

Royal Gazette

Part II Regulations under the Regulations Act

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Contents

Act	Reg. No.	Page
Dairy Industry Act		
Dairy Farmers of Nova Scotia By-laws – amendment	229/2004	613
Employment Support and Income Assistance Act		
Employment Support and Income Assistance Regulations– amendment	223/2004	516
House of Assembly Act, An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989		
Proclamation, S. 2, S.N.S. 2004, c. 37	227/2004	611
Land Registration Act		
Land Registration Administration Regulations – amendment	224/2004	518
Land Registration Administration Regulations	225/2004	518
Land Registration Act, An Act to Amend Chapter 6 of the Acts of 2001		
Proclamation, S. 27, S.N.S. 2004, c. 38	228/2004	612
Mineral Resources Act		
Mineral Resources Regulations	222/2004	465
Mineral Resources Act, An Act to Amend Chapter 18 of the Acts of 1990		
Proclamation, S. 77, 1999 (2 nd Session), c. 12	221/2004	464
Motor Vehicle Act		
Winter Parking Regulations	226/2004	606

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N.S. Reg. 221/2004

Made: November 4, 2004

Filed: November 8, 2004

Proclamation, S. 77, S.N.S. 1999, c. 12

Order in Council 2004-434 dated November 4, 2004
Proclamation made by the Governor in Council
pursuant to Section 77
of *An Act to Amend Chapter 18 of the Acts of 1990, the Mineral Resources Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated October 19, 2004, and pursuant to Section 77 of Chapter 12 of the Acts of 1999 (Second Session), *An Act to Amend Chapter 18 of the Acts of 1990, the Mineral Resources Act*, is pleased to order and declare by proclamation that Chapter 12 of the Acts of 1999 (Second Session), *An Act to Amend Chapter 18 of the Acts of 1990, the Mineral Resources Act*, come into force on and not before November 4, 2004.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 77 of Chapter 12 of the Acts of 1999 (Second Session), *An Act to Amend Chapter 18 of the Acts of 1990, the Mineral Resources Act*, it is enacted as follows:

77 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 12 of the Acts of 1999 (Second Session), *An Act to Amend Chapter 18 of the Acts of 1990, the Mineral Resources Act*, come into force on and not before November 4, 2004;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 12 of the Acts of 1999 (Second Session), *An Act to Amend Chapter 18 of the Acts of 1990, the Mineral Resources Act*, come into force on and not before November 4, 2004, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Myra A. Freeman, Lieutenant
Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 4th day of November, in the year of Our Lord two thousand and four and in the fifty-third year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 222/2004

Made: November 4, 2004

Filed: November 8, 2004

Mineral Resources Regulations

Order in Council 2004-435 dated November 4, 2004
Regulations made by the Governor in Council
pursuant to Section 174 of the *Mineral Resources Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated October 19, 2004, and pursuant to Section 174 of Chapter 18 of the Acts of 1990, the *Mineral Resources Act*, is pleased, effective on and after November 4, 2004,

- (a) to repeal the *Mineral Resources Regulations*, N.S. Reg. 30/91, made by the Governor in Council by Order in Council 91-275 dated March 5, 1991; and
- (b) to make new regulations respecting mineral resources in the form set forth in Schedule “A” attached to and forming part of the report and recommendation.

Schedule “A”

**Regulations Respecting Mineral Resources
made by the Governor in Council pursuant to
Section 174 of Chapter 18 of the Acts of 1990,
the *Mineral Resources Act***

Interpretation

Citation

1 These regulations may be cited as the *Mineral Resources Regulations*.

Definitions

2 In these regulations

- (a) “base maps” means the National Topographic Series (NTS-NAD '27) maps on a scale of 1:50 000 made by Natural Resources Canada for areas bounded by each 30’ of longitude and each 15’ of latitude;

- (b) “caveat” means a notice of a trust filed under subsection 88(4) of the Act;
- (c) “claim reference map” means a representation of one quarter of the area of a base map as subdivided in accordance with subsection 5(1);
- (d) “decision” means a decision that is made under the Act by an officer to issue, renew, refuse, suspend, order forfeiture, or determine abandonment of a licence, lease, or registration;
- (e) “drillhole” means a hole drilled for the primary purpose of obtaining geological, geochemical, or geophysical information;
- (f) “index map” means a generalized location map;
- (g) “non-Crown limestone” means limestone that has not been declared to be a mineral under Section 5 of the Act;
- (h) “surface excavation” means trenching, pitting or stripping surface material for the purpose of finding, identifying or determining the presence or extent of any mineral
 - (i) by mechanical means, or
 - (ii) by other than mechanical means to a depth greater than 1.2 m;
- (i) “technical illustration” means a depiction of data that clarifies the content of a report or stands alone as a record of information and includes a map, plan, section, drawing, chart, graph, diagram or photograph;
- (j) “underground exploration” means the opening or reopening of underground workings and includes dewatering or rehabilitating the underground workings;
- (k) “watercourse” means a lake, river, stream, ocean or other body of water.

3 For the purposes of the Act,

- (a) “construction stone” includes shale or clay when used to manufacture masonry building products;
- (b) “masonry building products” includes common building bricks.

Boundaries

Basis for establishing claim reference maps

- 4** The base maps must be used as the basis for establishing claim reference maps to determine the boundaries of claims, licences, leases and non-mineral registrations.

Claim reference maps

- 5** (1) The area represented by each base map must be subdivided into 4 claim reference maps, as shown in Figure 1 in Section 8, by median lines corresponding to the median longitude and latitude lines of the base map, and the 4 claim reference maps produced must be lettered A for the southeast quarter, B for the southwest quarter, C for the northwest quarter and D for the northeast quarter.
- (2) Each claim reference map must be identified by the numbering of the base map of origin and the appropriate quarter section letter.
- (3) Claim reference maps maintained by the Registrar are conclusive as to the matters shown on them and are the sole official depiction of the relative location and extent of mineral rights and non-mineral registrations.

Division of claim reference map into tracts

6 (1) Each claim reference map must be subdivided into 108 tracts by 12 equal divisions on latitude and 9 equal divisions on longitude, as shown in Figure 2 in Section 8, with the following specifications:

- (a) the east and west boundaries of each tract must be true meridians of longitude;
- (b) the north and south boundaries of each tract must be straight lines parallel to the chord of one-half of the part of the parallel of latitude that represents the south boundary of each claim reference map; and
- (c) the angle of intersection of each chord on either side of the median meridian of longitude for each claim reference map must be 90°.

(2) Each tract must contain 259 ha, more or less.

(3) The 108 tracts on a claim reference map must be numbered as shown in Figure 2 in Section 8.

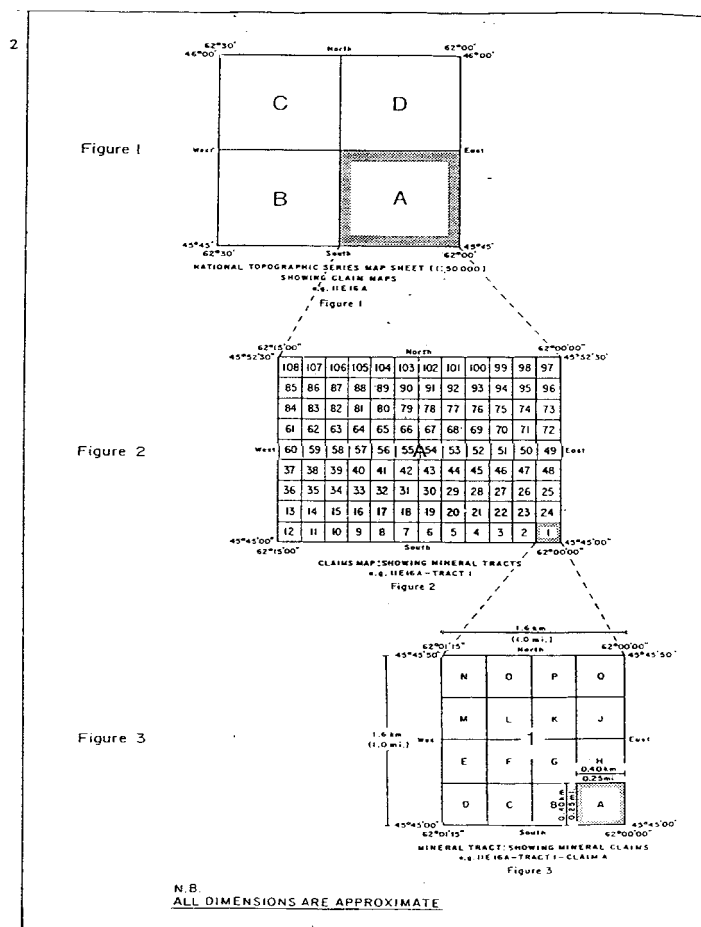
Division of tract into claims

7 (1) Each tract on a claim reference map must be subdivided into 16 claims, by 4 equal divisions on latitude and 4 equal divisions on longitude.

(2) The 16 claims in each tract of a claim reference map must be lettered as shown in Figure 3 in Section 8.

Figures showing subdivision of base map

8 Figures 1, 2 and 3 as referred to in Sections 5, 6 and 7 are as follows:



N.B. ALL DIMENSIONS ARE APPROXIMATE

Requirement to use prescribed land divisions in descriptions

9 All mineral rights and non-mineral registration areas must be defined or described in terms of the divisions of land prescribed in Sections 4 to 8.

Boundary measurement requirements

- 10 (1) All boundaries extend downward vertically without limit.
- (2) All surface measurements must be referenced to a horizontal plane.

Records**Record maintenance**

11 The Registrar must maintain records for

- (a) applications to register as a prospector;
- (b) base maps;
- (c) claim reference maps;
- (d) an index of holders of exploration licences;
- (e) applications for exploration licences;
- (f) copies of exploration licences;
- (g) applications for special licences;
- (h) copies of special licences;
- (i) statements of expenditure;
- (j) prospectors' statements;
- (k) certificates of compliance;
- (l) assessment work reports;
- (m) statements of work credits;
- (n) excavation registrations;
- (o) letters of authorization;
- (p) surface rights permits;
- (q) agreements;
- (r) caveats;
- (s) summaries of agreements;
- (t) tender submissions;
- (u) an index of holders of leases and non-mineral registrations;
- (v) applications for leases;
- (w) copies of leases and non-mineral registrations;
- (x) applications for special leases;
- (y) copies of special leases;
- (z) an index of holders of mining permits;
- (aa) applications for mining permits;
- (ab) copies of mining permits;
- (ac) mine reports;
- (ad) reports of work on leases;
- (ae) reports on closure of mines;
- (af) milling permits;
- (ag) reclamation bonds;
- (ah) transfers;
- (ai) surrenders;
- (aj) copies of notices;
- (ak) statistical reports;
- (al) letters of closure of land;
- (am) letters of reopening of land; and
- (an) fees charged and recovered,

and such additional records as the Registrar may require in order to perform the duties of the Registrar under the Act.

Correction of records and documents

- 12 (1) The Registrar must correct any error appearing on a map maintained by the Registrar when the Registrar becomes aware of the error.
- (2) The Registrar may correct a document filed with the Registrar to ensure that the document is a copy of the original document.

Form of records

- 13 The Registrar may maintain required indexes, listings of information and other records of the Registrar's office in photographic, computerized or other electronic data storage systems, and may amend, update or correct the indexes, listings of information and records.

Registrar maintaining copies

- 14 (1) The Registrar may maintain a copy of a document that is issued by or that remains in the custody of the Registrar by maintaining
- (a) a duplicate copy of the original;
 - (b) a carbon copy of the original;
 - (c) a photostat copy of the original;
 - (d) a computer file that contains all the material in the original that is unique to the document;
 - (e) a photographic reproduction of the original;
 - (f) material from the original in an electronic data storage medium that is capable of reproducing an accurate copy of the original; or
 - (g) an accurate copy of the original that has been prepared by the Registrar from the information stored by any of the methods described in clauses (a) to (f).
- (2) If the Registrar is satisfied that an accurate copy of a document has been made, the Registrar may order the destruction of the original document.

Service and Delivery of Documents**Service of document by Minister, Registrar or other person**

- 15 (1) A notice or other document that is served under the Act or these regulations by the Minister, Registrar or any other person acting under the authority of the Act or these regulations is deemed to be effectively served on a person if
- (a) it is delivered personally;
 - (b) it is sent by pre-paid registered or certified mail to the latest address shown on the records of the Registrar for the person; or
 - (c) it is sent to a facsimile machine in the most recent office or place of residence shown on the records of the Registrar for the person.
- (2) The Registrar may order another means of service, including substituted service, service by advertisement or other form of service.
- (3) Receipt of a notice or document referred to in subsection (1) is deemed to occur no later than the 4th day after the date of service.

Documents delivered to Minister

- 16 (1) A document required to be delivered to or filed with the Minister or the Registrar must be personally delivered or sent by pre-paid mail.
- (2) A document is deemed not to have been received by the Minister or Registrar unless and until it is delivered in accordance with subsection (1).

Documents sent by fax

- 17 The Minister or Registrar may, but is not required to, respond to or act upon a document sent to either of them by facsimile machine.

Transfers**Definition of “transfer”**

- 18 For the purposes of Sections 85 and 86 of the Act, “transfer” and “transferred” refer to a transfer by way of an instrument, agreement, assignment or conveyance that conveys one or more complete geographical claims from a registered mineral right holder or non-mineral registrant to a new mineral right holder or non-mineral registrant, but do not refer to
- (a) a transfer of a partial interest in a mineral right if the registered mineral right holder does not change; or
 - (b) a transfer of a partial interest in a non-mineral registration if the non-mineral registrant does not change; or
 - (c) an abandonment, surrender, forfeiture or termination under the Act.

Form and notice of transfer

- 19 A transfer of a mineral right or non-mineral registration must be in Form 1, and a completed and filed Form 1 is notice of the transfer.

Summary of agreement

- 20 (1) A summary of an agreement required by subsection 87(1) or (1A) of the Act that results or may result in a transfer or assignment of a mineral right or non-mineral registration, part of a mineral right or non-mineral registration, or any interest in a mineral right or non-mineral registration, must be in Form 2.
- (2) The Registrar must assign a sequential number to each Form 2 as it is received and make a notation of the number on the face of the corresponding affected mineral right or non-mineral registration.
- (3) The Registrar must maintain an index in which the Registrar records the number assigned to a summary and the names of the parties listed in the summary.
- (4) The Registrar may delete from the index a reference to a notice relating to a mineral right or non-mineral registration that has ceased to exist.

Caveats

- 21 (1) A caveat required by subsection 88(4) of the Act to give notice of a trust must be in Form 3.
- (2) The Registrar must assign a sequential number to each caveat as it is received and make a notation of the number on the face of the corresponding affected mineral right or non-mineral registration.
- (3) The Registrar must maintain an index in which the Registrar records the number assigned to a caveat and the corresponding number of the mineral right or non-mineral registration affected by the caveat.

- (4) The Registrar may delete from the index a reference to a caveat relating to a mineral right or non-mineral registration that has ceased to exist.

Registration as a Prospector

- 22** (1) A person required to register as a prospector under clause 21(3)(b) of the Act must submit a completed application in Form 4 to the Registrar.
- (2) The Registrar must enter the particulars of each registered prospector who applies under subsection (1) in a list of registered prospectors maintained by the Registrar.
- (3) The Registrar must give each registered prospector a copy of the Act and these regulations.
- (4) The Registrar must issue an identification card in Form 5 to each registered prospector.
- (5) The Registrar may remove from the list of registered prospectors the name of a person who has
- (a) been found guilty of an offence under the Act or these regulations;
 - (b) requested in writing to have their name removed from the list and has returned the identification card; or
 - (c) died.

Licences

Form of application

- 23** An application for a licence or its renewal required by subsection 24(2) or clause 44(1)(a) of the Act must be in Form 6.

Form of required information under Section 25 of the Act

- 24** The documentation required by Section 25 of the Act to be filed by a person who applies for an exploration licence must be in Form 7.

Consideration of applications received by mail

- 25** The Registrar is permitted to consider applications for licences submitted by mail only if there are no pending applications that have been submitted by applicants in person to the Registrar's office.

Competing applications

- 26** For the purpose of tendering the right to obtain an exploration licence to 2 or more applicants in accordance with subsections 34(1) and (2) of the Act, the Registrar must
- (a) give written notice to each applicant of pending applications no later than 7 calendar days after the date the applications are received by the Registrar;
 - (b) request that each applicant submit a tender in the form of a work proposal no later than 28 days after the date of the notice; and
 - (c) subject to subsection 34(3) of the Act, no later than 10 days after the date the last tender submitted in accordance with clause (b) is received, issue an exploration licence as required by subsection 34(2) of the Act.

Application for area under expired exploration licence

- 27** (1) If an exploration licence expires, an application for a new exploration licence for all or a portion of the same area may not be made before 10 a.m. on the day following the expiry date of the exploration licence.

- (2) If an exploration licence for an area is renewed under Section 44 or subsection 45(2) of the Act, the Registrar must reject all other applications for the area.
- (3) The Registrar must consider all acceptable applications received under subsection (1) in the order that they are received.

Form of exploration licence

28 An exploration licence must be in Form 8.

Renewal limitations

- 29** (1) A licence may be renewed at any time within a period of 12 months less 1 working day before the anniversary of the licence.
- (2) If an exploration licence is renewed more than 30 days before the anniversary of the licence,
- (a) there is no refund of all or any portion of the paid application fees;
 - (b) work credits that have been allocated must not be redistributed until the next renewal of the licence; and
 - (c) if additional assessment work is submitted before the next renewal, the assessment work must, subject to Section 39, be added to existing work credits
 - (i) at 100% of acceptable cost, if filed in the licence year during which the work was performed, or
 - (ii) at 50% of acceptable cost, if filed at a later date.

Late renewal

30 The renewal of a licence under Section 47 of the Act does not alter the anniversary date of the licence or the work requirements for the licence.

Form of certificate of compliance

31 A certificate of compliance granted under Section 49 of the Act must be in Form 9.

Delivery of a licence

32 Unless the Registrar and licensee agree otherwise, the Registrar must send a licence issued to the licensee by pre-paid mail to the address provided in the application for the licence.

Refund on refusal or rejection of application

33 If an application for a licence is refused or rejected, the Registrar must return the amount of the fee submitted with the application, less the amount of any administration fee charged, to the applicant by pre-paid mail to the address provided in the application.

Assessment Work**Statement of expenditure**

- 34** (1) A statement of expenditure required by subsection 43(1) of the Act must be in Form 10.
- (2) On a statement of expenditure, all expenditures for assessment work that qualifies for work credit must be expressed in Canadian dollars and must be documented to the satisfaction of the Registrar.

Minimum value of acceptable work required for submission

35 The minimum value of acceptable assessment work that must be submitted for the renewal of an exploration licence is

Year of Licence	Dollars per Year per Claim
1 st to 10 th	\$200
11 th to 15 th	\$400
16 th and after	\$800

Work credit for assessment work in excess of minimum

36 Work credit applied under subsection 48(1) of the Act for all acceptable assessment work in excess of the minimum required by Section 35 for renewal of an exploration licence must be applied at its full value to a later renewal of the licence up to a maximum of 10 years following the date of submission, if the excess assessment work is submitted

- (a) after the effective date of these regulations; and
- (b) in the licence year during which it was conducted.

Existing work credit to be applied to later renewal

37 Work credits held under an exploration licence before the effective date of these regulations may be brought forward up to a maximum of 10 years after the effective date of these regulations for a later application to renew the licence and must be applied in accordance with Section 35 as of the next anniversary date of the licence after the effective date.

Assessment work acceptable for work credit

38 (1) The full cost of the following assessment work may be accepted for credit to a licence:

- (a) prospecting;
- (b) trenching, pitting, stripping and refilling excavations;
- (c) line cutting or flagging;
- (d) geological surveys;
- (e) geochemical surveys;
- (f) geophysical surveys, including ground, marine and borehole investigations;
- (g) airborne surveys, including photographic, geophysical and geochemical;
- (h) photogeological and remote imagery interpretations;
- (i) drilling and sealing of drillholes;
- (j) surface and underground surveys related to exploration or development;
- (k) surface or underground exploration work;
- (l) assays, analyses and mineral tests;
- (m) technical data compilations; and
- (n) any other work and reasonable expenses approved by the Registrar as being necessarily incidental to and directly associated with the work mentioned in clauses (a) to (m), including expenses for accommodation, food, meals and transportation.

- (2) The cost of the following assessment work is considered allowable ancillary expenses, the total credit for which must not exceed 10% of the cost of assessment work accepted for credit to a licence:
- (a) the cost of a building, structure, machinery, plant, equipment, conveyance or access road;
 - (b) expenditures made to
 - (i) reclaim property,
 - (ii) rehabilitate buildings or structures,
 - (iii) prepare environmental impact or assessment studies conducted for proposed mining purposes,
 - (iv) test mining methods, and
 - (v) prepare metallurgical studies, including expenses for consumable items related to ore processing testwork, pilot plant runs and milling of bulk samples;
 - (c) the cost of preparing of marketing studies;
 - (d) compensation paid to landowners;
 - (e) legal fees directly relating to landowners and contractors;
 - (f) accounting fees directly attributable to the licence;
 - (g) the cost of secretarial services;
 - (h) the cost of drafting and cartographic services;
 - (i) the cost of field supplies; and
 - (j) office expenses consisting of monies spent for
 - (i) rent,
 - (ii) heat,
 - (iii) light,
 - (iv) supplies,
 - (v) telecommunications,
 - (vi) office equipment rental,
 - (vii) postage, express and freight,
 - (viii) building and equipment insurance, and
 - (ix) reasonable printing and copying charges.
- (3) Despite subsections (1) and (2), assessment work must not be credited if
- (a) it has previously been credited;
 - (b) it fails to provide new or additional data contributing to the geoscientific knowledge of the area upon which it was conducted;
 - (c) it is not reported in the manner prescribed by these regulations; or
 - (d) the costs are not acceptable to the Registrar.

Work credit for surveys

- 39 (1) Work credits for an airborne survey are permitted to be applied to an exploration licence held or subsequently acquired for the survey area only if an acceptable report and statement of expenditure are submitted.
- (2) Work credits for an airborne survey must be applied at a rate determined on the basis of the time that elapses between the completion of the survey and submission of a report and statement of expenditure as follows:

Year Report Submitted	Percentage of Survey Cost to be Credited
1 st or 2 nd year after survey	125
3 rd year after survey	100
4 th year after survey	75
5 th to 10 th year after survey	at the discretion of the Registrar, to a maximum of 50
11 th year or later after survey	0

- (3) Work credits for prospecting or preliminary ground surveys performed on unlicensed ground are permitted to be applied to an exploration licence subsequently acquired for the survey area only if
- the work was conducted on lands that were, at the time of the work, available for application for an exploration licence; and
 - an acceptable report and statement of expenditure are submitted.
- (4) Credit for preliminary ground surveys referred to in subsection (3) must be applied in the same manner as for airborne surveys as set out in subsection (2), except that the rate must be determined based on the time that elapses between the date the ground survey begins and submission of an acceptable report and statement of expenditure.

Acceptable assessment work - decision of Minister final

- 40 In the event of a dispute regarding whether an activity constitutes acceptable assessment work, the decision of the Minister is final.

Form of assessment work report

- 41 (1) Assessment work submitted for credit to an exploration licence must be reported in
- a prospector's statement in Form 11 in duplicate; or
 - a technical report.
- (2) Acceptable assessment work reported in a prospector's statement submitted for credit in respect of an exploration licence must be credited on the basis of \$50.00 for each 8 hours during which the assessment work was performed.
- (3) A prospector's statement may be submitted for work credit only for the first 7 renewals of an exploration licence.

