

SCHOOL LAND TRANSFER REGULATION

Authority: *School Act*, s. 168.021

B.C. Reg. 81/23 Effective March 29, 2023
Lieutenant Governor in Council Regulation

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Definitions

1 In this regulation:

"**Act**" means the *School Act*;

"**qualified appraiser**" means a person designated Accredited Appraiser Canadian Institute by the Appraisal Institute of Canada;

"**school value**" has the same meaning given to it in section 2.

School Value

2 For the purposes of this regulation, the school value of land and improvements is the value that the land and improvements would have in the open market

- (a) on the assumption that the land and improvements are usable only for the purposes of a school or francophone school, and
- (b) having regard to any orders that have been or may be made under sections 96 (3) and 166.29 (1) of the Act in relation to the disposition of the land or improvements.

Compensation

3 (1) The minister may pay compensation under section 101.6 [*compensation*] of the Act to a board from whom land is transferred under section 101.5 [*transfer of title*] to a francophone education authority.

- (2) The payment be made
 - (a) to the board directly, or
 - (b) through the francophone education authority.

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(3) Subject to subsection (4), the amount of the compensation is the amount that the minister considers to be the school value of the land and improvements on the land at the date of the transfer.

(4) The amount of compensation may not be less than 90% or greater than 110% of the appraised value required by subsection (5).

(5) For the purposes of subsection (4), the minister must retain a qualified appraiser to give the minister a written opinion on the school value of the land and improvements on the land at the date of the transfer.