cent or more of the shares which has been made since the last disclosure statement.

Contents of disclosure statement

(2) Where a disclosure statement has been made under section 10 by a person or corporation in any year, the disclosure statement delivered in any subsequent year shall disclose only any changes to the particulars provided in the original statement.

Changes in particulars

(3) Repealed by 1998,c.79,s.10.

Exception

11.1 Where the Minister, upon request of a person or corporation, is satisfied that it is not in the public interest for the shareholdings of individual shareholders to be disclosed, the Minister may accept as sufficient compliance with the requirement for a land holding disclosure statement under section 6.1 or sections 10 and 11, or for the purposes of an application for permission under sections 4 or 5, a statement that indicates

Sufficient compliance

- (a) the aggregate land holding of the corporation certified by an officer of the corporation; and
- (b) the names and addresses of each shareholder holding more than 5 per cent of the shares of the corporation. 1998,c.79,s.11.

12. (1) Where he has reasonable and probable grounds to believe that any person or corporation has contravened section 2, 4, 5, 5.3, 6.1, or 6.2 of this Act, the Minister may issue an order requiring that person or corporation

Orders by Minister

- (a) to reduce his aggregate land holding to the maximum permitted by section 2;

- (b) to make application for and obtain any permit required by section 4 or section 5; or
- (c) repealed by 1998,c.79,s.12.

Enforcement

(2) Where any person or corporation fails to comply with an order of the Minister under subsection (1) within three months of the date on which the order is served, the Minister may apply to a judge of the Supreme Court, who shall enforce compliance with this Act and may make one or more of the following orders:

- (a) an order declaring null and void any instrument or document by which a land holding is or may be had in contravention of this Act;
- (b) an order for the sale of the land holding held in contravention of this Act and the distribution of the proceeds from the sale to such persons as may be entitled thereto;
- (c) an order directing the registrar to cancel the registration of a deed of conveyance or other document registered under the *Registry Act* R.S.P.E.I. 1988, Cap. R-10;
- (d) an order to return any consideration given under an instrument or a document made in contravention of this Act;
- (e) an order for possession of the land holding to be given to such persons as may be entitled thereto;
- (e.1) an order declaring null and void a permit issued pursuant to subsection 6.1(2);
- (f) an order respecting costs;
- (g) such other order as may be necessary to give effect to the provisions of this Act or as to him seems just. 1982,c.16,s.13; 1995,c.22,s.16; 1998,c.79,s.12.

Offences

13. (1) Subject to the provisions of this Act, a person or corporation that

- (a) has contravened section 2, 4, 5, or 5.3;
- (b) fails to make a land holding disclosure statement when required to do so under subsection 10(1) or (2); or
- (c) fails to comply with the divestiture schedule or other conditions of a permit issued under section 6.1

is guilty of an offence and is liable on summary conviction to a fine not exceeding \$250,000 or to imprisonment for a term not exceeding two years, or both.

Order of Supreme Court

(2) Where a person or corporation has been convicted of an offence under subsection (1), a judge of the Supreme Court may, on the application of the Minister, order the person or corporation to divest such amount of land as may be specified in the order for the purpose of ensuring compliance with this Act. 1995,c.22,s.10; 1998,c.79,s.13.

Liability of corporate officers

14. Where a corporation has committed an offence against this Act, every officer, director or agent of the corporation who directed,

authorized, assented to or acquiesced or participated in the commission of the offence is guilty of an offence and liable on summary conviction to a fine of not more than \$250,000 or to imprisonment for a term of not more than two years, or to both such fine and imprisonment, whether or not the corporation has been prosecuted or convicted. 1982,c.16,s.15; 1995,c.22,s.11.

15. (1) The Minister, the Commission or any person authorized by the Minister may request information and conduct an investigation for the purpose of determining whether a person or corporation has contravened this Act or the regulations. Minister may conduct investigations

(2) The person conducting the investigation under subsection (1) may at all reasonable times demand the production of and inspect all or any of the books, documents, papers or records of the person or corporation in respect of which the investigation or inquiry is being made or any record of the Commission relating to that person or corporation. Production of documents

(3) A person or corporation failing to comply with a demand under subsection (2) is guilty of an offence and liable on summary conviction to a fine of not more than \$250,000 or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment. Offence

(4) Where a person or corporation fails to comply with a request under subsection (1), a judge of the Supreme Court may, on the application of the Minister, make an order Order of Supreme Court

(a) requiring the production of all books, documents, papers or records of the person or corporation;

(b) otherwise appearing to the court to be necessary. 1982,c.16,s.16; 1995,c.22,s.10; 1996,c.22,s.6; 1998,c.79,s.14.