Prospector's statement allowed if exempt from filing technical report

- 42 (1) An individual who is, in the opinion of the Registrar, exempt from the requirement to file a technical report may submit a prospector's statement in duplicate in Form 11 as evidence of assessment work conducted upon a licence area.

- (2) A prospector's statement submitted under subsection (1) must be accompanied by a daily log of activities and a map upon which relevant new observations are noted, both prepared in a form and manner acceptable to the Registrar.

Technical reports - format

- 43 (1) A report submitted for assessment work conducted in respect of a licence must be made up of a text and technical illustrations.
- (2) A report referred to in subsection (1) must contain all information obtained from technical data compilations and assessment work conducted and submitted for assessment work credits.
 - (3) A separate report must be filed for each licence unless
 - (a) a licence forms part of a group of coterminous licences, in which case a single report for the group is acceptable; or
 - (b) the report is approved by the Registrar for work credit to more than 1 exploration licence.
 - (4) Two copies of every report and illustration must be submitted as evidence of assessment work and must
 - (a) be of a quality suitable for duplication and microfilming;
 - (b) be printed in good quality type on a good grade of paper of letter or legal size;
 - (c) be bound between covers or contained in folders whose maximum dimensions do not exceed 38 by 25 cm;
 - (d) have margins of suitable width to allow full view of the text;
 - (e) have a title page and all subsequent pages numbered consecutively;
 - (f) contain the date on which the report was completed; and
 - (g) contain a table of contents that sets out the principal subdivisions of the text with corresponding page numbers, a table of illustrations with corresponding figure numbers, a table of appendices with corresponding appendix numbers and a list of tables with corresponding table numbers and titles.
 - (5) The text of each report must include the following principal subdivisions:
 - (a) Summary - a summary of the work performed and of the results obtained;
 - (b) Introduction - an outline of the scope of and reasons for the work program;
 - (c) Location and Access - an outline of details regarding the location of the work program;
 - (d) Licence Tabulation - a tabulation of the licences pertaining to the report, including claim reference maps, tracts, claims and dates of issue, the name of the licence holder and, if different, the name of the person submitting the report;
 - (e) Work Performed - a detailed description of the work conducted including the names of the persons who conducted the work and the dates during which the work was performed;
 - (f) Interpretation of Results - a discussion and interpretation of the results of the work conducted;

- (g) Conclusions and Recommendations - an outline of the conclusions reached and recommendations made regarding future work on the property under the licence;
 - (h) Bibliography;
 - (i) an Author's Certificate as required by Section 78; and
 - (j) Appendices.
- (6) In addition to the requirements of subsections (1) to (5), if assays or analytical results are reported the report must include
- (a) a description of the analytical methods and indicated detection limits; and
 - (b) a clearly legible and signed copy of the certified laboratory report submitted by the analytical facility that conducted the work.
- (7) If drilling results are reported, typed drill logs must be submitted.

Technical illustrations - format

- 44 (1) A technical illustration that accompanies or is included in a report must be submitted in such detail and on such a scale so as to permit on-site verification and must
- (a) be clearly visible and legible;
 - (b) have outside dimensions that are no larger than 91 cm by 122 cm;
 - (c) have a complete legend referenced by numbers, letters, graphic patterns or symbols;
 - (d) be a copy of the original drawing or tracing;
 - (e) if bound into the report, include a margin of a suitable width to allow full view of the illustration; and
 - (f) include the following, as may be appropriate to the nature of the illustration, including separate index maps:
 - (i) a bar scale,
 - (ii) an astronomic (true) north arrow,
 - (iii) a title,
 - (iv) the date the illustration was prepared, and
 - (v) a figure number.
- (2) A technical illustration that includes a map, other than an index map, must include
- (a) the plotted location of appropriate lines of latitude and longitude;
 - (b) the licence boundaries along with appropriate tract or claim boundaries;
 - (c) distinctive topographic features in such manner that they can be readily identified and located on the ground;
 - (d) the location of all surface or underground workings;
 - (e) the location of all surveyed lines and grid lines, named or identified appropriately, with the length and azimuth of each line shown; and

- (f) the location of geodetic monuments if located in the map area, survey control points, bench marks and reference measurements to identifiable surface features or permanent objects.

Details of geological work performed

- 45** (1) If geological work is submitted for work credit, in addition to the requirements of Section 43, a report of geological work must include descriptions of
- (a) the manner in which the work was conducted, the dates upon which it was conducted and by whom it was conducted;
 - (b) the geological features observed;
 - (c) the synthesis of the geological observations referred to in clause (b);
 - (d) each sample taken and the location of each sample taken; and
 - (e) all prospecting activity conducted.
- (2) If geological work is submitted for work credit, in addition to the requirements of Section 44, a geological map must be submitted and must show
- (a) mapped outcrops, float and other observed geological features;
 - (b) the orientation of geological features observed;
 - (c) identification of the various rock types observed;
 - (d) trenches, pits, stripped areas, shafts and underground workings;
 - (e) the number and location of all drillholes;
 - (f) the location and identification, by means of sample number, of all samples taken for analysis;
 - (g) an indication of the detection limit of the analytical procedures employed; and
 - (h) the numerical values of all analyzed rock above the detection limit for the elements that form the primary targets of the exploration program.

Details of geochemical work performed

- 46** (1) If geochemical work is submitted for work credit, in addition to the requirements of Section 43, a report of geochemical work, including an orientation survey, must include
- (a) the type of survey, including a description of sample medium and field sample preparation;
 - (b) relevant site information not already contained in a separate part of the report that may have a bearing on the results obtained and their interpretation, including
 - (i) local geology,
 - (ii) local topography,
 - (iii) local surface and ground water data,
 - (iv) local meteorological conditions, and
 - (v) specific dates; and
 - (c) a description of results.
- (2) If geochemical work is submitted for work credit, in addition to the requirements of Section 44, a geochemical map must be submitted and must show

- (a) the distinctive topographic features and relevant site information that may influence the interpretation of results;
- (b) the location and identification, by means of sample number, of all samples taken for analysis;
- (c) an indication of the detection limit of the analytical procedures employed; and
- (d) the numerical values above the detection limit for the elements that form the primary targets of the exploration program.

Details of geophysical work performed

- 47 (1)** If geophysical work is submitted for work credit, in addition to the requirements of Section 43, a report of geophysical work, including an orientation survey, must include
- (a) the type and method of survey, correctional techniques, type and model of instrument used, components measured and locational controls employed, including
 - (i) in the case of a ground survey, the total line kilometres surveyed,
 - (ii) in the case of an airborne survey, the aircraft type, ground clearance, location of area covered and total line kilometres surveyed, and
 - (iii) in the case of a shipborne survey, the type and size of vessel and total line kilometres surveyed;
 - (b) relevant information that may have a bearing on the results obtained and their interpretation, including local geology, topography, powerlines, swamps and meteorological conditions; and
 - (c) a description of results.
- (2)** If geophysical work is submitted for work credit, in addition to the requirements of Section 44, a geophysical map must be submitted and must show
- (a) distinctive topographic features and relevant site information that may have a bearing on the interpretation of results;
 - (b) applicable instrument and transmitting station orientation;
 - (c) instrument readings for each station or fix point, corrected for instrument drift and diurnal variations; and
 - (d) properly supported, contoured or profiled information from airborne, shipborne or remote sensing surveys.
- (3)** A geophysical profile or cross-section that is submitted as part of geophysical work must show
- (a) horizontal and vertical scales; and
 - (b) stations identified so that the profile or cross-section may be related to the tract, traverse or drillhole and geophysical survey maps.

Report of drilling results

- 48 (1)** If drilling results are submitted for work credit, in addition to the requirements of Section 43, all drilling activity, except holes for blasting purposes, must be reported with a drilling results report that includes

- (a) a written description of the drilling program, including the type of drilling, number of holes drilled, dates of commencement and completion of the drill program, location, core storage site, hole size, total metres drilled, equipment and casing left in the hole and hole abandonment procedures;
 - (b) an identification of drill targets;
 - (c) a review of the results of the drilling program;
 - (d) a description of downhole geophysical surveys, including results;
 - (e) an identification of the type of material sampled including core, sludge, overburden and chips, and sample fraction including whole core and split core; and
 - (f) a typed drill log for each hole that includes
 - (i) the name of the exploration company and, if it is not the same, the name of the licensee,
 - (ii) the hole identification number, which includes a year designation,
 - (iii) the collar location with map coordinates, exploration grid coordinates and claim reference map, tract and claim references,
 - (iv) the datum, whether established or assumed,
 - (v) the azimuth, inclination and elevation of the hole at the collar,
 - (vi) the depth and result of each dip and azimuth test,
 - (vii) the depth of overburden and the total depth of the hole,
 - (viii) the dates of commencement and completion of drilling,
 - (ix) the type of materials obtained including core, chips and sludge,
 - (x) the name of the drilling contractors,
 - (xi) the hole size,
 - (xii) the name of the person who prepared the log,
 - (xiii) a detailed geological description in descending order from the collar to the end of the hole including depths of features described, sample numbers and sample intervals,
 - (xiv) where possible, all assays, analyses and results, and
 - (xv) a statement regarding whether whole or split samples were removed.
- (2) If drilling results are submitted for work credit, in addition to the requirements of Section 44, the location of drillholes must be recorded on a map and must show hole number and relevant site information.

Details of excavation work performed

- 49 (1) If excavation work is submitted for work credit, in addition to the requirements of Section 43, all excavation work must be reported and the report must include

- (a) a description of
 - (i) the location of workings, together with, if applicable, an exploration grid reference,
 - (ii) the type of excavation including trenching, pitting, stripping, bulk sampling, shaft sinking, driving adits, declines, drifts, cross-cuts, levels, raises and winzes, and the re-opening, rehabilitation or dewatering of any working,
 - (iii) the method and equipment used, and
 - (iv) the dimension and orientation of workings and, if applicable, the depth of overburden;
 - (b) the purpose of the excavation;
 - (c) the excavation registration number or date of the letter of authorization;
 - (d) the dates the excavation work began and ended; and
 - (e) a description and location of all samples taken, and analyzed, and the name of the laboratory where samples were analyzed.
- (2) If excavation work is submitted for work credit, in addition to the requirements of Section 44, each technical illustration pertaining to an excavation must show, if applicable,
- (a) the location of the excavation with respect to appropriate tract or claim boundaries;
 - (b) the dimensions and orientation of the excavation;
 - (c) the location and identification, by means of sample number, of all samples taken for analysis;
 - (d) an indication of the detection limit of the analytical procedures employed; and
 - (e) the numerical values above the detection limit for the elements that form the primary targets of the exploration program.

Details of metallurgical studies performed

50 If metallurgical studies are submitted for work credit, in addition to the requirements of Section 43, the results of all metallurgical studies or test work and all mineralogical examinations must be reported and the report must include

- (a) the source, quantity and type of all samples collected;
- (b) the quantity and size fractions of the samples used for testing;
- (c) the mineralogical composition of the samples, if it has been determined;
- (d) the results of all methods of processing performed or investigated; and
- (e) a process flowsheet and metallurgical results from pilot plant testing and bulk sample processing.

Excavation

Excavation registration

51 (1) An excavation registration required by Section 101 of the Act must be submitted to the Registrar at least 7 days before the commencement of the activities to be conducted under the excavation registration.

- (2) An excavation registration must be in Form 12.
- (3) A person submitting an excavation registration must
 - (a) attach sketch map(s) on a practical scale showing the extent of the proposed work and in sufficient topographic detail to easily locate the site of excavation;
 - (b) post a reclamation bond in a form and amount acceptable to the Minister as required by Section 97 of the Act;
 - (c) provide a statement confirming the consent or agreement of the owner or tenant of the land.
- (4) If the information required to be submitted to the Registrar in Form 12 is incomplete, the Registrar may refuse to record an excavation registration and must inform the applicant of the refusal.
- (5) If the information required to be submitted to the Registrar in Form 12 is a misrepresentation, the Registrar may immediately strike the excavation registration from the Registrar's records.
- (6) If the information required and submitted to the Registrar in Form 12 is complete, the Registrar must enter the excavation registration in the Registrar's records.

Prohibition of bulk sampling activities without lease or letter of authorization

52 No person is permitted to conduct or engage in activities referred to in Section 102 of the Act unless the person is

- (a) the holder of a mineral lease; or
- (b) a licensee who holds a letter of authorization

for the area upon which the proposed activities are to be conducted.

Application for letter of authorization

53 (1) An application for a letter of authorization must be submitted to the Registrar in Form 13.

- (2) An applicant for a letter of authorization must submit
 - (a) a map showing the location of the proposed activity and access route to the site from the nearest settlement or public road;
 - (b) a statement confirming
 - (i) the consent or agreement of the owner or tenant of private land under Sections 39 or 59 of the Act, or
 - (ii) the consent of the Minister or the Minister's designate to enter upon and work Crown land under Section 40 of the Act, or
 - (iii) that the applicant holds a surface rights permit issued under Section 100 of the Act;
 - (c) a brief report on the size, location and purpose of the bulk sample, mining method, schedule and expected results;
 - (d) a map of the site showing existing surface features, diamond-drill holes, test pits and any shafts or underground workings;
 - (e) a map or drawing showing

- (i) major geological features,
 - (ii) the sample location and dimensions,
 - (iii) the location and dimensions of proposed workings,
 - (iv) the location of settling ponds and waste disposal areas,
 - (v) the location of all buildings, roads and other infrastructure,
 - (vi) all other major project-specific features;
- (f) a description of the reclamation work to be conducted upon the completion of the exploration or sampling; and
- (g) a reclamation bond in a form and amount acceptable to the Minister as required by subsections 97(1) and 102(3) of the Act,
- and any additional information requested by the Registrar.
- (3) If the information required to be submitted to the Registrar in Form 13 is a misrepresentation, the Minister may immediately revoke this letter of authorization.

Issuance of letter of authorization

54 The Registrar may issue a letter of authorization.

Refusal to issue letter of authorization

55 The Registrar may refuse to issue a letter of authorization if the Registrar determines that

- (a) the proposed activity is not for the purpose of exploration or testing or, in the opinion of the Registrar, is detrimental to the resource;
- (b) the applicant has failed to obtain the necessary consent, agreement or surface rights permit referred to in clause 53(2)(b);
- (c) the applicant has failed to post a reclamation bond in a form and amount acceptable to the Minister; or
- (d) the applicant has failed to provide a plan of reclamation satisfactory to the Registrar.

Letter of authorization documentation to be kept by field representative

56 The holder of a letter of authorization must ensure that a copy of the letter of authorization and evidence of the consent, agreement or surface rights permit referred to in clause 53(2)(b) are kept in the custody of the field representative named in the letter of authorization and are available for inspection at the site named in the letter of authorization.

Time limit for refilling excavation after bulk sampling

- 57** (1) Despite any agreement made with a landowner or tenant regarding reclamation, the holder of an excavation registration or letter of authorization must refill each excavation no later than 30 days after the date that the work program is completed, or such longer time as may be directed by the Registrar in accordance with subsection (2).
- (2) If the Registrar receives a written request from a landowner or tenant of lands that are subject to an excavation registration or letter of authorization to leave an excavation open, and the Registrar is shown good cause in the written request for leaving the excavation open, the Registrar may direct that the excavation remain unfilled.

Leases

Application for lease

58 An application for a lease under clause 56(1)(a) of the Act must be in Form 14.

Form of required information under Section 25 of the Act

59 The documentation required by Section 25 of the Act to be filed by a person who applies for a lease must be in Form 7.

Additional required documentation filed with application

60 The documentation required to be filed with an application for a mineral lease for the purposes of clause 56(1)(b) of the Act is a report to the Registrar that includes

- (a) a general location map of the area showing all claim boundaries, surface rights ownership and boundaries, nearby roads, buildings, powerlines, watercourses, topography and other surface features in the vicinity of the deposit;
- (b) resource information, including
 - (i) a map showing the location of all drillholes, trenches, test pits and sample locations,
 - (ii) a geological map showing the known location of the deposit and its relationship to the host geological units,
 - (iii) geological cross-sections and longitudinal sections through the deposit, and
 - (iv) a table of ore reserves, including
 - (A) grades and quantities, categorized as proven, probable or possible,
 - (B) a description of the method of calculating the reserves,
 - (C) a statement of the specific gravity used and reason for its use, and
 - (D) a statement of the cutoff grade used and reason for its use;
- (c) mining information, including
 - (i) a general map showing the surface facilities buildings, water diversions, settling and treatment ponds and ore and waste storage areas,
 - (ii) strip ratio and recovery factor,
 - (iii) a description of the proposed mining methods and schedules for all surface and underground development work, and
 - (iv) a description of the methods to be used for the reclamation of the mine, waste dumps, tailings ponds and other areas disturbed by the project, including a site plan; and
- (d) mineral processing information, including
 - (i) a description of the processing method, and
 - (ii) a flow sheet for the process showing metallurgical balances,

and any additional information that the Registrar considers necessary for the purposes of the Act.

Survey conducted by Nova Scotia Land Surveyor

61 Except as otherwise required by the Registrar, a survey of the prescribed boundaries of a mineral lease must be conducted by a Nova Scotia land surveyor who is a member of the Association of Nova Scotia Land Surveyors, and a copy of the survey plan must be submitted with the application for the lease.

Form of lease

62 A lease required by subsection 58(1) of the Act must be in Form 15.

Recording of lease

63 (1) The Registrar must enter a lease into the Registrar's records by noting

- (a) the date of the lease;
- (b) the name and address of the lessee;
- (c) a description of the lands covered in the lease;
- (d) the commencement date and term of the lease; and
- (e) the consideration to be paid,

and additional matters particular to the lease.

(2) In recording a lease under subsection (1), the Registrar is not required to copy into the record standard clauses that are common to leases.

Non-Mineral Registration**Application for non-mineral registration**

64 An application for a non-mineral registration required by clause 90(2)(a) of the Act for mining gypsum and non-Crown limestone must be in Form 17.

Additional required documentation filed with application

65 The documentation required to be filed with an application for a non-mineral registration for the purposes of clause 90(2)(b) of the Act is a completed Form 7 and a report to the Registrar in accordance with Section 66.

Report to Registrar filed with application

66 A report to the Registrar to be filed with an application for a non-mineral registration must include

- (a) a general location map of the area showing all claim boundaries, surface rights ownership and boundaries, nearby roads, buildings, powerlines, watercourses, topography and other surface features in the vicinity of the deposit; and
- (b) mining information, including
 - (i) a general map showing the location of the existing and proposed mine workings, surface facilities buildings, water diversions, settling and treatment ponds and ore and waste storage areas,
 - (ii) strip ratio and recovery factor,
 - (iii) a description of the proposed mining methods and schedules for all surface and underground development work, and
 - (iv) a description of the methods to be used for the reclamation of the mine, waste dumps, tailings ponds and other areas disturbed by the project, including a site plan,

and any additional information that the Registrar considers necessary for the purposes of the Act.

Form of non-mineral registration

67 A non-mineral registration must be in Form 18.

Recording of non-mineral registration

- 68 (1) The Registrar must enter a duplicate of a non-mineral registration filed under subsection 92(3) of the Act into the record by giving it a sequential number.
- (2) The Registrar must maintain an index of non-mineral registrations in which the Registrar records the number of each non-mineral registration, the name of the holder of the non-mineral registration and the area covered by the non-mineral registration.
- (3) The Registrar may enter portions of a non-mineral registration into the records of the Registrar, and the entered portion is deemed to be an accurate copy of the original document.

Annual report on mining operations

69 The annual report required by Section 61 and clause 94(1)(d) of the Act must be a report on mining operations in Form 16.

Fees

70 Fees payable under the Act are as follows:

- | | | |
|-----|--|---------------------|
| (a) | issuance of exploration licence | \$5.00/claim |
| (b) | conversion or annual renewal of exploration licence, for years | |
| | 2 to 10 | \$5.00/claim |
| | 11 to 15 | \$20.00/claim |
| | 16 to 25 | \$80.00/claim |
| | 26 and after | \$160.00/claim |
| (c) | issuance or renewal of special licence | \$5.00/claim/year |
| (d) | lease rental | \$100.00/claim/year |
| (e) | payment in lieu of assessment work, for years | |
| | 1 to 10 | \$200.00/claim |
| | 11 to 15 | \$400.00/claim |
| | 16 and after | \$800.00/claim |
| (f) | assignment or transfer of exploration licence | \$5.00 |
| (g) | assignment or transfer of special licence,
mineral lease, special lease or non-mineral registration | \$50.00 |
| (h) | registration of any document affecting title
of mineral right or non-mineral registration | \$10.00 |
| (i) | search of any document relating to mineral
right or non-mineral registration, per document | \$30.00 |
| (j) | copy of any licence, lease or non-mineral
registration, or any paper affecting title | \$1.00/page |
| (k) | issuance of prospector's identification card | \$10.00 |

- (l) miscellaneous services not listed above \$100.00/hour

Royalties

71 The following royalties are determined for the purposes of subsection 121(3) of the Act:

	Mineral	Rate/Short Ton	Rebate
(a)	Anhydrite	\$0.12	-----
(b)	Barite	\$0.15	\$0.05 per ton on all barite processed to the extent of pulverization to 200 mesh or finer
(c)	Celestite	2% of the net value of concentrates produced	1% of the net value where concentrates are processed in the Province
(d)	Coal	\$1.00	-----
(e)	Dolomite	2% of the net value at the mine, except where the end use is for agricultural purposes in the Province	1% of the net value where end use is in the Province
(f)	Gold	1% of the net value received by the producer	-----
(g)	Limestone	2% of the net value at the mine, except where the end use is for agricultural purposes in the Province	1% of the net value where the end use is in the Province
(h)	Salt	\$0.20	-----
(i)	Silica	\$0.10	-----
(j)	Silver	1% of the net value received by the producer	-----

General

Restriction in designated areas

- 72 (1) For the purposes of subsection 21(1) of the Act, the Minister may direct that any lands within an area designated by the Minister are restricted from any or all prospecting, exploration, development or mining with respect to the minerals specified in the direction and for such time as the Minister may specify.
- (2) A direction under subsection (1) must be given to the Registrar, who must then indicate on the appropriate claim reference maps that the area designated by the Minister is restricted from the activities specified by the Minister.
- (3) A direction issued by the Minister under subsection (1) may be amended or rescinded in writing by the Minister.

Access to municipal water supply watershed lands

- 73 (1) In this Section

- (a) “municipal water supply watershed lands” means lands that are indicated on the claim reference maps of the Department as containing municipal water supply watersheds;
 - (b) “regional exploration” means exploration with no ground disturbance, and includes prospecting, geological mapping and geochemical and geophysical surveys, and for greater certainty does not include seismic surveys in which explosives are used;
 - (c) “detailed ground exploration” means exploration with ground disturbance, and includes drilling, blasting, test pitting, trenching, underground excavation, bulk sampling, stripping, road construction and watercourse alteration.
- (2) A person who conducts regional exploration in municipal water supply watershed lands must notify the Registrar of the dates that the exploration will begin and end prior to commencing exploration.
- (3) No person is permitted to undertake detailed ground exploration in municipal water supply watershed lands without first obtaining all necessary approvals from the Department of Environment and Labour.
- (4) The requirements of subsection (2) and (3) are in addition to any requirements established by the landowner or tenant or under a surface rights permit.

