

UNEDITED

The Saskatchewan Assessment Commission Act

being

Chapter 148 of *The Revised Statutes of Saskatchewan, 1953*
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER 148

An Act respecting the Saskatchewan Assessment Commission

SHORT TITLE

Short title

1 This Act may be cited as *The Saskatchewan Assessment Commission Act*.

R.S.S. 1953, c.148, s.1.

INTERPRETATION

Interpretation

2 In this Act:

“assessor”

1 “**assessor**” means an assessor or the assessors of a municipality;

“chairman”

2 “**chairman**” means the chairman of the commission, or a member of the commission acting for him;

“commission”

3 “**commission**” means the Saskatchewan Assessment Commission;

“minister”

4 “**minister**” means the Minister of Municipal Affairs;

“municipality”

5 “**municipality**” means a city, town, village or rural municipality.

1948, c.40, s.2; R.S.S. 1953, c.148, s.2.

ORGANIZATION OF COMMISSION

The commission

3 There shall be a commission to be styled the Saskatchewan Assessment Commission.

1948, c.40, s.3; R.S.S. 1953, c.148, s.3.

Membership

4 The commission shall be composed of three members to be appointed by the Lieutenant Governor in Council, one of whom shall be named as chairman.

1948, c.40, s.4; R.S.S. 1953, c.148, s.4.

Chairman

5(1) The chairman shall be the chief executive officer of the commission and shall preside at meetings.

(2) During the illness or absence of the chairman, another member of the commission may act in his place.

1948, c.40, s.5; R.S.S. 1953, c.148, s.5.

Quorum

6 A majority of the members shall constitute a quorum for the transaction of business, and during a vacancy the remaining members may exercise the powers of the commission.

1948, c.40, s.6; R.S.S. 1953, c.148, s.6.

Seal

7 The commission shall have an official seal of such design as the minister may prescribe, by which it shall authenticate its proceedings and of which all courts shall take judicial notice.

1948, c.40, s.7; R.S.S. 1953, c.148, s.7.

Inquiries by one member

8 Any one member of the commission may hold an inquiry or conduct a hearing for the commission.

1948, c.40, s.8; R.S.S. 1953, c.148, s.8.

Orders by member deemed orders of commission

9 Orders made by one member shall, when confirmed by the commission, be deemed to be orders of the commission.

1948, c.40, s.9; R.S.S. 1953, c.148, s.9.

Oaths

10 The members of the commission may respectively administer oaths in the course of a proceeding or in connection with their official duties.

1948, c.40, s.10; R.S.S. 1953, c.148, s.10.

Officials

11 The secretary and other employees of the commission shall be appointed in accordance with section 19 of *The Public Service Act*.

1948, c.40, s.11; R.S.S. 1953, c.148, s.11.

Duties of secretary

12 The secretary shall:

- (a) keep a record of all proceedings conducted before the commission or any member thereof;
- (b) have the custody and care of the records and documents of the commission;
- (c) obey all rules and directions made or given by the commission touching his duties or office;
- (d) see that every regulation and order made by the commission is drawn pursuant to the direction of the commission, properly authenticated and filed.

1948, c.40, s.12; R.S.S. 1953, c.148, s.12.

Certified copies of orders

13 Any person may, on payment of the prescribed fee, obtain from the secretary a certified copy of any regulation or order of the commission.

1948, c.40, s.13; R.S.S. 1953, c.148, s.13.

POWERS AND DUTIES**Powers and duties**

14 The commission:

- (a) may require property valuers, assessors and other municipal officials to make such returns to the commission on any matter affecting the subject of assessment and taxation and in such forms as it thinks desirable;
- (b) may make rules, not inconsistent with the provisions of this Act, for its own government and for conducting hearings and proceedings before it;
- (c) shall hear assessment appeals under the provisions of *The City Act*, *The Town Act*, *The Village Act*, *The Rural Municipality Act*, *The Local Improvement Districts Act*, *The Mineral Taxation Act*, *The School Assessment Act*, *The Larger School Units Act* and *The Northern Administration Act* respectively;
- (d) shall perform such other duties as may be designated by any Act of the Legislature or by the minister.

