

PROPOSED AMENDMENTS TO BILL 13

Honourable Carole James to move, in Committee of the Whole, on

Bill 13

Miscellaneous Statutes Amendment Act, 2020

to amend as follows:

SECTION 21, by adding the underlined text as shown and deleting the text shown as struck out:

21 *Section 30 is amended*

- (a) *in subsection (2) by striking out*** “must make the following information contained in transparency records available for search by any person” ***and substituting*** “must make the following information contained in transparency records available through searches conducted under section 35 [*searches by members of public*]”,
- (b) *in subsection (2) (a) by striking out*** “reporting bodies that are, at the time of the search, registered as owners” ***and substituting*** “reporting bodies that are identified as registered owners”,
- (c) *by repealing subsection (2) (b) (i) and (ii) and substituting the following:***
 - (i) individuals who are, ~~at the time of the search,~~ identified as interest holders in relation to
 - (A) the reporting bodies referred to in paragraph (a) of this subsection, or
 - (B) the interests in land in respect of which the reporting bodies referred to in paragraph (a) of this subsection are identified as registered owners, and
 - (ii) in the case of reporting bodies referred to in paragraph (a) of this subsection that are trustees of relevant trusts, persons who are, ~~at the time of the search,~~ identified as settlors of the relevant trusts; ,
- (d) *in subsection (2) by adding the following paragraph:***
 - (b.1) parcel identifiers for parcels of land in relation to which persons are, ~~at the time of the search,~~ identified as reporting bodies, interest holders or settlors; , ***and***

(e) by repealing subsection (3) and substituting the following:

- (3) The administrator must take reasonable steps to ensure that the information to be made available under subsection (2) relates to persons who are, at the time of the search, identified as reporting bodies, interest holders or settlors.
- ~~(3)~~(4) The following information, as that information relates to an individual who is identified as an interest holder or settlor, must not be made publicly accessible under subsection (2) until at least 90 days after the transparency report to which the information relates has been accepted by the registrar for filing with the administrator:
- (a) primary identification information;
 - (b) parcel identifiers for parcels of land in relation to which the individual is identified as an interest holder or settlor.
- ~~(4)~~(5) For certainty, the requirement under subsection ~~(3)~~(4) (b) that parcel identifiers must not be made publicly accessible as information that relates to an individual identified as an interest holder or settlor does not affect the requirement under subsection (2) (b.1) that parcel identifiers must be made publicly accessible as information that relates to a person identified as a reporting body.

SECTION 22, by deleting the text shown as struck out and adding the underlined text as shown:

22 *Section 35 is repealed and the following substituted:*

Searches by members of public

- 35** Subject to reasonable conditions that the administrator may impose, a person may ~~search~~obtain publicly accessible information by
- (a) searching for the name of a person to ascertain the parcel identifiers for the parcels of land in relation to which the person is, ~~at the time of the search,~~ identified as a reporting body, interest holder or settlor,
 - (b) searching for the parcel identifier for a parcel of land to ascertain the persons who are, ~~at the time of the search,~~ identified as reporting bodies, interest holders or settlors in relation to the parcel of land, or
 - (c) conducting a prescribed search.

The Honourable Carole James