Uranium encounters

74 Every person who identifies uranium mineralization must immediately

- (a) notify the Registrar of the identification;
- (b) cease work associated with prospecting, exploration and development if a uranium concentration greater than 100 ppm is encountered, except work required to determine if the concentration is representative of the average of the mineralized zones, and other work authorized by the Minister;
- (c) cease all development work or mining operations if the average uranium concentration in an ore body, or in the aggregate of waste rock removed or that would be removed to develop or extract the ore body, is found to exceed 100 ppm; and
- (d) if directed to do so by the Minister, restore a site or any part of a site where
 - (i) prospecting, exploration or mining has been undertaken by that person, and
 - (ii) the concentration of uranium exceeds 100 ppm.

Drilling program requirements

75 (1) In this Section,

- (a) “drilling program” means drilling activity conducted on a claim or group of claims during a period of time measured from when the drilling begins to the removal of the final drill machine, unless the time is extended by the Registrar for good cause shown;
 - (b) “seal” means to close off all or any part of the length of a drillhole in a permanent manner to ensure the prevention of leakage by such appropriate methods and materials as are in common use by the diamond drilling industry.
- (2) In respect of a drilling program, every licensee must,
- (a) before beginning a drilling program, give the Registrar written notification in the form provided by the Department indicating the claim area, magnitude and schedule of the proposed drilling program; and

- (b) no later than 30 days after the date that the drilling program is completed,
 - (i) provide the Registrar with a tabulation of drillhole data including grid references, azimuths, dips, total depths, dates of commencement and completion of drilling and a drillhole location map cross-referenced to claim or licence boundaries,
 - (ii) permanently seal each drillhole from a minimum depth of 3 m in competent bedrock back to the surface of the ground,
 - (iii) seal all significant intersections in a drillhole where water, coal, salt, potash, uranium or petroleum, as defined in the *Petroleum Resources Act*, have been encountered, and
 - (iv) remove all debris including abandoned rods and casing from the area and leave the drill site with no casing or pipe protruding above the surface of the ground.
- (3) Holes drilled for the sole purpose of sampling overburden or the overburden and bedrock interface are not required to be sealed in accordance with subclause (2)(b)(ii).
- (4) Every drilling program must be conducted in compliance with all applicable laws.
- (5) The Registrar may grant a single extension of time for a licensee to comply with subclause (2)(b)(i), if the licensee shows good cause, in writing, for the extension.

Preservation of drill core and cuttings

76 (1) A holder of drill core must

- (a) retain all drill core obtained for the purpose of mineral exploration in standard core boxes at the drill site or at a core storage facility;
 - (b) take precautions to secure the drill core against weather and vandalism; and
 - (c) notify the Registrar before removing the drill core from the Province.
- (2) No person is permitted to discard, destroy or otherwise reduce the scientific value of drill core without first requesting and obtaining the permission of the Registrar to do so, unless the person is using the drill core for assaying, testing or beneficiation, or metallurgical, mineralogical or other scientific studies.
- (3) No later than 30 days after the date that a request is received under subsection (2), the Registrar must
- (a) provide permission in accordance with subsection (2); or
 - (b) direct an officer of the Department to take possession of the drill core for the Province and take such other action as the Registrar considers necessary.
- (4) Before drill core is received by the Department, the holder of the drill core must identify each box with a weatherproof label that indicates the drillhole number, core interval represented and the date and name of the company for which the drill core was obtained.

Reclamation security

- 77 (1) If security for the purposes of reclamation is required under the Act, the security must be posted with the Registrar.
- (2) The amount of the security referred to in subsection (1) must be determined by the Registrar on a site-specific basis and must include the estimated aggregate current cost for labour, equipment, supplies and services to conduct the following reclamation activities, as required:

- (a) removing buildings and structures;
 - (b) removing or burying foundations;
 - (c) capping or filling pits, declines and shafts;
 - (d) stabilizing tailings disposal sites and drainage containment facilities;
 - (e) surface contouring;
 - (f) establishing proper site drainage;
 - (g) re-vegetation work; and
 - (h) any work not referred to in clauses (a) to (g) that is necessary to reclaim an area disturbed by the lessee, registrant, holder of an excavation registration or holder of a letter of authorization, or an agent or assignee of the lessee, registrant, holder of an excavation registration or holder of a letter of authorization.
- (3) The amount of the security determined under subsection (2) may be reviewed and adjusted by the Registrar every 2 years from the anniversary date of the security.
- (4) Reclamation of an area must be completed
- (a) no later than 12 months after the date that production ceases, or a longer period as may be determined by the Minister; or
 - (b) under an excavation registration or letter of authorization, no later than 30 days after the date that the work plan is completed, or a longer period as may be determined by the Minister.

Author's qualifications

- 78 (1) Every report required to be made under the Act or regulations, except a statistical report, must be prepared by a geologist, a geophysicist, a geochemist, a mining or geological engineer, or a person with experience or qualifications acceptable to the Registrar.
- (2) Every report must be submitted in duplicate with the author's certificate attached, and both the report and certificate must be dated and signed.
- (3) The author's certificate referred to in subsection (2) must state
- (a) the name, address and occupation of the author;
 - (b) the qualifications of the author, including the author's work experience;
 - (c) whether the report is based on a personal examination by the author;
 - (d) the date of any examination;
 - (e) if the report is not based on a personal examination by the author, the source of the information contained in the report; and
 - (f) whether the author has, directly or indirectly, received or expects to receive any interest, direct or indirect, in the property of the company for which the report was made or any affiliate, or beneficially owns, directly or indirectly, any securities of the company or any affiliate and, if so, must give particulars.

- (4) All engineering work and every report with engineering content must be performed or prepared by a person licensed to practise professional engineering in the Province in compliance with the *Engineering Profession Act* including Section 20 of that Act, which makes it an offence for a non-member or an unlicensed person to practise professional engineering.

Requirement to mine within limit

79 Without the approval of the Registrar, no lessee or registrant is permitted to mine within the following distances of the boundary line of a lease or non-mineral registration area:

- (a) on land areas, within 10 m; and
- (b) on submarine areas, within 25 m.

Information required regarding mine closure

80 (1) The summary report to be filed no later than 1 month before the intended permanent closure of a mine under subsection 99(6) of the Act must contain

- (a) the name and head office address and a list of senior company staff of the lessee or registrant;
 - (b) a brief description of the reasons for the closure of the mine;
 - (c) maps, drawings and reports that include
 - (i) an existing site map showing the current location of the mine workings, surface facilities, settling and treatment ponds and ore and waste storage areas,
 - (ii) a summary of any remaining ore reserves or mineralized material in the area of the mine categorized as proven, probable or possible, and details of the cut-off grade, specific gravities, strip ratios and other factors used to calculate the reserves,
 - (iii) details of the quantity and grade of all material stored in waste dumps and tailings dams,
 - (iv) a description of the latest mining methods,
 - (v) for underground operations, the most recently prepared geological and engineering drawings and a description of roof support, and
 - (vi) a map showing the location of all drillholes, trenches, test pits and sample locations not previously reported;
 - (d) a milling report that contains
 - (i) a description of the current processing method, flowsheet and metallurgical balances, and a list of all process equipment used, and
 - (ii) a summary of the results of all metallurgical studies and investigations carried out in the previous 12 months; and
 - (e) the engineering drawings and description for the reclamation of the mine, mill, waste dumps, tailings ponds and other areas disturbed by the project, and the procedures for post-operational monitoring.
- (2) Within 1 month after the date of the permanent closure of a mine, a person who filed a report referred to in subsection (1) must file a supplementary summary report that contains

- (a) engineering drawings of the mine workings at the time of closure on a scale of not less than 1:1200; and
- (b) production statistics from the date of the last report filed with the Department to the date of the closure.

Required statistical reports

81 Statistical reports required by Section 42 of the Act may be obtained by the Registrar for the purpose of

- (a) providing data for surveys or censuses that are administered jointly or solely by Natural Resources Canada, Statistics Canada or the Department; or
- (b) compiling national or Provincial totals of activities, costs and production with respect to exploration, development and exploitation of minerals.

82 (1) Statistical reports required by Section 42 of the Act must include

- (a) a list of costs and other quantitative measures of exploration and development work including drilling, excavations and employment;
- (b) a list of costs of capital construction, machinery and equipment;
- (c) a list of repair costs;
- (d) a list of the amount and value of the production and disposal of substances mined and related by-products and waste products; and
- (e) a list of the amount and value of materials used in, and other expenses associated with, production, processing and manufacturing,

and other information as may be required by the Registrar.

(2) Statistical reports required by Section 42 of the Act must be

- (a) in the form provided by the Registrar; and
- (b) submitted at the times specified on the forms, or as may be required by the Registrar.

Appeals from an officer's decision

83 (1) An appeal under Section 169 of the Act from a decision of an officer must be commenced by a notice of appeal in Form 19.

(2) Except for a notice of appeal under subsection 153(1) of the Act, a notice of appeal must be filed with the Minister within 30 days of the date of the decision appealed.

(3) If an appellant does not indicate on the notice of appeal that a copy of the notice of appeal has been served on the officer whose decision is being appealed, the Minister may send a copy of the notice to the officer.

Form 1 - Notice of Transfer
(pursuant to the Mineral Resources Act, S.N.S. 1990, c. 18, s. 86)

Part 1

Notice is hereby given that _____ of _____ (or _____, a body corporate duly incorporated under the laws of _____ with head office at _____) (hereinafter called the Transferor) has, subject to compliance with Section 85 of the Mineral Resources Act, sold, transferred, assigned or disposed of the mineral right or non-mineral registration, or interest in a mineral right or non-mineral registration, described below to _____ of _____ (or _____, a body corporate duly incorporated under the laws of _____ with head office at _____) (hereinafter called the Transferee):

Signed on _____, _____.

Witness

Transferor

Affidavit of Execution
(Witness)

I, _____ of the _____ of _____ in the _____ of _____, make oath and say:

- 1. I was personally present and saw the Notice of Transfer in Part 1 duly signed, sealed and executed by _____, the Transferor.
2. I am a subscribing witness to the Notice of Transfer in Part 1.

Sworn or affirmed before me
in the _____ of _____
in the Province of _____
on _____, _____

A Commissioner of Oaths, Barrister, etc.

Witness

Part 2

The Transferee hereby acknowledges the transaction referred to in Part 1.

Signed on _____, _____.

Witness

Transferee

Affidavit of Execution
(Witness)

I, _____ of the _____ of _____ in the _____ of _____, make oath and say:

1. I was personally present and saw the Acknowledgement in Part 2 duly signed, sealed and executed by _____, the Transferee.
2. I am a subscribing witness to the Acknowledgement in Part 2.

Sworn or affirmed before me
 in the _____ of _____
 in the Province of _____
 on _____, _____

A Commissioner of Oaths, Barrister, etc.

Witness

Part 3

I, _____, Minister of Natural Resources/Registrar, hereby consent to the transfer referred to in Part 1.

Signed on _____, _____.

Witness

Minister/Registrar

Part 4

Recorded at the office of the Registrar on _____, _____, at _____ a.m./p.m. as instrument _____, page number _____.

Registrar

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

No. _____

Form 2 - Summary of Agreement
 (pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 87)

**Mineral Right/
 Non-Mineral
 Registration** Exploration Licence No. _____
 Mineral Lease No./Non-Mineral Registration No. _____
 Claim Reference Map(s) _____

Type of agreement Option, debenture, assignment, transfer, etc.

Between Name and address of Mineral Right Holder/Non-Mineral Registrant:

Name and address of other parties to agreement:

Summary of agreement

Describe the general terms and conditions of the agreement, including term of agreement and schedule of work

Describe the circumstances under which the mineral right/non-mineral registration may be transferred or assigned

Confidential

Is this summary to be marked “confidential”

Yes or No *(please circle)*

Note: A summary that has been marked “confidential” must be held in confidence by the Registrar.

Agreement Expiry Date _____

Signature of Mineral Right Holder/Non-Mineral Registrant

Printed name

Position/occupation

Dated: _____,
 _____, Nova Scotia

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

No. _____

Form 3 - Caveat

(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 88(4))

This caveat filed on _____, _____ **is made pursuant to the** *Mineral Resources Act*, S.N.S. 1990, c. 18 (“the Act”), s. 88(4).

Take notice that _____ *(name of Mineral Right Holder/Non-Mineral Registrant)* is deemed to be holder of _____ *(describe the mineral right or non-mineral registration)* pursuant to subsection 88(1) of the Act;

And take notice that _____ *(name of Mineral Right Holder/Non-Mineral Registrant)* holds _____ *(insert type of right)* in trust for:

1. _____ of _____ in the County of _____
 Province of _____.
2. _____ of _____ in the County of _____
 Province of _____.
3. _____ of _____ in the County of _____
 Province of _____.

And further take notice that more details of the trust may be obtained by contacting _____

Address _____

Submitted by _____
Signature

(Please **print** name)
Address _____

Telephone number (_____) _____

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Application No. _____

Card No. _____

Cash Receipt No. _____

Form 4 - Application to Register as Prospector
(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 21(3)(b))

I wish to have my name (or name of the following corporation) added to the list of Prospectors of Nova Scotia:

Name: _____

Address: _____

Postal code: _____

Age (or date of incorporation): _____

Telephone number: _____

I enclose the application fee in the amount of \$ _____.

Dated at _____, Nova Scotia, _____, _____.

Signature (if applicant is a corporation,
state office held by person signing)

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Form 5 - Prospector's Identification Card
(pursuant to the *Mineral Resources Regulations*, s. 22(4))

No. _____

The holder of this card, _____, is registered as a prospector pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, and by signing below acknowledges receipt of a copy of the Act and regulations.

Dated _____, _____

Signature of Prospector

Notice

The holder of this card is required to observe all the conditions of the *Mineral Resources Act* and *Mineral Resources Regulations*.

A prospector may not enter upon land or prospect without first obtaining the permission of the landowner or tenant.

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Form 6 - Application for Exploration Licence or Renewal of Exploration Licence
(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 24(2) & 44(1)(a))

Application is hereby made for an Exploration Licence under the *Mineral Resources Act* for **all minerals saving and excepting** _____ over an area of ground situated at or near _____ in the County of _____ and described as follows:

Claim	Tract(s)	Claim Reference Map

Signed at _____ Date _____

Signature of applicant (Please print name) **Occupation**

Address _____ Postal code _____
Tel. no. _____

Licence to be issued to _____

Address _____ Postal code _____

Note: If the intended licensee is not a resident of Nova Scotia, the name and post office address of a person resident in Nova Scotia who has agreed to accept service on behalf of the applicant must be given as follows:

Service may be made upon _____, who resides at _____, telephone no. () _____.

A licence issued pursuant to this application is subject to the *Mineral Resources Act* and regulations, in particular the following Sections of the Act: s. 16, s. 39, s. 40, s. 55A, s. 84, s. 85, s. 86, s. 87, s. 88.

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Form 7 - Mineral Rights Holders Information
(pursuant to Mineral Resources Act, S.N.S. 1990, c. 18, s. 25)

In accordance with the Mineral Resources Act, S.N.S. 1990, c. 18, s. 25, please be advised that the following documentation is required to be filed at the office of the Registrar on or before 4:00 p.m. on _____, ____.

Complete applicable section.

A. If an individual or sole proprietorship

- 1. Name: _____
2. Address: _____
3. Address outside Nova Scotia: _____
4. Name and address of agent resident in Nova Scotia (for non-resident licensees): _____

B. If a partnership or syndicate

- 1. Name _____
2. A Partnership/Syndicate (please circle one)
3. Partners or syndicate members residing in Nova Scotia:
Name Address
4. Partners or syndicate members not residing in Nova Scotia:
Name Address

5. Name and address of agent resident in Nova Scotia (for non-resident licensees): _____

6. Attach copy of the certificate of partnership or syndicate registration or other registration confirming corporate registration for Nova Scotia.

C. If a body corporate

- 1. Name: _____ Address: _____
2. Name and address of President: _____
Name and address of Secretary: _____
Name and address of other officers and directors: _____
3. Mode of incorporation: _____

4. Date of incorporation: _____
5. Attach a copy of the certificate of incorporation or registration.
6. Location of head office: _____
7. Name and address of agent resident in Nova Scotia: _____

8. Principal office of the corporation in Nova Scotia: _____
9. Other information as required by the Registrar: _____

I certify the above information to be true and correct.

Dated _____, _____

Signature

(Please **print** name)

Position or office

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

No. _____

Form 8 - Exploration Licence

(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 35)

This Exploration Licence is hereby granted to _____ of
_____ in the Province of _____ to exercise the right to search and
prospect for **all minerals saving and excepting** _____
_____, to extract minerals for test purposes and to apply for a mineral lease
for all or part of the area held under this exploration licence, for a period not exceeding 12 months from the date
hereof, within that area of ground situated at or near _____ in the County of
_____ as described as follows:

This Exploration Licence is granted subject to:

- (a) the rights of the owner or tenant of the land covered by this Licence;
- (b) the provisions of the *Mineral Resources Act* and regulations, and of any Act or regulations that amend or replace them; and
- (c) any order of the Governor in Council made upon the report and recommendation of the Minister of Natural Resources in respect of any works or rights authorized by this Exploration Licence.

In witness whereof this Exploration Licence is duly executed in the name of the Registrar of Mineral and Petroleum Titles on _____, _____ at Halifax in the County of Halifax.

Signed, sealed and delivered
in the presence of

Witness

Registrar of Mineral and Petroleum Titles

Certificate No. _____

Form 9 - Certificate of Compliance
(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 49)

This certificate is issued to _____, holder of Exploration Licence No. _____ dated _____, _____ to acknowledge that work requirements have been met and/or payment of fees in lieu thereof has been made.

Accordingly Licence No. _____ is issued for _____ year(s) commencing 20__.

Work submitted	\$ _____	Work required	\$ _____
Credits available	\$ _____	Credits remaining	\$ _____
Total available	\$ _____	Payment made in lieu of work	\$ _____

Remarks

Registrar _____

Date _____, _____

Map _____
Refs. _____

Form 10 - Statement of Assessment Work Expenditure
(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 43(1))

(Complete as necessary to substantiate the total claimed.)

Re: Licence No. _____ Date of issue _____, _____

Type of Work		Amount Spent
1. Prospecting	days	
2. Geological mapping	days	
3. Trenching/stripping/refilling	m ² / m ³	
4. Assaying & whole rock analysis	#	
5. Other laboratory	#	
6. Grid:		
(a) Line cutting	km	
(b) Picket setting	km	
(c) Flagging	km	
7. Geophysical surveys		
Airborne:		
(a) EM/VLF	km	
(b) Mag or Grad	km	
(c) Radiometric	km	
(d) Combination	km	
(e) Other _____	km	

8. Geophysical surveys Ground: (a) EM/VLF (b) Seismic soundings (c) Magnetic/telluric (d) IP/resistivity (e) Gravity (f) Other _____		km # km km km km
9. Geochemical surveys (a) Lake, stream, spring (i) Water (ii) Sediments (b) (i) Rock (ii) Core (iii) Chips (c) (i) Soil (ii) Overburden (d) Gas (e) Biogeochemistry (f) Sample collection (g) Other _____		samples samples samples samples samples samples samples days
10. Drilling: (a) Diamond (# holes/m) (b) Percussion (# holes/m) (c) Rotary (# holes/m) (d) Auger (# holes/m) (e) Reverse circulation (# holes/m) (f) Logging, supervision, etc. (g) Sealing (# holes)	/	m m m m m days /
11. Other (describe) _____		
Subtotal		
Overhead costs		
12. Secretarial services		
13. Drafting services		
14. Office expenses (rent, heat, light, etc.)		
15. Field supplies		
16. Compensation paid to landowners		
17. Legal fees		
18. Other (describe)		
Subtotal		
Grand total		

List the names of the persons who conducted the work reported in the previous table and the dates during which the work was performed.

Name	Address	Dates Worked

1. Did you search the property for outcrop () , float () or both ()?
2. Was your search carried out:
 - (a) Along roads or streams?
 () No () Yes - identify these features on your map(s).
 - (b) On control or traverse lines?
 () No () Yes - indicate if blazed () , flagged () , or unmarked () and how established (compass, chain, pace, etc.) _____ and show the approximate location of the lines on your map(s).
3. Are your compass bearings magnetic () or true astronomic ()?
4. Did you carry out any trenching/pitting? () No () Yes
 stripping? () No () Yes
 drilling? () No () Yes

If yes, show the location of these workings on your map(s) and indicate their dimensions. Briefly state your reason for locating these workings where you did.

Excavation Registration No. _____

5. Did you locate any previously existing shafts or adits? () No () Yes
 drillhole sites? () No () Yes
 If yes, indicate these on your map(s).

6. Record the types of the rocks you observed:
 - (a) in outcrop: _____
 - (b) in float: _____

7. Did you measure the strike/trend and dip of:
 - (a) the rocks in place? () No () Yes
 - (b) any observed veins? () No () Yes
 If yes to either, plot these observations on your map(s).

8. Did you observe any mineralization on the property? () No () Yes
 If yes, list the minerals observed _____, mark the locations and type on your map(s) with symbols (Py, Au, etc.) and indicate the character and width of observed veins, e.g. "Quartz (Q)/3.3 ft. (or 1.0 m)".

9. Did you sample any:
 - (a) overburden?
 - (i) soil () No () Yes
 - (ii) till () No () Yes
 - (b) panning concentrate? () No () Yes
 - (c) mine workings? () No () Yes
 - (d) outcrop or float? () No () Yes
 - (e) dumps/tailings? () No () Yes
 - (f) drill core/cuttings? () No () Yes

10. Did you have any samples analysed? () No () Yes
 If yes, indicate the nature (grab or chip, etc.) and width (ft. or m) of the sample, plot the result on your map(s) and attach original assay sheet(s) from the laboratory.

If no, explain why not _____

11. Record any other observations that you consider significant (here or upon your map(s)):

The total cost of the work reported by this statement is \$ _____
 (ref. Statement of Assessment Work Expenditures filed separately)

I hereby certify that the information recorded on this form and on the attached map(s) is, to the best of my knowledge, true and correct and is a description of all work conducted on the licence during the past licensed year.

Dated at _____ on _____, _____

 Signature of Licensee

For Department Use Only			
Received	_____	Conf. to	_____
Accepted	_____	Files	_____
Rejected	_____	Exp. Mon	_____
Returned	_____	D/Base	_____
Recorded	_____		

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Registration No. _____

Form 12 - Excavation Registration
 (pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 101)

This is to certify that: _____ (licensee/lessee),

being the registered holder of Licence/Mineral Lease No.(s) _____ intends to conduct the following, subject to the conditions listed at the end of this form:

		Total m ³
() trenching, pitting over 1.2 m deep		
() trenching, pitting or stripping by mechanical means		
Underground Exploration	Number of Headings	Total Depth/Length (metres)
() by shaft sinking		

<input type="checkbox"/> by driving adits, drifts, or raises		
<input type="checkbox"/> by reopening previous workings identified as _____ incorporating <input type="checkbox"/> dewatering <input type="checkbox"/> rehabilitation.		
<input type="checkbox"/> by bulk sampling not more than _____ tonnes (<i>maximum is 100 tonnes of mineral-bearing material</i>)		

at the following location(s):

Claim	Tract(s)	Claim Ref. Map

in the vicinity of _____ in _____ County, on lands owned by or subject to a surface lease held by:

1. _____
2. _____

If work not conducted by licensee: the work will be conducted by _____ whose field representative is _____, who may be contacted at _____, telephone number () _____.

Not Valid Unless Signed Below

Date work is scheduled to commence _____

Date work is scheduled to be completed _____

Date reclamation to be completed _____

I hereby certify that the information provided by me on this form is absolutely true and correct and I agree to be bound by the conditions contained on the reverse.