15.1 (1) Notwithstanding any other provision of the Act, a person or corporation that Penalty

(a) has contravened section 2, 4, 5, 5.3, 6.1 or 6.2;

(b) fails to comply with a divestiture schedule or any other condition of a permit issued pursuant to section 6.1;

(c) fails to make a land holding disclosure statement when requested to do so under subsection 10(1);

(d) fails to file a disclosure statement pursuant to subsection 10(2);

(e) fails to comply with a demand under subsection 15(2);

(f) fails, neglects, omits or refuses to do any act or thing required of that person or corporation by this Act, the regulations, any order of the Commission or any order of the Minister; or

(g) violates this Act, the regulations, any order of the Commission or any order of the Minister

is liable to a penalty imposed by the Commission of not more than \$10,000.

Separate daily liability

(2) Each day during which a prohibited activity subject to a penalty pursuant to subsection (1) is continued gives rise to a separate liability to a penalty imposed by the Commission not exceeding \$500 for each day.

Application to Supreme Court

(3) If any person or corporation fails to pay any penalty imposed by the Commission within the time fixed by the Commission for the payment of the penalty, the Commission may make application, without notice to the person or corporation, to a judge of the Supreme Court for an order that judgment for the amount of the penalty or any unpaid portion of the penalty may be entered in the court against the person or corporation.

Order

(4) The judge shall grant the order referred to in subsection (3) on proof by affidavit of the order imposing the penalty and the amount of the penalty remaining unpaid.

Execution

(5) On any judgment entered under this section, execution may be issued as on any other final judgment of the Supreme Court. 1998,c.79,s.15.

Proof

16. In any proceeding under this Act, the onus of proving that a person is a resident person is upon that person. 1998,c.79,s.16.

Regulations

17. (1) The Lieutenant Governor in Council may make regulations for giving effect to the intent of this Act and without prejudice to the generality thereof regulations may be made

- (a) defining any word or expression used in this Act and not defined herein;
- (b) exempting persons or corporations or classes of corporations or land holdings or classes of land holdings from this Act or any provision thereof and attaching conditions to any such exemptions;
- (c) prescribing forms to be used and the information to be required in disclosure statements;
- (d) establishing a land identification program;
- (e) prescribing conditions respecting the transferability of a permit pursuant to subsection 6.1(5);
- (f) authorizing the use of any kind of form required for the better administration of this Act or the regulations.

Exemptions to be laid before Legislative Assembly

(2) Where any exemption is granted by regulations under clause (1)(b) the Minister shall table in the Legislative Assembly a statement indicating the reasons therefor. 1982,c.16,s.18; 1986,c.15,s.1; 1991,c.18,s.22; 1995,c.22,s.14; 1998,c.79,s.17.

- 17.1.** The Commission may make regulations
- (a) prescribing the procedure in respect of applications for permits;
 - (b) prescribing a processing fee in respect of an application for a permit. 1991,c.18,s.22; 1992,c.38,s.6.
- Registration of leases
- 17.2** The Commission may, with the approval of the Lieutenant Governor in Council, administer regulations made under clause 17(1)(d). 1996,c.22,s.7.
- Administration, land identification
- 18.** Repealed by 1995,c.22,s.15.
- Lease registration
- 19.** This Act does not bind the Crown or a Crown corporation named in Schedule B or C of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9. 1982,c.16,s.21.
- Crown
- 20.** Where a person or corporation is required to divest land holdings pursuant to this Act
- (a) the person or corporation is not entitled to compensation of any kind from the Government of Prince Edward Island;
 - (b) the person or corporation is not entitled to any damages for loss of property or breach of any lease or contract made necessary by divesting land holdings pursuant to the divestiture schedule;
 - (c) the person or corporation is precluded from bringing any action for recovery of damages in any court; and
 - (d) the *Expropriation Act* R.S.P.E.I. 1988, Cap. E-13 does not apply to the divestiture. 1998,c.79,s.18.
- No entitlement to compensation or damages
- 21.** (1) Any land conveyed by the Crown or any of the Crown's agencies is presumed to be identified for non-development use under the Land Identification Program established under this Act, unless the Lieutenant Governor in Council otherwise determines.
- Presumption
- (2) Notwithstanding subsection (1), land conveyed by the Crown or an agent of the Crown is not presumed to be land identified for non-development use if the regulations provide that the Land Identification Program does not apply to that land. 1998,c.79,s.19; 2002,c.15,s.1.
- Exemption