1948, c.40, s.14; R.S.S. 1953, c.148, s.14.

Appeal

15 A municipality may appeal to the commission from the equalized assessment as determined by the minister under section 15 of *The Department of Municipal Affairs Act* and the commission may alter such assessment accordingly; and the assessment as altered shall come into effect at such time as the commission shall determine.

1948, c.40, s.15; R.S.S. 1953, c.148, s.15.

PRACTICE AND PROCEDURE**Summoning witnesses**

16 A summons to a witness may be signed by any member of the commission, and shall be served in the same manner as a like summons is served in the Court of Queen's Bench.

1948, c.40, s.16; R.S.S. 1953, c.148, s.16.

Evidence

17 The commission may, in its discretion, accept and act upon evidence by affidavit or written statement or by the report of any officer appointed by it or obtained in such other manner as it may decide.

1948, c.40, s.17; R.S.S. 1953, c.148, s.17.

Procedure at hearing

18 All inquiries and hearings before the commission or a member thereof shall be governed by such rules as it may adopt, and the commission shall not be bound by the technical rules of legal evidence.

1948, c.40, s.18; R.S.S. 1953, c.148, s.18.

Appointment of person to make inquiry

19 The commission may appoint or direct any person to make an inquiry and report upon any matter pending before it or over which it has jurisdiction under this or any other Act, and may order and direct by whom and in what proportion the costs and expenses of the inquiry and report shall be paid, and may fix the amount of the costs and expenses.

1948, c.40, s.19; R.S.S. 1953, c.148, s.19.

Powers of person conducting inquiry

20 The commission or any person authorized by it to make an inquiry or report may:

- (a) enter upon and inspect any land or other property;
- (b) require the attendance of such persons as the commission or such person thinks fit to summon, and examine and take the testimony of such persons;
- (c) require the production of books, plans, papers and other documents;
- (d) administer oaths, affirmations or declarations;

and shall have the like powers to summon witnesses, enforce their attendance, and compel them to give evidence and produce the books, plans, papers and other documents required to be produced as is vested in any court in civil cases.

1948, c.40, s.20; R.S.S. 1953, c.148, s.20.

Certified copies as evidence

21 Copies of official documents and orders filed in the office of the commission, certified by the chairman or secretary, under the official seal of the commission, to be true copies of the originals, shall be evidence in like manner as the originals in all courts of the province, and the commission may charge for such copies ten cents for each folio. Fees so collected shall be paid into the consolidated fund.

1948, c.40, s.21; R.S.S. 1953, c.148, s.21.

Proof of signature dispensed with

22 Every document purporting to be signed by the chairman or secretary of the commission, as provided in section 21, shall, without proof of such signature, be *prima facie* evidence in all courts, and shall be sufficient notice to all parties interested, if duly served therewith, that such document was so signed and was issued by the commission; and, if such document purports to be a copy of any order, direction, decision or report made or given by the commission, it shall be *prima facie* evidence in all courts of the order, direction, decision or report, and when duly served shall be sufficient notice of the order, direction, decision or report from the time of service.

1948, c.40, s.22; R.S.S. 1953, c.148, s.22.

OFFENCES AND PENALTIES

Offences

23 Every person who fails to do anything required by this Act to be done, or to comply with an order of the commission, is guilty of an offence.

1948, c.40, s.23; R.S.S. 1953, c.148, s.23.

Penalty

24 Every person guilty of an offence under this Act is, in addition to all other penalties, liable on summary conviction to a fine of not more than \$50 with costs, and in default of payment to imprisonment for a term not exceeding one month.

1948, c.40, s.24; R.S.S. 1953, c.148, s.24.

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