Mineral right holder/Authorized agent

For Department Use Only			
DOL	<input type="checkbox"/>	Landowner or tenant written permission	<input type="checkbox"/>
DOE	<input type="checkbox"/>	<i>Crown Lands Act</i>	<input type="checkbox"/>
Regional Geologist	<input type="checkbox"/>	<i>Special Places Protection Act</i>	<input type="checkbox"/>

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068

(Reverse of Form 12)
Conditions of the Excavation Registration

1. An excavation registration is required for
 - (a) all trenching or pitting to depths in excess of 1.2 m;

- (b) all trenching, pitting or stripping by mechanical means;
- (c) underground exploration including shaft sinking, driving of adits, declines, drifts, levels, cross cuts, raises or winzes or the reopening, rehabilitation or dewatering of any such workings;
- (d) bulk sampling for the removal of less than 100 tonnes of mineral-bearing material, including tailings.
2. A person submitting an excavation registration is required to
- (a) complete and submit this registration 7 days before beginning activity;
- (b) attach a sketch map(s) on a practical scale showing the extent of the proposed work and sufficient topographic detail to permit the work to be easily located;
- (c) post a reclamation bond in a form and amount satisfactory to the Minister as required by Section 97 of the *Mineral Resources Act*;
- (d) provide a statement confirming the consent or agreement of the owner or tenant of the land;
- (e) submit this form to the Registrar at:
- | | | |
|----------------------|----|----------------------|
| 1701 Hollis Street | OR | P.O. Box 698 |
| Halifax, Nova Scotia | | Halifax, Nova Scotia |
| (902) 424-4068 | | B3J 2T9 |
3. **Persons conducting work under an excavation registration must refill each excavation no later than 30 days after the date that the work program is completed or such longer time as may be determined by the Registrar. The refilling of excavations may be waived only if the Registrar has accepted a written request from the landowner or tenant for the trench, pit or stripped area to be left open.**
4. Royalties must be paid if any product derived from a bulk sample is sold.
5. The Registrar may refuse to record an excavation registration if the information on this form is incomplete, and the Registrar must inform the applicant of this refusal.
6. The recording of an excavation registration does not absolve the licensee of the responsibilities under all other applicable statutes and regulations including but not limited to the *Occupational Health and Safety Act* and regulations, the *Environment Act* and regulations and any amendments.
7. There shall be no misrepresentation of fact and information provided on this form by the mineral right holder or their authorized agent.
8. The completion of scheduled work or the striking of this registration from the Registrar's records does not relieve the holder of any obligations contained in these conditions.

Appl. No. _____

Letter of Authorization No. _____

Form 13 - (Application For) Letter of Authorization
(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 102)

Application is hereby made by the registered holder of Licence No.(s) _____ for a Letter of Authorization in accordance with Section 102 of the *Mineral Resources Act* for the right to conduct bulk sampling for the purpose of extracting 100 tonnes or more of mineral bearing material

- () at surface, of not more than _____ tonnes
- () underground, of not more than _____ tonnes

at the following location(s):

Claim	Tract(s)	Claim Reference Map
-------	----------	---------------------

in the vicinity of _____ in _____ County, on lands owned or subject to surface lease held by:

1. _____
2. _____

If work not conducted by licensee: the work will be conducted by _____, whose field representative is _____, who may be contacted at _____, telephone () _____.

Not Valid Unless Signed Below

I hereby certify that the information provided by me on this form is absolutely true and correct and agree to be bound by the conditions contained on the reverse.

Letter of Authorization issue date _____
 Letter of Authorization expiry date _____
 (or upon the termination of the Licences whichever occurs first)
 Date reclamation to be completed _____

Mineral right holder/Authorized agent

Registrar of Mineral and Petroleum Titles

For Department Use Only			
DOL	()	Landowner or tenant written permission	()
DOE	()	Crown Lands Act	()
Regional Geologist	()	Special Places Protection Act	()

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

(Reverse of Form 13)
Conditions of the Letter of Authorization

1. A letter of authorization is required for all bulk sampling for the purpose of extracting 100 tonnes or more of mineral-bearing material.
2. A person applying for a letter of authorization is required to:
 - (a) complete this application;
 - (b) submit the information required by Section 53 of the *Mineral Resources Regulations*, including a statement confirming the consent or agreement of the owner or tenant of the land;
 - (c) post a reclamation bond in a form and amount satisfactory to the Minister as required by subsections 97(1) and 102(3) of the *Mineral Resources Act*;
 - (d) submit this form to the Registrar at

1701 Hollis Street Halifax, Nova Scotia (902) 424-4068	OR	P.O. Box 698 Halifax, Nova Scotia B3J 2T9
--	----	---

3. **Persons conducting work under a letter of authorization must refill each excavation no later than 30 days after the date that the work program is completed or such longer time as may be determined by the Registrar. The refilling of excavations may be waived only if the Registrar has accepted a written request from the landowner or tenant for the trench, pit or stripped area to be left open.**
4. Royalties must be paid if any product derived from a bulk sample is sold.
5. The issuance of a letter of authorization does not absolve the licensee of the responsibilities under all other applicable statutes and regulations including, but not limited to, the *Occupational Health and Safety Act* and regulations, the *Environment Act* and regulations and any amendments.
6. There shall be no misrepresentation of fact and information provided on this form by the mineral right holder or their authorized agent.
7. The expiry, revocation or forfeiture of this letter of authorization does not relieve the holder of any of the obligations contained in these conditions.

Form 14 - Application for Lease

(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 56)

Application is hereby made for a Lease for **all minerals saving and excepting** _____, in or upon that certain area situated at or near _____ in the County of _____ contained within the area described as follows:

Claim	Tract(s)	Claim Reference Map

Applicant name _____
 Address _____
 Registered office address (if applicable): _____
 which is the holder of Licence No.(s) _____ dated _____, _____.

Dated at _____ in the County of _____ on _____, _____.

Applicant/Agent name _____ Phone no. _____
 Signature of applicant/agent _____ per: _____

Note: If the applicant is not a resident of Nova Scotia, the name and post office address of a person resident in Nova Scotia who has agreed to accept service on behalf of the applicant must be given as follows:

Service may be made upon _____, who resides at _____, telephone no. () _____.

This application must be accompanied by information required under Section 56 of the *Mineral Resources Act* and Sections 59, 60 and 61 of the *Mineral Resources Regulations*.

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Lease No. _____

Form 15 - Lease
(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 58)

This Mineral Lease issued _____, _____

BY: HER MAJESTY THE QUEEN, in right of the PROVINCE OF NOVA SCOTIA, represented by the Minister of Natural Resources (hereinafter called the "Lessor")

TO: _____, a body corporate with registered office at _____ in the Province of _____ (hereinafter called the "Lessee")

Subject to the payment of the rents and royalties herein reserved and compliance with the terms of this Lease, the Lessor hereby grants unto the Lessee, subject to the provisions of this Lease and the *Mineral Resources Act*, exclusive rights to **all minerals saving and excepting** _____, on the following claims in that certain area situated at or near _____ in the County of _____, as outlined on the attached plan as shown in Schedule A and described as follows:

Claim	Tract(s)	Claim Reference Map

and which are also shown on the maps in the files of the Registrar, Department of Natural Resources, at Halifax, Nova Scotia and which comprise _____ hectares more or less.

- In this Lease, "Act" means the *Mineral Resources Act* and *Mineral Resources Regulations* as amended, or replacements thereof, and except where the context otherwise requires, words in this Lease have the same meaning as in the Act.
- The term of this Lease is 20 years beginning on the date this lease is issued, subject to compliance with the Act.
- This Lease shall be renewed for a further 20 years upon application to the Minister within the 6 months immediately preceding the date of expiration of this Lease, provided that the Lessee is *bona fide* working the Lease and is in compliance with the Act and the provisions of this Lease.
- The Lessee shall not enter upon or conduct any surface excavation, surface mining or other surface work upon any lands until the Lessee has obtained the consent of the landowner or tenant or a surface rights permit to enter upon or conduct the work.
- The Lessee shall pay a yearly rental to the Registrar, as prescribed in Section 70 of the *Mineral Resources Regulations*, for each claim included under this Lease. The rental fee is payable yearly in advance, the first payment to be made on _____ after the date of this Lease, and thereafter on _____ in each year.
- The Lessee shall pay a royalty to the Mine Assessor, as prescribed in Section 121 of the Act or Section 71 of the *Mineral Resources Regulations*, or at such other rate as shall from time to time be imposed by the Order of the Governor in Council.

7. The Lessee shall maintain a security for the performance of the proposed reclamation program in an amount and form prescribed in Section 77 of the *Mineral Resources Regulations*.
8. The Lessee shall file an annual report on mining operations in Form 16 on or before March 1 of each year of this Lease specifying all work performed on the area covered by this Lease during the previous calendar year.
9. The Lessee shall indemnify and save harmless the Lessor from any and all claims, demands, losses, damages, actions or other suits that may hereafter arise out of, or as a result of, any exploration, mining, milling or any other act or omission.
10. Unless this Lease is renewed pursuant to the Act, all rights under this Lease absolutely revert to the Lessor upon the surrender, abandonment, expiration or termination of this Lease for any reason whatsoever.
11. This Lease cannot be assigned or transferred in whole or part by the Lessee without the prior written consent of the Minister of Natural Resources.
12. Any notice pursuant to this Lease is valid if given in accordance with Sections 15 of the *Mineral Resources Regulations*, and addressed to the Lessee at _____ Attention: _____, and to the Lessor at the Department of Natural Resources, P.O. Box 698, Halifax, Nova Scotia, B3J 2T9, Attention: The Minister of Natural Resources.
13. The Lessee shall be registered to do business in Nova Scotia and must maintain the registration in good standing during the term of this Lease.
14. The provisions of this Lease are binding upon and enure to the benefit of the Lessee, its successors and permitted assigns, and will remain in full force until such time as the Lessee has fulfilled its obligations created under this Lease.
15. The Lessee shall provide the Registrar with written notification
 - (a) whenever it is anticipated that production will be suspended for longer than 60 days;
 - (b) immediately following a production suspension of longer than 60 days;
 - (c) whenever it is anticipated that the Lessee will resume production.
16. The Lessee shall provide the Minister with 6 months notice in writing of the Lessee's intent to permanently terminate mining operations. If the Lessee is required, through no fault of the Lessee, to suddenly and permanently terminate mining operations, the Lessee, the legal representative of the Lessee or any creditor of the Lessee must immediately notify the Minister.
17. The Lessee shall hold and maintain in good standing all approvals required by the Nova Scotia Department of Environment and Labour and all permits required under all other applicable legislation.
18. Time is of the essence in this Lease.
19. If there is any inconsistency between any provisions of the Act and this Lease, the Act prevails over this Lease to the extent of the inconsistency.

Executed in the name of the Minister of Natural Resources on _____, _____, at Halifax, in the County of Halifax.

In the presence of

Witness

Minister of Natural Resources

(Seal)

Witness

Lessee

Form 16 - Annual Report on Mining Operations
(pursuant to the Mineral Resources Act, S.N.S. 1990, c. 18, s. 61 and 94(1)(d))

All mineral, gypsum or non-crown limestone producers operating under a Lease or Non-Mineral Registration in the Province of Nova Scotia are required to submit annual information using the format outlined in this form in accordance with Section 61 and clause 94(1)(d) of the Mineral Resources Act, S.N.S. 1990, c. 18.

For the calendar year

Note: Resource/reserve information is required only for reports on Leases.

A. Mine name:
Mine location:
County:

Mineral Lease No.

Non-Mineral Registration No.

Company and address: Type of mine: surface ()
underground ()

Commodity produced:

Telephone:
Fax: Company officials:
Name Position

Parent company and address:

Senior operating staff:
Name Position
Telephone:
Fax:

B. Names of contractors employed during the year:
(attach separate sheet if necessary)

C. (1) Drawings containing the following information at an appropriate scale in hard copy and where available, digital (AutoCAD or DXF) format and including coordinate references (grid lines) based on latitude and longitude (either 6° or 3°):
(a) general map showing the outline of the existing mine workings relative to major surface features (roads, railroads, topography), surface facilities, watercourses and diversions, settling and treatment ponds, ore and waste storage areas, mineral lease boundaries and property boundaries;
(b) plans showing reserve areas that were extracted during the preceding year. (All areas where ore or waste were mined during reporting period must be clearly identified);

- (c) plans clearly identifying the areas where reclamation work was conducted during the preceding year;
 - (d) location of any diamond drillholes or other exploration/development work performed within the mineral lease boundaries during the reporting period;
 - (e) geological plans and cross-sections showing the geology of the resource areas extracted during the reporting period and any new and additional geological plans or cross-sections developed during the reporting period within the mineral lease boundaries;
 - (f) plans clearly identifying any changes to surface rights ownership and boundaries; and
 - (g) in addition to actual work performed for the reporting period, a plan clearly identifying the development work and waste/ore production intended for the coming year.
- C. (2) In addition to drawings submitted, a summary report describing annual activities and significant events affecting the resource must be submitted and must include:
- (a) a summary of the resources and reserves;
 - (b) changes to the method of working or area of working as outlined in the submitted plans, and a discussion of any exploration programs or mining conditions which led to changes in the ore reserves;
 - (c) changes to the final reclamation design envisaged for the property;
 - (d) quantity and analyses of the ore mined;
 - (e) the source or sources of the ore processed;
 - (f) the quantity and analyses of the ore processed;
 - (g) the quantity and analyses of _____ recovered;
 - (h) the amounts of _____ shipped and their destinations; and
 - (i) the quantity and analyses of tailings and other waste products discharged from the mill.

RETURN COMPLETED BY _____

Signature

Please print name

Title

Date _____, _____

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Application No. _____

Form 17 - Application for Non-Mineral Registration
(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 90)

Application is hereby made for a Non-Mineral Registration for _____ in or upon that certain area situated at or near _____ in the County of _____ contained within the area described as follows:

Claim	Tract(s)	Claim Reference Map

Applicant name _____
 Address _____
 Registered office address (if applicable): _____

Dated at _____ in the County of _____ on _____, _____.

Applicant/Agent name _____ Phone no. _____
 Signature of applicant/agent _____ per: _____

Note: If the applicant is not a resident of Nova Scotia, the name and post office address of a person resident in Nova Scotia who has agreed to accept service on behalf of the applicant must be given as follows:

Service may be made upon _____, who resides at _____, telephone no. () _____.

This application must be accompanied by information required under subsection 90(2) of the *Mineral Resources Act* and Sections 65 and 66 of the *Mineral Resources Regulations*.

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

Application No. _____
 Non-Mineral Registration No. _____

Form 18 - Non-Mineral Registration
 (pursuant to the *Mineral Resources Act*, S.N.S. 1990, c. 18, s. 90(2))

This Non-Mineral Registration is issued pursuant to subsection 90(2) of the *Mineral Resources Act*, and grants to _____, hereinafter called "Registrant", of _____, the right to carry out production of _____, in or upon that certain area situated at or near _____ in the County of _____ as described as follows:

Claim	Tract(s)	Claim Reference Map

and outlined on Schedule “A” attached to and forming part of this Non-Mineral Registration, hereinafter referred to as “the lands”.

1. In this Non-Mineral Registration, “Act” means the *Mineral Resources Act* and regulations as amended, or replacements thereof, and except where the context otherwise requires, words in this Non-Mineral Registration have the same meaning as in the Act.
2. The Registrant must comply with the Act, and must, during the term of this Non-Mineral Registration, work any mine upon the lands in a prudent and efficient manner.
3. The holder of a Non-Mineral Registration for gypsum must pay to the Minister any tax that is due and payable as prescribed by or under the *Gypsum Mining Income Tax Act*.
4. The Registrant must file an annual report on mining operations in Form 16 on or before March 1 in each year of this Non-Mineral Registration specifying all work performed on the area covered by this Non-Mineral Registration during the previous calendar year.
5. The Registrant must indemnify and save harmless the Province from any and all claims, demands, losses, damages, actions or other suits that may hereafter arise out of, or as a result of, any exploration, mining, milling or any other act or omission.
6. The Registrant must not assign, transfer, sublet or in any way divest itself of this Non-Mineral Registration, in whole or in part, without the prior written consent of the Minister of Natural Resources.
7. Any notice given pursuant to this Non-Mineral Registration is valid if given in accordance with Sections 15, 16 and 17 of the *Mineral Resources Regulations*, by registered mail, postage pre-paid, and addressed to the Registrant at _____, Attention: _____, and to the Department of Natural Resources, P.O. Box 698, Halifax, Nova Scotia, B3J 2T9, Attention: The Registrar.
8. The Registrant must be registered to do business in Nova Scotia and must maintain the registration in good standing during the term of this Non-Mineral Registration.
9. The provisions of this Non-Mineral Registration are binding on the Registrant and its successors and permitted assigns.
10. The Registrant shall provide the Registrar with written notification
 - (a) whenever it is anticipated that production will be suspended for longer than 60 days;
 - (b) immediately following a production suspension of longer than 60 days;
 - (c) whenever the Registrant intends to resume production.
11. The Registrant must hold and maintain in good standing all approvals required by the Nova Scotia Department of Environment and Labour and all permits required under all other applicable legislation.
12. Time is of the essence in this Non-Mineral Registration.
13. If there is any inconsistency between any provisions of the Act and this Non-Mineral Registration, the Act prevails over this Non-Mineral Registration to the extent of the inconsistency.

Executed in the name of the Minister of Natural Resources on _____, _____, at Halifax, in the County of Halifax.

In the presence of

Witness

Minister of Natural Resources

Witness

Registrant

Form 19 - Notice of Appeal

(pursuant to the *Mineral Resources Act*, S.N.S. 1990, c.18, s. 169)

Take notice that I wish to appeal the decision of _____ (name of officer) made
_____, _____ (date).

Whereby (state decision of officer) _____

My grounds for objecting to this decision are (state reason for appeal):

I have sent a copy of this notice to the officer by personal delivery/registered mail/facsimile transmission (circle one).

Dated at _____, _____, _____.

Signature of Appellant

Mailing address of Appellant

To: The Minister of Natural Resources

For further information, contact the Registrar of Mineral and Petroleum Titles at 1-902-424-4068.

N.S. Reg. 223/2004

Made: November 4, 2004

Filed: November 8, 2004

Employment Support and Income Assistance Regulations

Order in Council 2004-437 dated November 4, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 21 of the *Employment Support and Income Assistance Act*

The Governor in Council on the report and recommendation of the Minister of Community Services dated May 21, 2004, and pursuant to Section 21 of Chapter 27 of the Acts of 2000, the *Employment Support and Income*

Assistance Act, is pleased to amend the *Employment Support and Income Assistance Regulations* made by the Governor in Council by Order in Council 2001-138 dated March 23, 2001, by repealing Section 22, effective on and after November 4, 2004.

N.S. Reg. 224/2004 to 225/2004

Made: November 8, 2004

Filed: November 9, 2004

Land Registration Administration Regulations – amendment
and Land Registration Administration Regulations

Order dated November 8, 2004

Amendment to regulations and regulations made by the Minister of Service Nova Scotia
and Municipal Relations
pursuant to Section 94 of the *Land Registration Act*

**In the matter of Section 94 of Chapter 6 of the Acts of 2001,
the *Land Registration Act***

- and -

**In the matter of the *Land Registration Administration Regulations*
made by the Minister of Service Nova Scotia and Municipal Relations
under Section 94 of the *Land Registration Act***

Order

I, Barry Barnet, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, under Section 94 of Chapter 6 of the Acts of 2001, the *Land Registration Act*, am pleased,

- (a) effective November 8, 2004, to amend the *Land Registration Administration Regulations*, N.S. Reg. 171/2003, made by the Minister of Service Nova Scotia and Municipal Relations on September 26, 2003, by adding Form 44B as set forth in the attached Schedule “A”, immediately after Form 44A; and
- (b) effective on the date that Chapter 38 of the Statutes of Nova Scotia, 2004, *An act to amend Chapter 6 of the Acts of 2001, the Land Registration Act*, comes into force,
 - (i) to repeal the *Land Registration Administration Regulations*, N.S. Reg. 171/2003, made by the Minister of Service Nova Scotia and Municipal Relations on September 26, 2003, and
 - (ii) to make new regulations respecting land registration administration in the form attached as Schedule “B”.

Dated and made at Halifax, Halifax Regional Municipality, Nova Scotia, November 8th, 2004.

Sgd: *Barry Barnet*
Honourable Barry Barnet
Minister of Service Nova Scotia and
Municipal Relations

N.S. Reg. 224/2004

Land Registration Administration Regulations - amendment

Schedule "A"**Form 44B****Section 46A Certificate of the Registrar General***Land Registration Act*, S.N.S. 2001, c. 6, Section 46A**Registration district:** _____**Registrant user number:** _____

In the matter of an agreement under Section 46A of the *Land Registration Act* that was entered into between *(insert name of parcel owner)* _____ and the Minister of Service Nova Scotia and Municipal Relations and executed on _____, 2____:

I hereby certify that the attached instrument may be registered under the *Registry Act* in accordance with the terms of the agreement.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar General

N.S. Reg. 225/2004

Land Registration Administration Regulations

Schedule "B"

**Regulations Respecting Administration of the *Land Registration Act*
made by the Minister of Service Nova Scotia and Municipal Relations
under Section 94 of Chapter 6 of the Acts of 2001,
the *Land Registration Act***

Citation

1 These regulations may be cited as the *Land Registration Administration Regulations*.

Definitions

2 (1) In these regulations,

- (a) "Act" means the *Land Registration Act*;
- (b) "authorized lawyer" means an eligible lawyer who is a party to a *Property Online* Authorized Lawyer User Agreement with the Minister that is in force;
- (c) "authorized surveyor" means a Nova Scotia Land Surveyor who is a party to a *Property Online* Parcel Certification User Agreement with the Minister that is in force;
- (d) "benefit" means an appurtenance to a registrable or registered interest in a parcel;
- (e) "burden" means a restriction or limitation on the use and enjoyment of a parcel that attaches to a registrable or registered interest in a parcel;
- (f) "Department" means the Department of Service Nova Scotia and Municipal Relations;

- (g) “dual-purpose document” means a single document that affects 2 or more parcels, 1 or more of which is registered under the Act and 1 or more of which is still governed by the *Registry Act*;
 - (h) “eligible lawyer” means a lawyer who
 - (i) meets the definition of “qualified solicitor” in the Act,
 - (ii) maintains a level of professional liability insurance at least equal to the limit required by the Nova Scotia Barristers’ Society; and
 - (iii) complies with any educational requirements of the Society;
 - (i) “land registration office” means a land registration office established under Section 7 of the Act;
 - (j) “parcel description certification application” or “PDCA” means an application in accordance with Section 5 to have the parcel identification number of the parcel certified by the registrar as matching the legal description of the parcel, as required by clause 37(4)(g) of the Act;
 - (k) “parcel register” means “register” as defined in clause 3(1)(t) of the Act;
 - (l) “permanent resident” means a person who ordinarily resides in the Province for 183 days or more in a calendar year, and includes a person who intends to so reside in the present or next ensuing calendar year;
 - (m) “PID” means parcel identification number;
 - (n) “*Property Online*” means the Province’s online property information system that provides Internet browser-based query access to land-related information and electronic access for the submission of PDCAs and applications for registration under the Act and these regulations;
 - (o) “short form legal description” means a legal description that describes a parcel by referring to a plan of survey or subdivision that has been registered with an instrument under the *Registry Act*, filed under the *Registry Act*, or registered or recorded under the Act by setting out
 - (i) the unique identifier for the parcel on the plan,
 - (ii) the document number or plan reference for the plan as assigned by the land registration office, and
 - (iii) the registration district where the parcel is located; and
 - (p) “user name” means a unique identification number or name given to each *Property Online* user.
- (2) For the purposes of the Act,
- (a) “abstract of title” in clause 37(4)(c) of the Act means a photocopy of the abstract of title and not the original;
 - (b) “addresses of the parties” in subsection 67(1) of the Act means, for the judgment debtor, a civic or mailing address;
 - (c) “interests” in clause 3(1)(w) of the Act means interests specified in Section 17 of the Act that may be registered;

- (d) “mailing address” means a complete address by which an individual or body corporate is able to receive information, including notices, by mail;
- (e) “mortgage” in subsection 37(3) of the Act and clause 46(1)(c) of the Act includes any amendment to a mortgage that increases the principal amount of the obligation secured, adds an additional parcel or permits additional advances up to the original amount secured, but does not include
- (i) other amendments,
 - (ii) an assignment,
 - (iii) a mortgage of a leasehold interest, or
 - (iv) an advance on an existing security interest that secures present and future advances up to the original principal amount of the charge;
- (f) “non-resident” means
- (i) in the case of an individual, a person who is not a permanent resident of the Province,
 - (ii) in the case of a body corporate, a body corporate
 - (A) whose head office is not in the Province, or
 - (B) in which the majority of the issued and outstanding shares are beneficially owned by persons who are non-residents,unless the body corporate is registered to do business in the Province and owns or leases an office, plant, factory or other structure in the Province for use by its business, or
 - (iii) a person who acquires a parcel for or on behalf of an individual or body corporate referred to in subclause (i) or (ii);
- (g) “parcel” in subsection 37(2) of the Act does not include any unregistered piece of land that is being created as a parcel under the subdivision provisions of Part IX of the *Municipal Government Act* solely for purposes of consolidation with an abutting unregistered parcel;
- (h) “person’s name” in subsection 66(8) of the Act means
- (i) if a parcel is registered under the Act, the name of the registered owner of the registered interest as shown in the parcel register,
 - (ii) if a parcel is not registered under the Act, the name shown on the relevant instrument registered under the *Registry Act*;
- (i) “security interest” in subsection 37(3) of the Act includes any amendment to a security interest that increases the principal amount of the obligation secured, adds an additional parcel to an existing security interest or permits additional advances up to the original amount secured, but does not include
- (i) other amendments,
 - (ii) an assignment,
 - (iii) a mortgage of a leasehold interest, or

- (iv) an advance on an existing security interest that secures present and future advances up to the original principal amount of the charge; and
- (j) “time for which the judgment was recorded” in clause 66(4)(c) of the Act means 20 years after the date of the judgment if the judgment was recorded as specified in subsection 65(5) of the Act.

