

DISPOSAL OF LAND OR IMPROVEMENTS ORDER

Authority: *School Act*, sections 96(3) and 168(2)(t)

Ministerial Order 16/03 (M16/03).....Effective January 17, 2003
Order of the Minister of Education

Interpretation

1. In this order, “fair market value” means the amount, price, consideration or rent that would be obtained by a school board in an arm’s length transaction in the open market between willing parties acting in good faith.

Application

2. This Order does not apply to grants of Crown land described in section 99 of the *School Act*.

Policies and Procedures

3. Boards must develop and implement policies and procedures with respect to the disposal of land or improvements under section 96(3) of the *School Act* and make these policies and procedures publicly available.

4. The policies and procedures referred to in section (3) must provide for:

- (a) consideration of the future educational needs of the school district,
- (b) disposition of land or improvements through a public process, and
- (c) disposition of land or improvements at fair market value.

Bylaws

5. A board’s bylaw authorizing the disposal of property owned or administered by the board, made pursuant to section 65(5) of the *School Act*, must include:

- (a) confirmation that the board will not require the property for future educational purposes,
- (b) the name and facility number of the property, and
- (c) the address and legal description of the property.

Notification

6. If a board has disposed of land or improvements under section 96(3) of the *School Act*, the board must, without delay, provide the Minister with:

- (a) a copy of the bylaw referred to in section 5, and
- (b) written notification of the disposition and allocation of the proceeds as required under section 100(2) of the *School Act*.