Forms

- 3** (1) Forms 1 to 8, 10 to 22 and 45 to 50 are prescribed for filing, registering and recording at a land registration office.
- (2) Form 9 is prescribed for service of notice upon an occupier or the most recent owner as shown on the consolidated index, as applicable, under clause 9(4)(e) and subsection 17(5).
- (3) Form 23 is prescribed as the cover page for documents that are required by subsection 37(4) of the Act and subsection 9(4) to accompany an application for registration.
- (4) Forms 24 to 28 and Form 44A are prescribed as the cover pages required by Section 4.
- (5) Forms 29 to 43 and 44B are prescribed for the use of land registration office staff.
- (6) Form 44 is prescribed as the cover page to be attached to any document that may be registered under the *Registry Act* but that is not required to be registered or recorded under the *Land Registration Act*.
- (7) Directions and explanations included in a form prescribed in this Section are binding but may be deleted when a form is submitted for filing, registering or recording at a land registration office.
- (8) The place of execution or a jurat contained in a form prescribed in this Section may be altered to suit the circumstances prevailing at the time the form is executed.
- (9) Any reference to location or place of residence in the Province contained in a form prescribed in this Section may be altered to suit the circumstances prevailing at the time the form is executed.
- (10) A faxed copy of a completed Form 4 or Form 5 may be submitted to a land registration office in place of the signed original if the submitter keeps the signed original on file for audit purposes.
- (11) Any eligible or authorized lawyer or authorized surveyor who is empowered to act as agent for an owner or interest holder, and who has the regulatory authority to submit a document prescribed in this Section, may execute any form prescribed in this Section, except Form 4, on behalf of the owner or interest holder.
- (12) Unless a form prescribed in this Section includes a certificate of execution, a certificate of execution in accordance with Section 79 of the Act is not required.
- (13) Forms prescribed in this Section are instruments within the meaning of clause 3(1)(f) of the Act.
- (14) Except as provided in subsection (15), if a parcel is owned by more than one person,
- (a) any registered owner; or
 - (b) any person who is entitled to be registered as an owner of the registrable interest in the parcel
- may sign and submit a form that is required to be signed by the owner or registered owner of the parcel.
- (15) Form 5 must be signed by every owner of a registered interest in the parcel that is described in the form.

Document preparation

- 4 (1) Every document submitted for registration or recording must include the following information on the first page of the document or on an attached cover page prescribed in Section 3:
- (a) the names and mailing addresses of all transferees or claimants;
 - (b) the names of the grantees, in the form in which they are to be indexed in a names-based roll or placed in the parcel register;
 - (c) the user name, if applicable;
 - (d) the parcel identification number of each parcel affected by the document;
 - (e) a precise identification of the nature of the document and the type of interest being added, including references to registry numerical coding, if applicable;
 - (f) the date of expiry of any interest, if applicable;
 - (g) if a document is signed on behalf of a person by the holder of a power of attorney for that person, a statement indicating that the power of attorney is recorded in the attorney roll or the parcel register, or that a copy of the power of attorney is attached to the document;
 - (h) the registration district where the parcel is located;
 - (i) a statement as to whether any of the owners of the interest is a non-resident; and
 - (j) the registrant user number, if applicable.
- (2) The submitter is responsible for the accuracy of all of the information required under subsection (1).
- (3) Upon processing a document for registration or recording, the registrar must rely upon the information submitted under subsection (1) and register or record the document in accordance with the information submitted.
- (4) A registrar must not accept a dual-purpose document for registration or recording under both the Act and the *Registry Act* unless the original document is accompanied by a copy that has been certified to be a true copy of the original by a notary public.
- (5) Subsection (4) does not apply to a document that must be registered and also recorded under the Act.
- (6) Documents that are presented for registration under the *Registry Act* must be presented separately from documents that are presented for registration or recording under the Act, and payment of registration fees under the *Registry Act* must be made separately from payment of fees for registration or recording under the Act.
- (7) If an error is identified in a Request to Record an Interest in Form 26 or a Request to Cancel the Recording of an Interest in Form 27, the submitter of the Form 26 or Form 27 must correct the error by recording a Correction of Request to Record an Interest or Cancel the Recording of an Interest in Form 49.
- (8) A document that relates to a parcel registered under the Act must incorporate the legal description for the parcel by stating
- (a) the full text of the legal description as set out in the parcel register;
 - (b) the short form legal description as set out in the parcel register; or

- (c) the parcel identification number for the registered parcel.
- (9) In the forms prescribed under Section 3, “registrant user number” means the unique Property Online submission number assigned to an eligible or authorized lawyer and used by that person when submitting documents for registration or recording.

Parcel description certification application

5 (1) A parcel description certification application must be by

- (a) submission of an electronic PDCA in Form 2; or
 - (b) submission of a paper PDCA in Form 3, accompanied by a computer diskette containing an electronic text file of the legal description of the parcel, if the registrar is unable to accept an electronic application for any reason including system unavailability or failure.
- (2) If the length of a legal description exceeds the space available in the electronic PDCA in Form 2,
- (a) the electronic PDCA form must be submitted in the usual manner and the legal description must be sent to the land registration office as a text file attached to an e-mail;
 - (b) a statement that the legal description is being submitted by e-mail must be inserted into the legal description field on the electronic PDCA form; and
 - (c) the PDCA number provided by the system once the electronic PDCA form is successfully submitted must be stated in the e-mail to which the legal description is attached.
- (3) A parcel description certification application or amending parcel description certification application must be submitted by
- (a) an authorized lawyer; or
 - (b) an authorized surveyor

and, except as provided in subsections (3A), (4) and 7(3), must be submitted by a PDCA submitter who is authorized by the parcel owner.

- (3A) If an authorized submitter has confirmed the information contained in the statement of compliance on the electronic PDCA in Form 2, staff of an authorized submitter may submit the PDCA on behalf of the authorized submitter.
- (4) Submission of a PDCA or amending PDCA may be authorized by a person other than the owner of a parcel when the authorizing person
- (a) is the mortgagee of a parcel and the owner of the parcel has refused to register title to the parcel;
 - (b) is a non-owner who has permission from the owner to act in the place of the owner, and the document evidencing the permission has been recorded under the Act or registered under the *Registry Act*; or
 - (c) is a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*.

- (5) Before an application for registration in final form is submitted, the PDCA submitter must assist the parcel owner in identifying the parcel's PID and take reasonable steps to identify the parcel, including
- (a) reviewing the legal description;
 - (b) reviewing Provincial property mapping graphics;
 - (c) placing a comment in the comments field if errors in the parcel graphics are identified by the parcel owner; and
 - (d) having the parcel owner confirm the apparent match of the graphics identified by the PID with the legal description unless
 - (i) the applicant is
 - (A) a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or is a receiver or trustee by way of assignment in bankruptcy or otherwise,
 - (B) the mortgagee of a parcel and the owner of the parcel has refused to register title to the parcel, or
 - (C) a non-owner who has permission from the owner to act in the place of the owner, and the document evidencing the permission has been recorded under the Act or registered under the *Registry Act*; or
 - (ii) the parcel is a condominium unit.
- (6) If an electronic graphical representation of a parcel does not exist, the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of an electronic graphical representation of the parcel before making a PDCA.
- (7) Every legal description submitted to a registrar must be accurate and complete and must contain
- (a) a description of the location, boundaries and extent of the parcel;
 - (b) a description of all parcels excepted out of the legal description;
 - (c) a description of all benefits;
 - (d) a description of all burdens;
 - (e) all information pertinent to the use of easements; and
 - (f) information that evidences compliance with the subdivision provisions of Part IX of the *Municipal Government Act* in the form of a statement that confirms that
 - (i) the subdivision is validated by Section 291 of the *Municipal Government Act*,
 - (ii) an approved plan of subdivision has been filed under the *Registry Act* or registered or recorded under the Act, or
 - (iii) the subdivision is exempt from the subdivision provisions in the *Municipal Government Act*.
- (8) Subject to subsection (9) and Section 6,

- (a) the information required under clause (7)(a), (b), (c), and (d) must be provided
 - (i) in full text, or
 - (ii) by reference to a plan of survey or subdivision or, for Crown lands as defined in the *Crown Lands Act*, a plan or map under the certificate of the Registrar of Crown Lands, that has been
 - (A) registered with an instrument under the *Registry Act*,
 - (B) filed under the *Registry Act*, or
 - (C) registered or recorded under the Act; and
- (b) the information required under clause (7)(e) must be provided
 - (i) in full text, or
 - (ii) by reference to an instrument that has been registered or recorded under the *Registry Act* or the Act.
- (9)** A restrictive covenant, utility interest or development agreement that runs with the land must be described
 - (a) in full text; or
 - (b) by reference to the registration or recording particulars of a document, if the document contains a full text description of the covenant, utility interest or development agreement.
- (10)** The registration or recording particulars of a document required by clause (9)(b) must include the year the document was registered or recorded and the document number or the book and page reference for the document.
- (11)** If a legal description submitted in a PDCA makes reference to a plan of survey or approved plan of subdivision that is not registered or recorded in the land registration office, the PDCA submitter must
 - (a) forward a copy of the referenced plan of survey or approved plan of subdivision to the registrar for recording in the parcel register once created; or
 - (b) include a comment with the PDCA that the plan of survey or approved plan of subdivision cannot be located.
- (12)** If, upon receipt of a PDCA, a registrar is able to locate the parcel identified in the application with reasonable accuracy in relation to neighbouring parcels, the registrar must certify a match between the parcel identification number and the legal description for the parcel and approve the PDCA.
- (13)** A registrar may approve a PDCA subject to a correction of the legal description by the PDCA submitter, if necessary, and must then notify the PDCA submitter and post a notice of the required correction in the parcel register.
- (14)** A notice of required correction under subsection (13) must remain in the parcel register until the PDCA submitter submits an amending PDCA setting out the corrected legal description.
- (15)** An application for registration of a parcel must not be submitted in final form in accordance with subclause 9(2)(a)(ii) until the submitter has submitted an amending PDCA in accordance with

subsections (13) and (14) and the notice of the required correction has been removed from the parcel register.

- (16) The preparation of an electronic graphical representation of a parcel and assignment of a new PID or approval of a PDCA by a registrar is not evidence that the subdivision requirements of the *Municipal Government Act* have been met.
- (17) Subject to subsection (18) and notwithstanding that watercourses are vested in the Crown by virtue of Section 103 of the *Environment Act*, a watercourse is deemed not to subdivide the parcel or parcels through which it flows.
- (18) If, after considering the nature and use of both a watercourse and the land through which it flows, a PDCA submitter determines that the watercourse creates a natural boundary,
 - (a) the watercourse is deemed to subdivide the parcel or parcels through which it flows; and
 - (b) the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of an electronic graphical representation of the parcel before making a PDCA.

Creation of legal description on subdivision

- 6 (1) If a parcel registered under the Act is subsequently subdivided, a registrar must ensure that a legal description is created for each subdivided parcel and the remainder lands.
- (2) If the details shown on the plan of survey or approved plan of subdivision for a parcel referred to in subsection (1) are sufficient, a registrar must create a short form legal description for one or more of the subdivided parcels and the remainder lands.
 - (3) If the details shown on the plan of survey or approved plan of subdivision do not permit a registrar to create a short form legal description for some or all of the subdivided parcels or the remainder lands as required by subsection (2), the registrar must require the owner of the subdivided parcels to submit the full text of the information required in subsection 5(7) by submitting a PDCA under subsection 5(1).

Change in legal description

- 7 (1) An application to amend the legal description of a registered parcel must be submitted in Form 2 or 3 as appropriate, and all of the provisions of Section 5 apply.
- (2) If the benefits to, or extent of title of, a registered parcel are altered for any reason, the registered owner of the parcel must make an application to amend the legal description, and the reasons for the amendment must be stated in the comments field of the amending PDCA.
 - (3) If a burden on a registered parcel is altered for any reason, the interest holder placing the burden on the parcel must make an application to amend the legal description of the parcel being burdened, and the reasons for the amendment must be stated in the comments field of the amending PDCA.
 - (4) If the legal description of a registered parcel must be amended as the result of the creation of a plan of survey or the approval of a plan of subdivision affecting the parcel, the registered owner of the parcel, or a municipal development officer, as applicable,
 - (a) must record the plan upon which the legal description is based in the parcel register; and
 - (b) may use a short form legal description as the amended legal description.

Addition of benefit to a parcel

- 8** (1) If a benefit to be added to a registered parcel has the effect of burdening a parcel registered under the Act, the registered owner of the parcel to be benefitted must make an application to add the benefit, which must include
- (a) a Request to Revise the Registration and Certificate of Legal Effect in Form 24;
 - (b) the document that conveys the benefit; and
 - (c) an application to amend the legal description.
- (2) If a benefit to be added to a registered parcel has the effect of burdening a parcel not registered under the Act, the registered owner of the parcel to be benefitted must make an application to add the benefit, which must include
- (a) a Request to Revise the Registration and Certificate of Legal Effect in Form 24;
 - (b) an abstract of title to the burdened parcel;
 - (c) an Opinion of Title in Form 8 for the burdened parcel, unless the title to the benefit is based upon adverse possession or prescription;
 - (d) the document that conveys the benefit or, if the title to the benefit is based upon adverse possession or prescription, a statutory declaration or other document that evidences the benefit; and
 - (e) an application to amend the legal description.
- (3) Upon receipt of a certificate of legal effect as required by subsection (1) or (2), a registrar must update the particulars of the registered parcel to show the benefit in accordance with the certificate of legal effect.

Application for registration

- 9** (1) An application for registration under Section 37 of the Act must be submitted by an authorized lawyer who, except as provided in subsection (3), is authorized to do so by the parcel owner.
- (2) An application for registration under Section 37 of the Act must be submitted
- (a) electronically in Form 6
 - (i) in draft form for preliminary approval by the registrar, and
 - (ii) in final form, after receipt of the preliminary approval of the registrar; or
 - (b) if the registrar is unable to accept an electronic application for registration in draft or final form for any reason including system unavailability or failure, in hard copy in draft or final form using Form 7.
- (3) Submission of an application for registration under Section 37 of the Act, and any forms associated with the application, may be authorized by a person other than the owner of a parcel if the authorizing person
- (a) is the mortgagee of a parcel and the owner of the parcel has refused to register title to the parcel;

- (b) is a non-owner who has permission from the owner to act in the place of the owner, and the document evidencing the permission has been recorded under the Act or registered under the *Registry Act*; or
 - (c) is a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*.
- (4) The following items, together with the items specified in subsection 37(4) of the Act, must be received in the land registration office within 15 business days of the submission of Form 6 or 7 in final form under subsection (2):
- (a) an Application for Registration Supporting Documents Cover Page in Form 23;
 - (b) an Authorization to Submit Parcel Description Certification Application and/or Application for Registration in Form 4, if the submitting lawyer does not have a solicitor-client relationship with the owner of the parcel being registered;
 - (c) an Owner's Declaration Regarding Occupation of Parcel and Residency Status in Form 5;
 - (d) any registrable or recordable documents that accompany the abstract of title that are not already registered, recorded or filed under the Act or the *Registry Act*, together with any applicable registration or recording fee;
 - (e) a copy of the Notice of Parcel Registration in Form 9, if applicable; and
 - (f) a copy of the Statement of Registered and Recorded Interests in Form 29 that was sent electronically to the submitting lawyer upon submission of the final form application for registration, that has been signed by the authorized lawyer who submitted the AFR.
- (5) An Owner's Declaration Regarding Occupation of Parcel and Residency Status in Form 5 may be executed by an authorized lawyer or surveyor, if the authorized lawyer or surveyor is able to execute the declaration based on
- (a) personal knowledge of the facts; or
 - (b) information and belief based on discussions with the current or previous owner.
- (6) If a person executing an Owner's Declaration Regarding Occupation of Parcel and Residency Status in Form 5 is a person authorized under subsection (3), the Form 5 may indicate that the person executing the Form 5 has no personal knowledge regarding occupancy of the parcel, if
- (a) the person executing the Form 5 could not reasonably be expected to have knowledge of occupancy of the parcel; and
 - (b) the document registered under the *Registry Act* in accordance with subsection (3) evidences the fact that the person executing the Form 5 is at arm's length from the parcel.
- (7) A reference in the application for registration to the book and page in the registry of deeds for the document that most recently conveyed the registrable interest will be accepted as evidence of compliance with Part V of the *Municipal Government Act* for the purposes of clause 37(4)(e) of the Act.
- (8) Subject to subsection (9), if an Owner's Declaration Regarding Occupation of Parcel and Residency Status in Form 5 discloses the existence of occupation without permission, the parcel owner must

- (a) immediately after submitting the application for registration in final form, provide a Notice of Parcel Registration in Form 9 to the occupier indicating that an application for registration of the parcel has been made; and
 - (b) submit a copy of the Notice of Parcel Registration in Form 9 to the registrar together with the other documents required by subsection (4) to accompany the application for registration.
- (9) Subsection (8) does not apply to adverse possession or prescription that is preserved by subsection 75(1) of the Act.
- (10) An application for registration made under subsection 37(2) of the Act must be made in the name of the person who is, from a search of the records maintained under the *Registry Act*, entitled to be registered as the owner of the registrable interest in the parcel, and the registration must be revised subsequently to show the change in ownership as requested in the Request to Revise and Certificate of Legal Effect in Form 24.

Registration under Section 41 of the Act

10 A person registering an interest in a parcel under Section 41 of the Act must first make

- (a) a PDCA in accordance with Section 5; and
- (b) an application for registration in accordance with subsection 37(4) of the Act and Section 9.

Rectification and registrar's refusal to revise a registration

10A (1) If a registration has been made in error or there is an error in a registration, or an error has been made on an Application for Registration, the owner of a registered interest in a parcel must request rectification by submitting to the Registrar a Request by Owner for Rectification and Certificate of Legal Effect in Form 17.

- (2) If an owner requests rectification of a registration under subsection (1), the registrar must either
- (a) record the Form 17 request submitted under subsection (1) and rectify the registration as requested; or
 - (b) attach the Form 17 submitted under subsection (1) as a schedule to a Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40, record the Form 40 and send the Form 40 to the owner advising the owner of the right to apply to the Registrar General for a review of the registrar's refusal.
- (3) An application by an owner to the Registrar General for a review of a registrar's refusal under clause (2)(b) must be by submission of an Application by Owner to Registrar General for Review of Registrar's Refusal to Revise or Rectify a Registration in Form 18.
- (4) If an owner does not apply to the Registrar General under subsection (3) within 30 days after a registrar's refusal under clause (2)(b), the registrar must cancel the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40, by recording a Refusal of Request to Revise or Rectify a Registration and Cancellation of Form 40 in Form 41.
- (5) If an owner applies to the Registrar General under subsection (3) within 30 days of a registrar's refusal under clause (2)(b), and the Registrar General agrees with the owner's proposed rectification, the Registrar General must record an Approval of Request to Revise or Rectify and Cancellation of Form 40 in Form 42, and the registrar must
- (a) rectify the registration as requested by the owner;
 - (b) cancel the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40; and

- (c) cancel the Approval of Request to Revise or Rectify and Cancellation of Form 40 in Form 42.
- (6) If an owner applies to the Registrar General under subsection (3) within 30 days of a registrar's refusal under clause (2)(b), and the Registrar General confirms the registrar's refusal by recording a Notice of Registrar General's Confirmation of Registrar's Refusal to Revise or Rectify in Form 39, the owner has 30 days to commence proceedings in the Supreme Court of Nova Scotia and submit a Certificate of *Lis Pendens* in Form 19 for recording.
- (7) If an owner does not submit a Certificate of *Lis Pendens* for recording for in accordance with subsection (6), the registrar must cancel the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40 and the Notice of Registrar General's Confirmation of Registrar's Refusal to Revise or Rectify in Form 39.
- (8) If a registrar believes that a registration has been made in error or there is an error in a registration, or an error has been made on an Application for Registration, the registrar must require the owner to rectify the registration by recording a Form 17.
- (9) If an owner refuses to rectify a registration as required by a registrar under subsection (8), the registrar must either
- (a) advise the owner that the proposed rectification has been abandoned; or
 - (b) record a Notice of Registrar's Proposed Rectification in Form 36 and send the notice to the owner advising the owner that the proposed rectification has been submitted to the Registrar General for determination within 30 days.
- (10) If the Registrar General refuses to accept a registrar's proposed rectification submitted under subsection (9), the registrar must cancel the recording of the notice of the proposed rectification by recording a Cancellation of Recording of Registrar's Proposed Rectification in Form 38.
- (11) If the Registrar General confirms a registrar's proposed rectification submitted under subsection (9), the Registrar General records a Notice of Registrar General's Confirmation of Registrar's Proposed Rectification in Form 37 and the owner has 30 days to submit a Certificate of *Lis Pendens* in Form 19 for recording.
- (12) If an owner does not submit a Certificate of *Lis Pendens* for recording in accordance with subsection (11), the owner must request the registrar to rectify the registration in the manner proposed by the registrar by submitting a Form 17.
- (13) If the registrar receives a Form 17 under subsection (12), the registrar must rectify the registration accordingly and cancel the recording of the Forms 36 and 37.
- (14) If an owner requests a revision of a registration under subsections 14(2) or (3), the registrar must either
- (a) record the Request to Revise the Registration and Certificate of Legal Effect in Form 24 or the Direction to Revise Registration in Form 25 and revise the registration as requested; or
 - (b) attach the Form 24 or 25 to a Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40, record the Form 40 and send the Form 40 to the owner advising the owner of the right to apply to the Registrar General for a review of the registrar's refusal.
- (15) An application by an owner to the Registrar General for a review of a registrar's refusal under clause (14)(b) must be by submission of an Application by Owner to Registrar General for Review of Registrar's Refusal to Revise or Rectify a Registration in Form 18.

- (16) If an owner does not apply to the Registrar General under subsection (15) within 30 days after a registrar's refusal under clause (14)(b), the registrar must cancel the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40, by recording a Refusal of Request to Revise or Rectify a Registration and Cancellation of Form 40 in Form 41.
- (17) If an owner applies to the Registrar General under subsection (15) within 30 days of a registrar's refusal under clause (14)(b), and the Registrar General agrees with the owner's proposed revision, the Registrar General must record an Approval of Request to Revise or Rectify and Cancellation of Form 40 in Form 42, and the registrar must
- (a) revise the registration as requested by the owner;
 - (b) cancel the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40; and
 - (c) cancel the recording of the Approval of Request to Revise or Rectify and Cancellation of Form 40 in Form 42.
- (18) If an owner applies to the Registrar General under subsection (15) within 30 days of a registrar's refusal, and the Registrar General confirms the registrar's refusal by recording a Notice of Registrar General's Confirmation of Registrar's Refusal to Revise or Rectify in Form 39, the owner has 30 days to commence proceedings in the Supreme Court of Nova Scotia and submit a Certificate of *Lis Pendens* in Form 19 for recording.
- (19) If an owner does not submit a Certificate of *Lis Pendens* for recording in accordance with subsection (18), a registrar must cancel the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration in Form 40 and Notice of Registrar General's Confirmation of Registrar's Refusal to Revise or Rectify in Form 39.

Content of register

- 11 (1) Except as provided in subsection (2), a parcel register must contain
- (a) the parcel identification number assigned to the parcel;
 - (b) the civic address and lot number of the parcel, if known;
 - (c) a description of the general location of the parcel;
 - (d) a legal description for the parcel that complies with subsection 5(7);
 - (e) a description of the direct or indirect right of access to the parcel, if any, from a public street, highway or navigable waterway;
 - (f) the name and mailing address, if known, of each registered owner of the interest in the parcel described in clauses 17(1)(a), (b), and (c) of the Act;
 - (g) the names and mailing addresses, if known, of all holders of a recorded interest in the parcel;
 - (h) the submission particulars or full text of every document by which the title to the parcel is affected, as registered or recorded under the Act or the *Registry Act*;
 - (i) a reference to an instrument or interest type assigned to any registered or recorded interest;
 - (j) the full text or the submission particulars of the instrument that most recently conveyed the registrable interest, as described in

- (i) a deed or Crown grant registered under the *Registry Act* that most recently conveyed the registrable interest in the parcel,
 - (ii) a statutory declaration registered under the *Registry Act* from the person possessing the parcel, in the case of an interest being registered based on adverse possession or prescription, or
 - (iii) a certificate of title under the *Land Titles Clarification Act* or the *Quieting Titles Act*, whether or not the certificate is registered under the *Registry Act*;
 - (k) a reference to any judgment against any predecessor in title to which the parcel is, or may be, subject;
 - (l) a reference to any judgment against any registered owner that was effective at the time of registration or revision of the registered ownership of the interest;
 - (m) a reference to any statement made under Section 38 of the Act as to whether any of the owners of the interest is a non-resident; and
 - (n) the manner of tenure for the registered interest in the parcel.
- (2) For a parcel owned by Her Majesty in right of the Province that has never been conveyed or that has been acquired by Her Majesty as “owner unknown” land under the *Municipal Government Act*, the parcel register must contain
- (a) items (a) to (i) enumerated in subsection (1), and
 - (b) a certificate of the Registrar of Crown Lands describing the parcel and confirming that it has never been conveyed or has been acquired by Her Majesty as owner unknown lands under the *Municipal Government Act*.
- (3) A parcel register is deemed to be a complete statement of all judgments against predecessors in title to the registered owner of the parcel that bind the parcel.
- (4) An archive register is not part of a parcel register.
- (5) A reference to an enabling instrument in a parcel register enables all benefits and burdens referred to in that instrument.
- (6) An instrument that is registered or recorded against a condominium common PID is deemed to be registered or recorded, as applicable, in the parcel register of each unit in the condominium corporation.

Prescribed contracts

- 12 (1) Contractual rights respecting a parcel registered under the Act, including but not limited to option agreements and rights of first refusal, are prescribed contracts for the purposes of the definition of “interest” in clause 3(1)(g) of the Act.
- (2) A prescribed contract may be recorded in a parcel register and, if recorded, is subject to the Act’s recording and cancellation of recording provisions.

Certificate of registered ownership

- 13 (1) For the purposes of subsection 13(5) of the Act, the registered owner of a parcel to whom a registrar issues a certificate of registered ownership must be the registered owner of the fee simple estate in the parcel.
- (2) A certificate of registered ownership must be in Form 30.

- (3) Every Certificate of Registered Ownership in Form 30 must be accompanied by a disclaimer setting out the following words of limitation:
- “This Certificate of Registered Ownership is subject to
- (a) the limitations, burdens and benefits respecting the registered interest in this parcel that appear in its parcel register;
 - (b) the recorded interests in this parcel as shown in its parcel register; and
 - (c) the overriding interests set out in Section 73 of the *Land Registration Act*,
- and all other provisions of the *Land Registration Act* and regulations.”
- (4) A Certificate of Registered Ownership establishes the ownership of the fee simple estate in a parcel on the date and at the time shown on the certificate and is null and void when a the ownership of the fee simple estate is changed in the parcel register.

Certificate of legal effect

- 14 (1) A certificate of legal effect must be executed by an eligible lawyer.
- (2) A request to revise the registration of a registered parcel under subsection 18(3) of the Act must be effected by a Request to Revise the Registration and Certificate of Legal Effect in Form 24 and must include a certificate of legal effect.
- (3) Except as set out in subsection (5), a Direction to Revise Registration must be in Form 25 and must include a certificate of legal effect.
- (4) A person who claims to be entitled to be registered as the owner of any registered parcel or the owner of an interest or estate in the parcel under Section 32 of the Act must file the documents to support the claim together with a Direction to Revise Registration in Form 25.
- (5) A direction to revise a registration under Section 27 of the Act as a result of the death of a joint tenant must be in Form 21 and must be accompanied by proof of death.
- (6) A certificate of legal effect is not required on the submission of
- (a) an Application for Registration in Form 6 or Form 7, unless an undivided interest is being registered;
 - (b) an Opinion of Title in Form 8; or
 - (c) a direction to revise a registration under Section 27 of the Act as a result of the death of a joint tenant.
- (7) A Request to Remove Interests Placed in Parcel Register on Subdivision and Certificate of Legal Effect in Form 45 must be used to remove interests that, on subdivision, were placed in a parcel register of an infant parcel or condominium unit but that, in an eligible lawyer’s opinion, do not apply to the infant parcel or condominium unit.

Tenants in common

- 15 (1) Upon application for registration of a tenant in common interest in an unregistered parcel,
- (a) the unregistered parcel must be registered in the name of the tenant in common owner to the extent of their ownership;

- (b) the outstanding tenant in common interests that have not been registered must be shown in the parcel register as tenant in common interests not registered under the Act; and
 - (c) the submitting lawyer is considered to have made no opinion or representation concerning the unregistered tenant in common interests that are shown in the parcel register.
- (2) An application to register an unregistered tenant in common interest in a registered parcel must be effected by a Request to Revise the Registration and Certificate of Legal Effect in Form 24 and must be accompanied by
- (a) an Application for Registration Supporting Documents Cover Page in Form 23;
 - (b) an Owner's Declaration Regarding Occupation of Parcel and Residency Status in Form 5;
 - (c) an Opinion of Title in Form 8;
 - (d) the abstract of title upon which the opinion is based;
 - (e) a copy of the Notice of Parcel Registration in Form 9, if applicable; and
 - (f) any registrable or recordable documents that accompany the abstract of title that are not already registered, recorded or filed under the Act or the *Registry Act*, together with any applicable registration or recording fee.
- (3) If an unregistered tenant in common interest in a registered parcel is transferred for no value as disclosed in the affidavit filed under the *Municipal Government Act*, the owner of the unregistered tenant in common interest must apply to have the parcel register updated using a Request to Transfer an Unregistered Tenant in Common Interest in a Parcel in Form 50.

Change of name

- 16 (1) An application under Section 22 of the Act to change the name in which a parcel is registered must be effected by a Request to Revise the Name of the Registered Owner or Interest Holder in Form 21.
- (2) A Request to Revise the Name of the Registered Owner or Interest Holder in Form 21 must be accompanied by a copy of a certificate of change of name or amalgamation, or equivalent document, if the change of name is the result of the change of name or amalgamation of a corporation.
- (3) Section 22 of the Act applies if the parcel or registration information is incorrect because of the misspelling of the name of a registered owner or interest holder in a deed or other document.

Registration of possessory title

- 17 (1) Subject to subsections (2) to (5), title to a parcel based on an interest acquired by adverse possession or prescription must not be registered unless the interest holder makes an application in accordance with Section 9.
- (2) If an order of the court confirms that an interest in a registered parcel has been acquired by adverse possession or prescription in accordance with clause 74(2)(a) of the Act,
- (a) Section 41 of the Act and Section 10 apply to the revision of the parcel's registration with the necessary changes; and
 - (b) any plan of survey that is referred to in the order must be recorded by the person seeking to register or record the order of the court.
- (3) If the Crown is the registered owner of the registered interest in a parcel, confirmation of an interest as described in Section 74 of the Act has been obtained and the Crown issues a release under Section 37 of the *Crown Lands Act*, the release must be registered under the *Registry Act* and the

parcel's registration will not be revised until an application for registration is made under Section 37 of the Act.

- (4) For the purposes of subsection (3), an application for registration under Section 37 of the Act must be effected by a Request to Revise the Registration and Certificate of Legal Effect in Form 24 and all of the other provisions of Section 37 of the Act and Section 9 apply with the necessary changes.
- (5) If an authorized lawyer registers a parcel on the basis of adverse possession,
 - (a) a Notice of Parcel Registration in Form 9 must be sent in accordance with subsection 25(1) to the most recent owner of the parcel as shown on the consolidated index that is maintained under the *Registry Act*; or
 - (b) if the most recent owner of the parcel cannot be determined from a review of the consolidated index that is maintained under the *Registry Act*, a Notice of Parcel Registration in Form 9 must be sent to such persons and in such manner as the Registrar General directs under subsection 25(2).
- (6) A copy of the notice in accordance with subsection (5), together with proof of service in accordance with Section 23, must accompany the documents that are submitted to the land registration office in support of the application for registration.

Judgment information

- 18** (1) For the purposes of recording a judgment in accordance with subsections 67(1) and (4) of the Act or requesting confirmation of a debtor's identity in accordance with Section 68 of the Act, information that tends to distinguish a person from another person of the same or similar name includes a date of birth.
- (2) For the purposes of clause 5(2)(a) of the Act,
 - (a) surnames that begin with "Mc" are identical to surnames that begin with "Mac" and *vice versa*;
 - (b) surnames that include apostrophes, accents, spaces, or a mixture of upper and lower case letters are identical to names of the same spelling that do not include these features; and
 - (c) names of legal entities that include "the", "a" or "an" are identical to names of the same spelling that do not include these words.
 - (3) A judgment creditor who holds a judgment that is recorded in the judgment roll may update the name or address of the judgment debtor in the judgment roll and, if applicable, the parcel register, by recording a Request to Update the Name or Address of a Judgment Debtor in Form 20.
 - (4) An update of name or address under subsection (3) is effective from the date and time that the request was recorded.
 - (5) On the coming into force of the Act, statutory declarations respecting judgments must be recorded in the judgment roll.
 - (6) An affidavit recorded under subsection 68(3) of the Act must be recorded in the judgment roll and must have attached as exhibits
 - (a) a copy of the request for confirmation that was sent to the judgment creditor under subsection 68(1) of the Act;
 - (b) proof of delivery of the request for confirmation;

- (c) any request for further information received from the judgment creditor; and
- (d) a copy of the response to any request for further information together with proof of delivery of the response.

Removal of judgments recorded under the *Registry Act*

19 On the coming into force of the Act, a judgment registered under the *Registry Act* before that date is deemed to be removed from the judgment roll when any of the conditions of clauses 66(4)(a) to (d) of the Act are met.

Cancellation of a recorded interest

20 If the recording of an interest is cancelled under clause 57(1)(b) of the Act, the document that cancels the interest must be recorded in the parcel register or the names-based roll as required and must be accompanied by, or incorporate the information contained in, a Request to Cancel the Recording of an Interest in Form 27.

Cancellation of associated documents

21 Documents recorded under subsection 62(3) of the Act to amend, assign, renew, postpone, partially terminate, terminate or otherwise affect a recorded interest may be removed from the register when the recording of the interest is cancelled.

Request to cancel a recording under subsection 51(4) or clause 57(1)(b) of the Act

- 22** (1) A security interest holder is deemed to be in compliance with subsection 51(4) of the Act if, at an owner's request, the security interest holder sends a release of the security interest to the owner for recording and the release is recorded by the owner using a Request to Cancel the Recording of an Interest in Form 27.
- (2) A Request to Cancel the Recording of an Interest in Form 27 may be signed by the owner, and for that purpose the owner is deemed to be the agent of the interest holder.
 - (3) Subsection 51(4) of the Act does not apply if the security interest is intended to remain in place to secure future advances.
 - (4) For a judgment recorded in the judgment roll or a parcel register,
 - (a) a full or partial release signed by the judgment creditor under subsection 69(3) of the Act, and recorded using a Request to Record a Full or Partial Release of Judgment in Form 48; or
 - (b) a certificate of satisfaction or certificate of discharge from the court that is recorded using a Request to Cancel the Recording of a Judgment and Certificate of Satisfaction in Form 47,

is deemed to be evidence of a request by the holder of the interest to cancel the recording of the interest under clause 57(1)(b) of the Act, and may be recorded by the debtor or debtor's agent.

Proof of service

23 The service of any document may be proved by an affidavit, which must state

- (a) by whom the document was served;
- (b) the day of the week and the date on which it was served;
- (c) where it was served; and
- (d) how service was effected,

and a copy of any document served must be attached as an exhibit to the affidavit.

Notice to cancel or amend an interest

- 24 (1)** A notice to a registrar to cancel or amend the recording of a security interest under subsection 60(2) of the Act must be in Form 15 and must be accompanied by
- (a) a statutory declaration that outlines to the registrar's satisfaction the reasonable and probable grounds that were used as a basis for the demand to amend or cancel the recording of the security interest and provides proof that the demand was served on the security interest holder in accordance with the Act; and
 - (b) the fee for recording the notice.
- (2)** Upon being satisfied that subsection 60(1) of the Act has been complied with, a registrar who receives a notice in accordance with subsection (1) must record a Registrar's Cancellation of Security Interest in Form 15A and amend the parcel register.
- (3)** An owner who requests that a registrar cancel a recorded interest or judgment under subsection 63(4) of the Act must submit an Affidavit of Service of Owner's Notice of Cancellation of Recorded Interest or Judgment in Form 12 to the registrar together with the fee for recording the notice.
- (4)** Upon being satisfied that subsections 63(2) and (4) of the Act have been complied with, a registrar who receives a request in accordance with subsection (3) must record a Registrar's Cancellation of Recorded Interest or Judgment in Form 33 and amend the parcel register.
- (5)** After amending a parcel register in accordance with subsection (2) or (4), a registrar must remove the Forms 15 and 15A or Forms 12 and 33 from the parcel register and record the Forms 15 and 15A or Forms 12 and 33 together with any interest cancelled and any accompanying documents in the archive register for the parcel.

Notices

- 25 (1)** Unless otherwise provided in the Act or these regulations, all notices required by the Act or these regulations to be sent must be sent by any means that affords proof of delivery.
- (2)** If the name or address of a person to whom a notice must be sent is not known, the Registrar General may provide directions for substituted service of any notice required by the Act or these regulations.

Stop orders

- 26 (1)** If the Registrar General orders in accordance with clause 56(1)(d) of the Act that no further registrations or recordings be made with respect to a parcel, a copy of the order must be recorded in the parcel register.
- (2)** If the Registrar General orders in accordance with clause 56(1)(d) of the Act that no further registrations or recordings be made with respect to a party to a document, or a person attempting to register or record a document, a copy of the order must be recorded in the judgment roll indexed under the name of each person with respect to whom the order was made.
- (3)** If the Registrar General orders in accordance with clause 56(2)(c) of the Act that no further registrations or recordings be made with respect to documents submitted by, prepared by, or certified by a named person, a copy of the order must be recorded in the judgment roll indexed under the name of each person with respect to whom the order was made.

Land registration office

- 27 (1)** A land registration office is established in a registration district at the time the Act comes into force in that registration district.
- (2)** On the coming into force of the Act in a registration district, the land registration office is combined with the registry of deeds established under the *Registry Act* for that registration district.

- (3) The combined land registration office and registry of deeds for a registration district is the land registration office for that registration district.

Office hours

- 28 (1) Each land registration office is open to the public between 8:30 a.m. and 4:30 p.m., Monday through Friday, except:
- (a) on holidays observed by the Province; and
 - (b) during a designated lunch period in an office staffed by one person.
- (2) A document may be submitted electronically at any time, subject to system availability.
- (3) Subject to subsection (4), a document submitted electronically is processed during the hours the land registration office is open to the public.
- (4) An Application for Registration in Form 6 submitted in final form under subclause 9(2)(a)(ii) registers title to the parcel under the Act and creates the parcel register for the parcel at the time the application is submitted.

[Please note: some check boxes in the forms do not appear in the original hard copy but have been inserted by the Registry of Regulations.]

Form 1 Request for PID Assignment

Land Registration Administration Regulations, subsection 5(6) and clause 5(18)(b)

Registration district: _____

Registrant user number: _____

Submitter's name/firm: _____

Select one:

- This parcel is not mapped. This parcel is a portion of existing PID _____.
- This parcel is not mapped and is being subdivided by deed out of existing PID _____.

Assessment account: _____ External file number: _____

Parcel location: Civic # _____ Street name: _____ Lot # _____ Community: _____

Additional location information: _____

Reference for latest conveyance document that contains a legal description (*include the description number if there are multiple parcels in the legal description*):

Book: _____

Page: _____

Document/instrument number/year: _____

Description number (if applicable): _____

Is the request for parcel description certification related to a mandatory migration of a parcel to the new land registration system? Yes No

Note: You must attach a legible written legal description of the parcel in accordance with subsections 5(7) to (10) of the regulations, together with a graphical representation of where the parcel is located in relation to surrounding parcels on the provincial map.

Additional comments:

Statement of Applicant

- 1. I have reviewed the mapping and confirm that the parcel described in the attached legal description is not graphically represented on the Provincial map.
2. I have attached information that is intended to enable the property mapper to locate and graphically represent the parcel.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2 _____.

Land Registration use only:
PID assigned: _____
Property mapper: _____
Date: _____

Signature of Applicant
Name: _____
Address: _____
Phone: _____
Email: _____
Fax: _____

Form 2
Parcel Description Certification Application
Land Registration Act, S.N.S. 2001, c. 6, clause 37(4)(g)
Land Registration Administration Regulations, clause 5(1)(a) and subsection 7(1)
(Electronic Application)

PID: _____

Application type: If PID has a certified legal description, field defaults to amending parcel; if not, it defaults to existing parcel (system generated).

User supplied reference: _____

Assessment account number (AAN): _____

Reference for latest conveyance document that contains a legal description (put comment in comment field if multiple parcels in the legal description):

Book: _____

Page: _____

Document/instrument number/year: _____

Parcel location: Civic number, street name, lot number, community (all system generated)

Apparent owners: Name, sub-type, type, interest type, qualifier (all system generated)

Legal description:

[Empty box for legal description]

Comments:

Statement of compliance:

(Please note: If the authorized submitter has confirmed the information below, staff of the authorized submitter may submit the PDCA on the authorized submitter's behalf.)

- The authorized submitter is submitting this PDCA for approval and confirms that:
- The applicant has authorized him/her to submit this application.
 - The authorized submitter has reviewed the legal description included in this application and checked the Provincial property mapping graphics. If the graphics do not match the legal description, any apparent discrepancies have been noted in the comments field of this application.
 - The legal description is accurate and complete and complies with the *Land Registration Administration Regulations*, professional standards regarding legal descriptions and the PDCA standards as set out in the PDCA checklist.
 - Before an application for registration is submitted in final form, the authorized PDCA submitter will confirm with the applicant that the graphics identified by the PID appear to match the legal description for the PID.

Form 3

Parcel Description Certification Application

Land Registration Act, S.N.S. 2001, c. 6, clause 37(4)(g)

Land Registration Administration Regulations, clause 5(1)(b) and subsection 7(1)

(Paper Application)

Registrant user number: _____

Registration district: _____

Submitter's name/firm: _____

Parcel Identification Number (PID): _____

Application type (*select one*):

- Amending (certified previously)
 Existing (not certified previously)

User supplied reference: _____

Assessment account number (AAN): _____

Reference for latest conveyance document that contains a legal description (*include the description number if there are multiple parcels in the legal description*):

Book: _____

Page: _____

Document/instrument number/year: _____

Description number (if applicable): _____

Parcel location:

Civic # _____
 Street name: _____
 Lot # _____
 Community: _____

Current owners (*expand if additional owners*):

Name: _____
 Mailing address: _____
 Phone number: _____
 Email: _____

Legal description:

- A copy of the legal description of the parcel is contained in an electronic text file on the attached computer diskette.

Comments (*insert comments to facilitate the certification process - explain discrepancies, etc.*):

Statement of compliance:

The authorized submitter is submitting this PDCA for approval and confirms that:

- The owner applicant has authorized him/her to submit this application.
- The authorized submitter has reviewed the legal description included in this application and checked the Provincial property mapping graphics. If the graphics do not match the legal description, any apparent discrepancies have been noted in the comments field of this application.
- The legal description is accurate and complete and complies with the *Land Registration Administration Regulations*, professional standards regarding legal descriptions and the PDCA standards as set out in the PDCA checklist.
- Before an application for registration is submitted in final form, the authorized PDCA submitter will confirm with the owner that the graphics identified by the PID appear to match the legal description for the PID.

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of authorized submitter
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Form 4
Authorization to Submit Parcel Description Certification Application
and/or Application for Registration

Land Registration Administration Regulations, subsection 5(3) and clause 9(4)(b)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the above-noted parcel(s):

I am *(insert name)* _____, *(select one)* an owner of the parcel(s)/a person permitted by the *Land Registration Administration Regulations* to authorize a Parcel Description Certification Application and Application for Registration on behalf of an owner of the parcel identified by the above-noted PID(s).

I hereby authorize *(insert name of lawyer or surveyor)* _____ ("my agent" herein) to perform such investigations and to submit such documents or forms as may be required in order to submit the parcel description certification application.

I hereby authorize *(insert name of lawyer or surveyor)* _____ ("my agent" herein) to perform such investigations and to submit such documents or forms as may be required in order to submit an amending parcel description certification application.

I hereby authorize *(insert name of lawyer)* _____ ("my agent" herein) to perform such investigations and to submit such documents or forms as may be required in order to register title to the above-noted parcel(s).

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of Owner
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Form 5
Owner's Declaration Regarding Occupation of Parcel and Residency Status
Land Registration Act, S.N.S. 2001, c. 6, clause 37(4)(h) and Section 38
Land Registration Administration Regulations, clauses 9(4)(c) and 15(2)(b)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

And in the matter of the registration of the above-noted parcel(s) under the *Land Registration Act* and regulations:

Note: When completing this form,

Section 1 is for use if this form is being completed by all owners of the parcel(s) identified as the above-noted PID(s).

Section 2 is for use if this form is being completed by an authorized lawyer or authorized surveyor under subsection 9(5) of the *Land Registration Administration Regulations* for the owner of the parcel(s) identified as the above-noted PID(s).

Section 3 is for use if this form is being completed by a mortgagee, receiver or trustee of the owner under subsection 9(6) of the *Land Registration Administration Regulations*.

Section 1

I/We/The corporation, (insert name(s)) _____, of _____ in the County of _____, solemnly declare:

1. I am/We are/The corporation is the owner(s) of the parcel identified as the above-noted PID.
2. To my/our/the corporation's knowledge neither the whole nor a portion of the above-noted parcel is occupied without permission.
3. I am/we are/the corporation is (select one)
 - a permanent resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
 - a non-resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
4. I am/we are/the corporation is submitting this declaration in support of an application for registration under Section 37 of the *Land Registration Act*. I make/we make/the corporation makes this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

-Or-

1. I am/We are/The corporation is the owner(s) of the parcel identified as the above-noted PID.
2. To my/our/the corporation's knowledge the whole or a portion of the above-noted parcel is occupied without permission.
3. The occupation commenced on or about _____.
4. The name and address of the person in occupation is (if unknown, state "unknown")
_____.
5. Other details relating to the occupation without permission are as follows: _____

6. The occupation without permission is (*select one*)
- by the owner of an adjacent parcel and exceeds 20% of the area of the parcel.
 - by the owner of an adjacent parcel and does not exceed 20% of the area of the parcel.
 - by a person who is not the owner of an adjacent parcel.

(If the occupier is the owner of an adjacent parcel and the occupation does not exceed 20% of the area of the parcel, **do not** complete clause 7.)

7. The occupier has been/will be notified in writing of the registration of the above-noted PID(s) and a copy of the notice will be forwarded to the land registration office together with the other documents required to accompany the application for registration under the *Land Registration Act* and regulations.
8. I am/we are/the corporation is (*select one*)
- a permanent resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
 - a non-resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
9. I am/we are/the corporation is submitting this declaration in support of an application for registration under Section 37 of the *Land Registration Act*. I make/we make/the corporation makes this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Section 2

I, (*insert name*) _____, of _____ in the County of _____, solemnly declare:

1. I am the authorized lawyer or authorized surveyor for the owner of the parcel identified as the above-noted PID and as such have personal knowledge of the matters deposed to in this declaration unless otherwise stated.
2. I am informed by the current/previous owner and believe that/To my knowledge neither the whole nor a portion of the above-noted parcel is occupied without permission.

-Or-

2. I am informed by the current/previous owner and believe that/To my knowledge the whole or a portion of the above-noted parcel is occupied without permission.

3. The occupation commenced on or about _____.

4. The name and address of the person in occupation is (*if unknown, state "unknown"*)
_____.

5. Other details relating to the occupation without permission are as follows: _____

6. The occupation without permission is (*select one*)
- by the owner of an adjacent parcel and exceeds 20% of the area of the parcel.
 - by the owner of an adjacent parcel and does not exceed 20% of the area of the parcel.
 - by a person who is not the owner of an adjacent parcel.

(If the occupier is the owner of an adjacent parcel and the occupation does not exceed 20% of the area of the parcel, **do not** complete clause 7.)

- 7. The occupier has been/will be notified in writing of the registration of the above-noted PID(s) and a copy of the notice will be forwarded to the land registration office together with the other documents required to accompany the application for registration under the *Land Registration Act* and regulations.
- 8. The owner(s) of the above-noted PID(s) is/are (*select one*)
 - a permanent resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
 - a non-resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
- 9. I am submitting this declaration in support of an application for registration under Section 37 of the *Land Registration Act*. I make this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Section 3

I, (*insert name(s)*) _____, of _____ in the County of _____, solemnly declare:

- 1. I am/we are/the corporation is a mortgagee, receiver or trustee of the owner as referred to in subsection 9(6) of the *Land Registration Administration Regulations*.
- 2. I have/we have/the corporation has no personal knowledge regarding occupancy of the parcel.
- 3. An order, assignment in bankruptcy or other relevant document has been registered under the *Registry Act* and evidences the fact that I [am]/we [are]/the corporation is at arm's length from the parcel.
- 4. I am/we are/the corporation is (*select one*)
 - a permanent resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
 - a non-resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
- 5. I am/we are/the corporation is submitting this declaration in support of an application for registration under Section 37 of the *Land Registration Act*. I make/we make/the corporation makes this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Sworn to at _____, in the)
 County of _____,)
 Province of Nova Scotia, on _____)
 _____, 2__ before me,)
)
)
 _____)
 A Commissioner/Barrister of the Supreme)
 Court of Nova Scotia)

(Type name of deponent(s) below line.)

Form 6
Application for Registration
Land Registration Act, S.N.S. 2001, c. 6, subsections 18(1) and 37(4)
Land Registration Administration Regulations, clause 9(2)(a)
 (Electronic Application)

AFR tracking number: *(system generated)*

Parcel Identification Number (PID): _____

Location: *(system generated)*

Title certification date/time
 (yyyy-mm-dd hh:mi): _____

Parcel access: Pick from: public (listed and maintained), public (listed but not maintained), public (other), private (by grant), private (by prescription), private (openly used and enjoyed), right of way/driveway, right of way/walkway, navigable waterway, no access, other (specify) _____

Triggered by: Pick from: deed, mortgage, subdivision, new condominium corporation, voluntary, certificate of title, order

Comments:

Manner of tenure: Pick from: joint tenants, tenants in common, not applicable, not specified, mixture of joint tenants and tenants in common. The description of tenure field is optional if the manner of tenure is "tenants in common", and mandatory if the manner of tenure is a "mixture."

Description of tenure:

Registered interests

Name (individual or enterprise): _____

Mailing address: _____

Enabling document recording particulars: *(complete sub-screen fields)*

Non-resident of Nova Scotia status: *(yes or no to disclosure statement)*

Benefits to the registered interest

Name (individual or enterprise): _____

Mailing address: _____

Enabling document recording particulars: *(complete sub-screen fields)*

Unregistered interests: _____

Burdens on the registered interest

Name (individual or enterprise): _____

Mailing address: _____

Enabling document recording particulars: *(complete sub-screen fields)*

Unregistered interests: _____

Textual qualifications on title

Expiry date (if applicable): _____

Tenants in common not registered under the *Land Registration Act*

Enabling document recording particulars: *(complete sub-screen fields)*

Request to system to import Property

Online owners: *(yes or no)*

Recorded interests

Name (individual or enterprise): _____

Mailing address: _____

Enabling document recording particulars: *(complete sub-screen fields)*

Certificate of authorized lawyer

I hereby certify that:

1. The information in this Application for Registration is a true and correct summary of the title information disclosed by the records on file in the land registration office for the county where the parcel lies.
2. The information contained in this application includes any necessary reference to occupancy of the parcel and residency as identified by the applicant.
3. A title search with respect to the parcel described in this application has been conducted in accordance with the current Nova Scotia Barristers' Society Professional Standards: Real Property Transactions in Nova Scotia.
4. There are no other registered encumbrances affecting title to the land except those specified herein.
5. I have obtained all affidavits and other documents required under Section 37 of the *Land Registration Act* and under the *Land Registration Administration Regulations*.
6. I will file the required documents with the applicable land registration office within 15 business days of the submission of this Application for Registration.

Signature of authorized lawyer

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Form 7
Application for Registration
Land Registration Act, S.N.S. 2001, c. 6, subsections 18(1) and 37(4)
Land Registration Administration Regulations, clause 9(2)(b)
(Paper Application)

Registrant user number: _____
Parcel Identification Number (PID): _____
Title certification date and time: _____
Parcel access (<i>select one</i>): <input type="checkbox"/> Public (listed and maintained) <input type="checkbox"/> Public (listed but not maintained) <input type="checkbox"/> Public (other) <input type="checkbox"/> Private (by grant) <input type="checkbox"/> Private (by prescription) <input type="checkbox"/> Private (openly used and enjoyed) <input type="checkbox"/> Right of way/driveway <input type="checkbox"/> Right of way/walkway <input type="checkbox"/> Navigable waterway <input type="checkbox"/> No access <input type="checkbox"/> Other (specify) _____
Type of AFR trigger (<i>select one</i>): <input type="checkbox"/> Deed <input type="checkbox"/> Mortgage <input type="checkbox"/> Subdivision <input type="checkbox"/> New condominium corporation <input type="checkbox"/> Voluntary conversion <input type="checkbox"/> Certificate of title <input type="checkbox"/> Order (<i>Quieting Titles Act or Land Clarification Act</i>)
Individual owners (<i>list names and mailing addresses of all owners</i>) Name _____ Mailing address _____
Instrument type: _____ Recording particulars of enabling document: <i>Book and page:</i> _____ <i>Document number and year:</i> _____ <i>Recording date:</i> _____ <i>Registration district:</i> _____
Interest type: (<i>select one</i>) <input type="checkbox"/> Fee simple <input type="checkbox"/> Life interest <input type="checkbox"/> Remainder interest <input type="checkbox"/> Interest of Her Majesty
Residency status (<i>select one</i>) <input type="checkbox"/> I am a permanent resident of Nova Scotia <input type="checkbox"/> I am a non-resident of Nova Scotia
Manner of tenure (<i>select one</i>): <input type="checkbox"/> Not applicable (sole owner) <input type="checkbox"/> Joint tenants <input type="checkbox"/> Tenants in common <input type="checkbox"/> Not specified <input type="checkbox"/> Mixture of joint tenants and tenants in common (<i>insert description of mixed tenure</i>) _____
Benefits to the registered interest Name _____ Mailing address _____

Instrument type: _____

Recording particulars of enabling document (or if unregistered interest, check here):

Book and page: _____

Document number and year: _____

Recording date: _____

Registration district: _____

Interest type (select one):

- Easement/right of way holder (benefit) Party to agreement (benefit)
 Covenant holder (benefit) Licensee (benefit)
 Servient tenement PID

Burdens on the registered interest

Name: _____

Mailing address: _____

Instrument type: _____

Recording particulars of enabling document (or if unregistered interest, check here):

Book and page: _____

Document number and year: _____

Recording date: _____

Registration district: _____

Interest type (select one):

- Easement/right of way holder (burden) Party to agreement (burden)
 Covenant holder (burden) Licensee (burden)
 Easement/right of way holder (burden) dominant PID

Textual qualifications on title

Tenants in common not registered under the *Land Registration Act*

Name: _____

Instrument type: _____

Recording particulars of enabling document (or if unregistered interest, check here):

Book and page: _____

Document number and year: _____

Recording date: _____

Registration district: _____

Interest type: unregistered owner (tenant in common)

Note: Tenant in common owners not registered under the *Land Registration Act* can be taken from *Property Online*. If there is more than one tenant in common owner in this category, attach a list of tenant in common owners not registered under the LRA including the above particulars for each tenant in common owner that is not registered.

Recorded interests (list the names and addresses of all recorded interests)

Name: _____

Mailing address: _____

Instrument type: _____

Recording particulars of enabling document:

Book and page: _____

Document number and year: _____

Recording date: _____

Registration district: _____

Interest type (select one):

- | | | |
|--|--|---|
| <input type="checkbox"/> Assignee | <input type="checkbox"/> Attorney | <input type="checkbox"/> Claimant |
| <input type="checkbox"/> Condominium interest holder | <input type="checkbox"/> Debenture holder | <input type="checkbox"/> Deponent |
| <input type="checkbox"/> Easement security interest | <input type="checkbox"/> Judgment creditor | <input type="checkbox"/> Lessee |
| <input type="checkbox"/> Licensee | <input type="checkbox"/> Mortgagee | <input type="checkbox"/> Party to agreement |
| <input type="checkbox"/> Tax sale recipient | | |

Comments (Provide any comments to explain any differences between what appears in Property Online and draft AFR, in relation to names or last conveyancing document.)

Certificate of authorized lawyer

I hereby certify that:

1. The information in this Application for Registration is a true and correct summary of the title information disclosed by the records on file in the land registration office for the county where the parcel lies.
2. The information contained in this application includes any necessary reference to occupancy of the parcel and residency as identified by the applicant.
3. A title search with respect to the parcel described in this application has been conducted in accordance with the current Nova Scotia Barristers' Society Professional Standards: Real Property Transactions in Nova Scotia.
4. There are no other registered encumbrances affecting title to the land except those specified herein.
5. I have obtained all affidavits and other documents required under Section 37 of the *Land Registration Act* and under the *Land Registration Administration Regulations*.
6. I will file the required documents with the applicable land registration office within 15 business days of the submission of this Application for Registration.

Signature of authorized lawyer

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

**Form 8
Opinion of Title**

*Land Registration Act, S.N.S. 2001, c. 6, clause 37(4)(b)
Land Registration Administration Regulations, clauses 8(2)(c) and 15(2)(c)*

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

Note: In order to list multiple PIDs, the abstract must apply equally to all the PIDs.

I, *(name of authorized lawyer)* _____, hereby certify to the Registrar General under clause 37(4)(b) of the *Land Registration Act* as follows:

1. This opinion of title relates to the parcels as described in the parcel register for the above-noted PID(s) as of the date of this opinion.
2. The information contained in the attached abstract of title and the information submitted in the application for registration for this parcel is a true and correct summary of the title information disclosed by the records on file in the land registration office for the county where the parcel lies.
3. This opinion of title is based upon the attached abstract of title.
4. This opinion is subject to the accuracy of the indices at the office of the Registrar of Deeds.
5. The attached abstract of title shows a chain of ownership of the parcel to the standard required to demonstrate a marketable title under *(select one)*
 - the *Marketable Titles Act*
 - the *Limitation of Actions Act*
 - the common law
 - other enactment *(specify):* _____
6. The following is/are the owner(s) of the registrable interest described *(provide information for all PIDs referenced in the abstract and included in opinion of title and for all interest owners)*:
 Name of owner: _____

 Type of registrable interest *(select one)*:
 Fee simple estate Remainder interest Life estate Interest of Her Majesty
7. The following describes the benefits that attach to the parcel *(describe benefits that attach to the registered interest, e.g. easements)*: _____
8. The following describes the burdens that attach to the registered interest *(describe burdens, e.g. restrictive covenants)*: _____
9. The following are qualifications on the parcel's title *(repeat textual qualifications that appear in the parcel register)* _____
10. The following are tenants in common that are not registered under the *Land Registration Act*, as taken from *Property Online* *(list names of tenant in common owners as shown in Property Online)*:

11. The following are the recorded interests in the parcel (*describe all recorded interests held by others in the parcel, such as mortgages*): _____

12. There are no other encumbrances affecting the title to the land disclosed by the records on file in the land registration office for the county where the parcel lies except those specified herein.

13. The right of access to the parcel is as follows (*select one*):

<input type="checkbox"/> Public (listed and maintained)	<input type="checkbox"/> Public (listed but not maintained)
<input type="checkbox"/> Public (other)	<input type="checkbox"/> Private (by grant)
<input type="checkbox"/> Private (by prescription)	<input type="checkbox"/> Private (openly used and enjoyed)
<input type="checkbox"/> Right of way/driveway	<input type="checkbox"/> Right of way/walkway
<input type="checkbox"/> Navigable waterway	<input type="checkbox"/> No access
<input type="checkbox"/> Other (specify) _____	

14. The abstract of title has been prepared in accordance with the standards for the practice of real property law, recommended by the Nova Scotia Barristers' Society.

15. The subdivision provisions contained in Part IX of the *Municipal Government Act* (*select one*)
 - have been complied with and the plan approving the subdivision is registered as plan number _____.

-Or-

 - do not apply with respect to the parcels referenced for the following reason (*select reason*):
 - subdivision approval is not required as per the *Municipal Government Act*.
 - subdivision was validated by Section 291 of the *Municipal Government Act*.

16. For the purposes of registration of the title of the above-noted PID(s) a policy of title insurance (*select one*)
 - was not issued with respect to this parcel.
 - was issued with respect to this parcel in order to (*provide details of the reason a title insurance policy was required*) _____

17. Unless noted above, this opinion is subject to
 - (a) rights in respect of the lands, which may have been acquired by adverse possession or prescription; and
 - (b) the overriding interests stipulated in Section 73 of the *Land Registration Act*.

18. No opinion is expressed as to
 - (a) the actual boundaries of the lands, the location of any buildings or structures in relation to the actual boundaries of the lands, or the size of the lands;
 - (b) the validity, enforceability of, or compliance with, restrictive covenants if mentioned in paragraph 8; or
 - (c) the validity or effect of the recorded interests listed in paragraph 11.

Certified on _____, 2 _____, at _____, in the County of _____, Province of Nova Scotia.

 Signature of authorized lawyer
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Form 9
Notice of Parcel Registration
Land Registration Administration Regulations, clauses 9(4)(e) and 15(2)(e)
 and subsections 9(8) and 17(5)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

Whereas the above-noted parcel(s), which is/are located at *(insert civic address of the parcel(s))* _____, has[/have] been registered under the *Land Registration Act*;

And whereas you appear to be *(select one)*

- occupying the above-noted parcel(s) or a portion of it without permission:
- the most recent holder of the paper title to the above-noted parcel(s) as shown on the consolidated index that is maintained under the *Registry Act*:

Take notice that the registered interest in the above-noted parcel(s) has/have been registered in the name of *(insert name of registered owner(s))* _____.

And further take notice that if you have obtained an interest in this parcel by adverse possession or prescription you have a right to seek confirmation of the interest in the Supreme Court of Nova Scotia. *(See subsection 74(2) of the Land Registration Act.)*

And further take notice that proof of a claim of ownership must be registered in the land registration office in the area where the land is situated within 10 years from the date the parcel was registered. *(See subsection 74(2) of the Land Registration Act.)*

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of registered owner
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Form 10
Notice of Crystallization of Debenture
Land Registration Act, S.N.S. 2001, c. 6, subsection 53(3)

(Instrument type: 809)

Registrant user number:
Registration district:
Submitter's name/firm:

In the matter of subsection 53(3) of the Land Registration Act;

In the matter of (insert name and mailing address of lender/receiver);

In the matter of the debenture dated and identified as (insert document/instrument number/year; include book/page if applicable) in the records of the land registration office;

In the matter of Parcel Identification Number (PID)

Table with 2 columns: PID: (Expand box for additional PIDs.)

Notice is hereby given that the floating charge contained in the specified debenture has been crystallized.

Dated at, in the County of, Province of Nova Scotia, 2.

Witness (Barrister/Commissioner)

Signature of authorized representative of lender/receiver
Name:
Address:
Phone:
Email:
Fax:

Certificate of Commissioner:

I certify that on, 2, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly.)

- This document also affects non-land registration parcels. The original will be registered under the Registry Act and a certified true copy for recording under the Land Registration Act is attached.

Form 11
Owner's Notice Requiring Cancellation of Recorded Interest or Judgment
Land Registration Act, S.N.S. 2001, c. 6, subsection 63(1) and (2)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

To the holder of the interest or judgment;

And to, if the interest is a servitude, the owner of every parcel identified in the recorded document as land to which benefit of the servitude is annexed:

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of registered owner _____;

And in the matter of the interest or judgment described as _____ and set out in *(insert document/instrument number/year; include book/page if applicable)* _____:

Take notice that I am the registered owner/agent of the above-noted parcel(s).

And further take notice that I am requesting the cancellation of the above-noted interest or judgment.

And further take notice that attached is an affidavit that establishes that this interest or judgment is invalid with respect to the parcel(s).

And further take notice that if you wish to substantiate this interest or judgment, within 60 days from the date of service of this notice you are required to:

- (a) commence proceedings in the Supreme Court of Nova Scotia,
- (b) record a Certificate of *Lis Pendens* in Form 19 with the registrar, and
- (c) serve a copy of the Certificate of *Lis Pendens* on the undersigned.

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2 _____.

 Signature of registered owner/agent
 Name: _____
 Address: _____
 Phone: _____
 Email: _____
 Fax: _____

Affidavit

I, _____, of _____, in the County of _____, Nova Scotia,
 make oath and say as follows:

1. I am the registered owner/agent of the parcel known as PID _____ and as such have personal knowledge of the matters deposed to in this affidavit unless otherwise stated.

2. The interest described as _____ in the parcel register for this PID is invalid with respect to the parcel for the following reasons (*state reasons*):

Sworn to at _____, in the)
 County of _____,)
 Province of Nova Scotia, on _____)
 _____, 2__ before me,)
)
)
)
 _____)
 A Barrister/Commissioner of the)
 Supreme Court of Nova Scotia)

 (Type name of deponent below line.)

Form 12
Affidavit of Service of Owner's
Notice of Cancellation of Recorded Interest or Judgment
Land Registration Act, S.N.S. 2001, c. 6, subsection 63(4)
Land Registration Administration Regulations, subsection 24(3)

(Instrument type: 821)

In the matter of Section 63(4) of the *Land Registration Act*;

And in the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

And in the matter of registered owner _____;

And in the matter of the interest or judgment described as _____ and set out in (*insert document/instrument number/year; include book/page if applicable*) _____:

Affidavit of Service

I, _____, of _____, in the County of _____, Nova Scotia, make oath and say as follows:

- I am the registered owner/agent of the above-noted parcel(s) and as such have personal knowledge of the matters deposed to in this affidavit unless otherwise stated.
- On _____, 2__, I caused an Owner's Notice Requiring Cancellation of Recorded Interest or Judgment in Form 11 to be sent the holder of the following recorded interest (*insert document/instrument number/year; include book/page if applicable*): _____.
- [3.] The notice was sent by registered mail to the following address (*insert address*):
 _____.
- A true copy of the Owner's Notice Requiring Cancellation of Recorded Interest or Judgment in Form 11 is annexed as Exhibit "A" and proof of registered mail delivery is annexed as Exhibit "B".

5. 60 days have expired after the serving of the notice.
6. I have not received a certificate of *lis pendens* in relation to this matter.
7. I ask that the registrar cancel the recording detailed in paragraph 2.

Sworn to at _____, in the)
 County of _____,)
 Province of Nova Scotia, on _____)
 _____, 2__ before me,)
 _____)
 A Barrister/Commissioner of the) (Type name of deponent below line.)
 Supreme Court of Nova Scotia)

Form 13
Certificate Evidencing Lien (and other charges)
Land Registration Act, S.N.S. 2001, c. 6, Sections 96-127

(Instrument type: 810)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of registered owner _____:

Take notice that a (*select one*) lien, order, claim, certificate, assessment or designation is filed in the parcel register of the above-noted PIDs under the following Act (*select one*):

- | | |
|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> <i>Agriculture Marshland Conservation Act</i> (designation) <input type="checkbox"/> <i>Agriculture and Marketing Act</i> (lien) <input type="checkbox"/> <i>Cemeteries Protection Act</i> (order) <input type="checkbox"/> <i>Condominium Act</i> (lien) <input type="checkbox"/> <i>Environment Act</i> (lien) <input type="checkbox"/> <i>Escheats Act</i> (order) <input type="checkbox"/> <i>Expropriation Act</i> (order) <input type="checkbox"/> <i>Fire Safety Act</i> (lien) <input type="checkbox"/> <i>Fisheries and Coastal Resources Act</i> (lien) <input type="checkbox"/> <i>Gypsum Mining Income Tax Act</i> (claim) | <ul style="list-style-type: none"> <input type="checkbox"/> <i>Metalliferous Mines and Quarries Regulation Act</i> (lien) <input type="checkbox"/> <i>Mineral Resources Act</i> (lien) <input type="checkbox"/> <i>Municipal Government Act</i> (lien) <input type="checkbox"/> <i>Pension Benefits Act</i> (lien) (optional recording in parcel register) <input type="checkbox"/> <i>Public Trustee Act</i> (certificate) <input type="checkbox"/> <i>Revenue Act</i> (lien) <input type="checkbox"/> <i>Workers' Compensation Act</i> (assessment) (optional recording in parcel register) |
|--|--|

And further take notice that this document is filed by the undersigned on behalf of (*insert name of government department*) _____ in relation to file number (*insert departmental file reference number*) _____.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Witness (*Barrister/Commissioner*)

Signature of agent/authorized person

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(*Insert stamp of name or print name legibly.*)

Form 14

Release of Lien (and other discharges)

Land Registration Act, S.N.S. 2001, c. 6, Sections 96-127

(Instrument type: 819)

Registrant user number: _____

Registration district: _____

Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(<i>Expand box for additional PIDs.</i>)

And in the matter of registered owner _____:

Take notice that a (*select one*) release, withdrawal or discharge of a lien, order, claim, certificate, assessment or designation is filed in the Parcel Register under the following Act (*select one*):

- | | |
|---|---|
| <input type="checkbox"/> <i>Agriculture Marshland Conservation Act</i>
(designation) | <input type="checkbox"/> <i>Gypsum Mining Income Tax Act</i> (claim) |
| <input type="checkbox"/> <i>Agriculture and Marketing Act</i> (lien) | <input type="checkbox"/> <i>Metalliferous Mines and Quarries</i>
<i>Regulation Act</i> (lien) |
| <input type="checkbox"/> <i>Cemeteries Protection Act</i> (order) | <input type="checkbox"/> <i>Mineral Resources Act</i> (lien) |
| <input type="checkbox"/> <i>Condominium Act</i> (lien) | <input type="checkbox"/> <i>Municipal Government Act</i> (lien) |
| <input type="checkbox"/> <i>Environment Act</i> (lien) | <input type="checkbox"/> <i>Pension Benefits Act</i> (lien) (optional
recording in parcel register) |
| <input type="checkbox"/> <i>Escheats Act</i> (order) | <input type="checkbox"/> <i>Public Trustee Act</i> (certificate) |
| <input type="checkbox"/> <i>Expropriation Act</i> (order) | <input type="checkbox"/> <i>Revenue Act</i> (lien) |
| <input type="checkbox"/> <i>Fire Safety Act</i> (lien) | <input type="checkbox"/> <i>Workers' Compensation Act</i> (assessment)
(optional recording in parcel register) |
| <input type="checkbox"/> <i>Fisheries and Coastal Resources Act</i> (lien) | |

And further take notice that this document is filed by the undersigned on behalf of (insert name of government department) _____ in relation to file number (insert departmental file reference number) _____.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Witness (Barrister/Commissioner)

Signature of agent/authorized person
Name: _____
Address: _____

Phone: _____
Email: _____
Fax: _____

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly.)

Form 15
Notice to Registrar to Cancel or Amend the Recording of a Security Interest
Land Registration Act, S.N.S. 2001, c. 6, subsection 60(2)
Land Registration Administration Regulations, subsection 24(1)

(Instrument type: 831)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

In the matter of a security interest held by (insert name) _____ and recorded as (insert document/instrument number/year; include book/page if applicable) _____;

And in the matter of the service of a demand made by (select one)

- the debtor named in the security interest (or solicitor):
- a person who has or had a registered interest in the parcel to which the security interest purportedly relates (or solicitor):

Take notice that attached is a statutory declaration that outlines the reasonable and probable grounds that were used as a basis for the demand to amend or cancel the recording of the security interest under subsection 60(1) of the Act.

And further take notice that the security interest holder was asked to (*select one*)

- discharge the interest so far as it relates to the parcel.
- discharge the interest so far as it relates to the collateral agreed to be released or not included in the security interest.

And further take notice that 30 days have passed since the service of the demand upon the secured party and the secured party has failed to comply with the demand, proof of service of which is set out in the attached statutory declaration.

And further take notice that under subsection 60(2) of the *Land Registration Act*, the undersigned requires the registrar to cancel or amend the recording in accordance with the attached demand.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

	Signature of registered interest holder/agent/debtor
	Name: _____
	Address: _____
Witness (<i>Barrister/Commissioner</i>)	Phone: _____
	Email: _____
	Fax: _____

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(*Insert stamp of name or print name legibly.*)

Form 15A
Registrar’s Cancellation of Security Interest
Land Registration Act, S.N.S. 2001, c.6, subsection 60(2)
Land Registration Administration Regulations subsection 24(2)

(Instrument Type: 825)

Registration district: _____
Registrant user number: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(<i>Expand box for additional PIDs.</i>)

And in the matter of a security interest held by (*insert name*) _____ and recorded as
(*insert document/instrument number/year; include book/page if applicable*) _____;

And in the matter of the Notice to Registrar to Cancel or Amend the Recording of a Security Interest in Form 15 and supporting documentation recorded on *(insert date)* _____ as document/instrument *(insert document/instrument number/year; include book/page if applicable)* _____;

And upon it appearing that the secured party has failed to comply with the demand to discharge the interest;

And upon it appearing that all the requirements of subsections 60(1) and (2) of the *Land Registration Act* and subsection 24(1) of the *Land Registration Administration Regulations* have been met by the registered interest holder/debtor:

Take notice that the security interest described in the above-noted document and recorded in the above-noted parcel register is hereby cancelled or amended in accordance with the demand made under subsection 60(1) of the *Land Registration Act*.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of Registrar

Form 16
Certificate of Judgment Renewal
Land Registration Act, S.N.S. 2001, c. 6, subsection 66(5)

(Instrument type: 715 - First renewal)
(Instrument type: 716 - Second renewal)
(Instrument type: 717 - Final renewal)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of the judgment debtor *(insert name and mailing address)*
_____;

And in the matter of the judgment creditor *(insert name and mailing address)*
_____;

And in the matter of judgment number _____ issued by the Court on *(insert date)* _____ and first recorded on *(insert date)* _____ as document *(insert document/instrument number/year; include book/page if applicable)* _____:

Take notice that the undersigned judgment creditor/agent of judgment creditor requests that the above-noted judgment be renewed as follows *(select one)*:

First renewal Second renewal Final renewal

And further take notice that the judgment will expire at the end of 5 years from the date of renewal unless a further request to renew the judgment is recorded before the expiry date, if authorized by the *Land Registration Act*.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Authorized signature of judgment creditor/agent

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Witness (Barrister/Commissioner)

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly.)

Form 17
Request by Owner for Rectification and Certificate of Legal Effect
Land Registration Administration Regulations, subsection 10A(1)

(Instrument type: 807)

Registrant user number: _____

Registration district: _____

Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:

PID:

(Expand box for additional PIDs.)

Take notice that *(select one)*

- the *(select one)* registration/revision of registration of the above-noted parcel was made in error.
- the *(select one)* registration/revision of registration of the above-noted parcel contains an error.
- an error was made on the Application for Registration of the above-noted parcel.

And further take notice that the registered owner hereby requests the rectification of the registration of the above-noted parcel.

I certify that the details of the rectification are as follows:

1. The following registered interests are changed in the parcel's registration *(insert N/A if not applicable)*:

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Manner of tenure (if applicable)	
Access type to be removed (if applicable)	
Access type to be added (if applicable)	
Non-resident (to eligible lawyer's information and belief) (Yes/No?)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

2. The following tenant in common interests not registered under the *Land Registration Act* are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Percentage of interest held	
Mailing address of interest holder added (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

3. The following judgments are incorporated into the parcel register (*insert N/A if not applicable*):

Instrument Type/Code	Interest Holder Type	Interest Holder/Mailing Address	Names-Based Roll Reference (if applicable)

4. The following benefits (e.g. right of way benefits) are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	

Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Servient tenement parcel(s) (list all affected PIDs): <i>Note: If the servient tenement parcel is not registered under the Land Registration Act, you must attach an abstract of title for the servient tenement parcel and a Form 8 Opinion of Title in accordance with Land Registration Administration Regulations subsection 8(2).</i>	

- The following related burdens are added to the servient tenement parcel(s) listed above (check box and complete table if applicable):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

5. The following burdens (e.g. right of way in favour of another person or parcel) are changed in the parcel's registration (insert N/A if not applicable):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Dominant tenement parcel(s) (list all affected PIDs)	

- The following related benefits are added to the dominant tenement parcel(s) (insert PID(s) for dominant tenement parcel(s)) _____ (check box and complete table if applicable):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

6. The following recorded interests are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

7. I request that the following textual qualifications on the registered interest in the above-noted parcel be changed (*insert N/A if not applicable*):

Textual qualification on title to be removed (<i>insert any existing textual description being changed, added to or altered in any way</i>)	
Expiry date of qualification (if applicable)	
Textual qualification on title to be added (<i>insert replacement textual description</i>)	

8. It is appropriate to rectify the parcel registration as certified in this request.

Certified at _____, in the County of _____, Province of Nova Scotia, on _____, 2 _____.

Signature of eligible lawyer

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Form 18

Application by Owner to Registrar General for Review of Registrar's Refusal to Revise or Rectify a Registration

Land Registration Act, S.N.S. 2001, c. 6, subsection 18(14) and Land Registration Administration Regulations, subsection 10A(3)

(Instrument type: 840)

Registrant user number: _____

Registration district: _____

Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the request to (*select one*) revise/rectify the registration of the above-noted parcel:

Take notice that the registered owner hereby applies to the Registrar General for a review of the registrar’s refusal to (*select one*) revise/rectify the registration of the above-noted parcel.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Witness (*Barrister/Commissioner*)

Signature of registered owner/agent(s)
Name: _____
Address: _____

Phone: _____
Email: _____
Fax: _____

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(*Insert stamp of name or print name legibly.*)

Form 19

Certificate of *Lis Pendens*

*Land Registration Act, S.N.S. 2001, c. 6, subsection 18(16) and Section 58
Land Registration Administration Regulations, subsections 10A(6) and (11)*

(Instrument type: 826)

Registrant user number: _____
Registration district: _____
Submitter’s name/firm: _____

In the matter of Parcel Identification Number (PID):

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of registered owner _____:

Take notice that an action was commenced in the Supreme Court of Nova Scotia on _____,
2_____, between:

Plaintiff: _____
 and
 Defendant: _____
 Court file No.: _____

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of Prothonotary

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 20
Request to Update the Name or Address of a Judgment Debtor
Land Registration Administration Regulations, subsection 18(3)

(Instrument type: 713)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of judgment debtor (*insert name*) _____;

And in the matter of an update of the name or address of the judgment debtor;

And in the matter of a certificate of judgment recorded in the judgment roll as document/instrument number (*insert document/instrument number/year; include book/page if applicable*) _____, with the address of the judgment debtor shown as (*insert address*) _____;

And in the matter of Parcel Identification Number (PID) (*if applicable*)

PID:
PID:
(<i>Expand box for additional PIDs.</i>)

Take notice that (*select one*)

- the (*select one*) name/name and address/address of the judgment debtor is/are incorrect.
- the (*select one*) name/name and address/address of the judgment debtor is/are incomplete and should be updated.

And further take notice that a request is hereby made to the registrar to change the (*select one*) name/name and address/address of the judgment debtor as follows: _____

And further take notice that attached is my affidavit confirming that the change of the (*select one*) name/name and address/address of the judgment debtor is appropriate.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of judgment creditor
Name: _____
Address: _____
Phone: _____
Email: _____
Fax: _____

Affidavit

I, _____, of _____, in the County of _____, Province of Nova Scotia, make oath and say as follows:

- 1. I am the judgment creditor named in the certificate of judgment recorded in the judgment roll as document/instrument number (insert document/instrument number/year; include book/page if applicable) _____.
2. The person named as the judgment debtor in the above-noted certificate of judgment is the same person referred to in the attached Request to Update the Name or Address of a Judgment Debtor.
3. It is appropriate to update the (select one) name/name and address/address of the judgment debtor contained in the above-noted certificate of judgment as indicated on the attached Request to Update the Name or Address of a Judgment Debtor.

Sworn to at _____, in the)
County of _____,)
Province of Nova Scotia, on _____)
_____, 2__ before me,)
)
)
A Barrister/Commissioner of the)
Supreme Court of Nova Scotia)

(Type name of judgment creditor below line.)

Form 21

Request to Revise the Name of the Registered Owner or Interest Holder

Land Registration Act, S.N.S. 2001, c. 6, subsection 22(1) and Section 27
Land Registration Administration Regulations, subsection 14(5) and Section 16

(Instrument type: 109)

Registrant user number: _____
Registration district: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

(Select one):

And in the matter of document reference (*insert document/instrument number/year; include book/page if applicable*) _____;

And in the matter of the change of name or a misspelling of the name of the (*select one and insert name*) registered owner/interest holder _____:

Take notice that the name of the (*select one*) registered owner/interest holder (*select one*) has changed/was misspelled in a registered or recorded instrument and a request is hereby made to the registrar that the name of the (*select one*) registered owner/interest holder in the above-noted parcel(s) be changed as described in the attached affidavit.

-Or-

And in the matter of the death of a joint tenant (*insert name of deceased joint tenant*) _____, owner of a registered interest in the above-noted parcel(s):

Take notice that the above-noted joint tenant is deceased and a proof of death is attached to my Affidavit of Death of Joint Tenant.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of registered owner/interest holder/agent

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Affidavit of Name Change/Misspelling/Death of Joint Tenant

I, _____, of _____, in the County of _____, Province of Nova Scotia, make oath and say as follows:

1. I am the/a (*select one*) registered owner/interest holder of an interest in the parcel(s) identified as PID(s) _____.

(*Select one paragraph 2*):

2. On _____, 2_____ I changed my name from _____ to _____.

-Or-

2. My name was misspelled on the deed or other instrument registered or recorded as document/instrument number _____.

-Or-

2. (*Insert name of deceased joint tenant*) _____, a joint tenant in the parcel, is deceased and the proof of death is attached to this affidavit.

(Select one paragraph 3.)

For use by an individual who has changed his/her name:

3. I have changed my name by (select one and use as much space as necessary to explain):

- Common law usage (provide particulars of usage) _____
- Order of the Court (specify type of Order) _____
- Other means (specify and provide particulars) _____

- Or -

For use by a company that has changed its name:

3. The company has changed its name by (select one):

- Amalgamation (attach certificate or order)
- Application to the Registry of Joint Stock Companies (or equivalent) (attach certificate of name change)

- Or -

For use where there was a misspelling on a cover page, in an application for registration, or in another non-registered instrument:

3. My name was misspelled in the (specify the instrument type and document/instrument number) _____ and the correct spelling of my name is _____.

- Or -

For use on the death of a joint tenant:

3. By virtue of the death of (insert name of deceased joint tenant) _____, I hereby request that his/her name be removed as an owner of the above-noted PID, and that the manner of tenure of the PID be changed as follows:

Manner of tenure (if applicable)	
Owner/registered interest holder by right of survivorship	
New address (if applicable)	

Sworn to at _____, in the)
 County of _____,)
 Province of Nova Scotia, on _____)
 _____, 2__ before me,)
 _____)
 _____)
 A Barrister/Commissioner of the)
 Supreme Court of Nova Scotia)

 (Type name of owner/agent/interest holder below line.)

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 22
Change of Address

Land Registration Act, S.N.S. 2001, c. 6, subsection 77(3)

Registrant User Number: _____

Registration District: _____

Submitter's Name/Firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

And in the matter of document/instrument (insert document/instrument number/year; include book/page if applicable) (for names-based roll—include all instruments affected by the change of address)

_____;

And/or in the matter of (select one and insert name) the registered owner/a recorded interest holder

_____;

Take notice that (select one)

- I am the above-noted registered owner/agent.
- I am the above-noted recorded interest holder/agent.

And further take notice that I have reviewed the address information contained in *Property Online* and hereby request that my address be changed as follows (please print or type):

New address: _____

And further take notice that I understand that this address must be used to serve all notices and documents requiring service under the *Land Registration Act*.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2____.

Signature of owner/interest holder/agent
Name: _____
Address: _____

Phone: _____
Email: _____
Fax: _____

NRI File Number _____ (for internal use only)
 Back-title reference number (*insert AFR bundle number for previously-submitted back-title*) _____

Form 23

Application for Registration Supporting Documents Cover Page
Land Registration Act, S.N.S. 2001, c. 6, Section 37
Land Registration Administration Regulations, clauses 9(4)(a) and 15(2)(a)

Registration district: _____

Registrant user number: _____

Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(<i>Expand box for additional PIDs.</i>)

Note: In order to list multiple PIDs, all PIDs must be referenced in the abstract.

And in the matter of the migration of the above-noted parcel(s) to the land registration system:

Take notice that the following required documents are attached:

- (a) abstract of title;
- (b) Opinion of Title (Form 8); and
- (c) Owner's Declaration Regarding Occupation of Parcel and Residency Status (Form 5).

And further take notice that (*select one*)

- a signed copy of Statement of Registered and Recorded Interests (Form 29) is attached.
- Form 29 is not submitted with this application because this an application to change an unregistered tenant in common interest holder to a registered tenant in common interest holder.

And further take notice that the following additional documents are attached (*check all applicable and attach*):

- Authorization to Submit Parcel Description Certification Application and/or Application for Registration (Form 4)
- Notice of Parcel Registration (Form 9)

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of authorized lawyer

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Form 24

Request to Revise the Registration and Certificate of Legal Effect

Land Registration Act, S.N.S. 2001, c.6, subsection 18(13)

Land Registration Administration Regulations, subsections 8(1), 8(2), 14(2), 15(2) and 17(4)

Registration district: _____

Registrant user number: _____

Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

(check if appropriate) This transfer relates to a portion of the above-noted consolidated parcel.

Take notice that the *(select one)* transferee/tenant in common interest holder hereby requests a revision of the registration of the above-noted parcel(s), as set out below.

(Optional) **And further take notice that** the attached document is signed by an attorney for a person under a power of attorney, and the power of attorney is *(select one or more)*

- recorded in the attorney roll
- recorded in the parcel register
- incorporated in the document

I hereby certify that *(select one paragraph 1)*

1. The legal description of the parcel contained, or referred to, in the attached document is identical to the legal description contained in the parcel register for the property.

-Or-

1. This revision relates to the registration of a tenant in common interest that has not been registered under the *Land Registration Act*, and accordingly the legal description contained in the parcel register for the property applies.

-Or-

1. This revision is effected by a document that does not include a legal description, and accordingly the legal description contained in the parcel register for the property applies.

2. By virtue of the attached document, the following registered interests are changed in the parcel's registration *(insert N/A if not applicable)*:

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

Manner of tenure (if applicable)	
Description of mixture of tenants in common and joint tenancy (if applicable)	
Access type to be removed (if applicable)	
Access type to be added (if applicable)	
Non-resident (to eligible lawyer's information and belief) (Yes/No?)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

3. By virtue of the attached document, the following tenant in common interests not registered under the *Land Registration Act* are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Percentage of interest held	
Mailing address of interest holder added (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

4. After reviewing the judgment roll with respect to the current registered owner(s) of the registered interest in the parcel, the following judgments are incorporated into the parcel register (*if no judgments enter "Nil"*):

Instrument Type / Code	Interest Holder Type	Interest Holder/Mailing Address	Names-Based Roll Reference (if applicable)

5. By virtue of the attached document, the following benefits (e.g. right of way benefits) are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

<p>Servient tenement parcel(s) (<i>list all affected PIDs</i>): Note: <i>If the servient tenement parcel is not registered under the Land Registration Act, you must attach an abstract of title for the servient tenement parcel and a Form 8 Opinion of Title as required by the Land Registration Administration Regulations subsection 8(2).</i></p>	
---	--

- By virtue of the attached document, the following related burdens are added to the servient tenement parcel(s) listed above (*check box and complete table if applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) Note: <i>include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

6. By virtue of the attached document, the following burdens (e.g. right of way in favour of another person or parcel) are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) Note: <i>include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

- By virtue of the attached document, the following related benefits are added to the dominant tenement parcel(s) (*insert PID(s) for dominant tenement parcel(s)*) _____ (*check box and complete table if applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) Note: <i>include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

7. By virtue of the attached document, the following recorded interests are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
-----------------------------	--

Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

8. I request that the following textual qualifications on title in the above-noted parcel be changed (*insert N/A if not applicable*):

Textual qualification on title to be removed (<i>insert any existing textual qualification being changed, added to or altered in anyway</i>)	
Expiry date of textual qualification on title (if applicable)	
Textual qualification on title to be added (<i>insert replacement textual description</i>)	
Instrument type: 838 (<i>to be used if there is no document attached; insert N/A if an enabling instrument is attached</i>)	

9. The following is the reason for the requested revision to the textual qualifications on title (*for use when no document is attached*):

10. It is appropriate to revise the parcel registration for the indicated PIDs as certified in this request.

Certified at _____, in the County of _____, Province of Nova Scotia,
 _____, 2 _____.

 Signature of eligible lawyer
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 25
Direction to Revise Registration
Land Registration Act, S.N.S. 2001, c. 6, Sections 29-32
Land Registration Administration Regulations, subsections 14(3) and 14(4)

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
<i>(Expand box for additional PIDs.)</i>

Take notice that the attached document directs the registrar to revise the registration of the above-noted parcel(s)

(select one)

- expropriation (LRA s. 29)
- receiving order or assignment in bankruptcy (LRA s. 30)
- tax deed (LRA s. 31)
- judgment or order of a court (LRA s. 32(1)(a))
- enactment of Canada or the Province or an order in council (LRA s. 32(1)(b))
- order, judgment or certificate issued under the *Land Titles Clarification Act* or the *Quieting Titles Act* (LRA s. 32(1)(d))
- other instrument or proceeding (including the purchase of the land by a person at a judicial sale from someone other than the registered owner) (LRA s. 32(1)(c)&(e))

I hereby certify that *(select one paragraph 1)*

1. The legal description of the parcel contained, or referred to, in the attached document is identical to the legal description contained in the parcel register for the property.

-Or-

1. This revision is effected by a document that does not include a legal description, and accordingly the legal description contained in the parcel register for the property applies.
2. By virtue of the attached document, the following registered interests are changed in the parcel's registration *(insert N/A if not applicable)*:

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Manner of tenure (if applicable)	
Description of mixture of tenants in common and joint tenancy (if applicable)	
Access type to be removed (if applicable)	

Access type to be added (if applicable)	
Non-resident (to eligible lawyer's information and belief) (Yes/No?)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

3. By virtue of the attached document, the following tenant in common interests not registered under the *Land Registration Act* are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Percentage of interest held	
Mailing address of interest holder added (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

4. After reviewing the judgment roll with respect to the current registered owner(s) of the registered interest in the parcel, the following judgments are incorporated into the parcel register (*if no judgments enter "Nil"*):

Instrument Type / Code	Interest Holder Type	Interest Holder/Mailing Address	Names-Based Roll Reference (if applicable)

5. By virtue of the attached document, the following benefits (e.g. right of way benefits) are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Servient tenement parcel(s): (List all affected PIDs) <i>Note: If the servient tenement parcel is not registered under the Land Registration Act, you must attach an abstract of title for the servient tenement parcel and a Form 8 Opinion of Title as required by the Land Registration Administration Regulations subsection 8(2).</i>	

- By virtue of the attached document, the following related burdens are added to the servient tenement parcel(s) listed above (*check box and complete table if applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

6. By virtue of the attached document, the following burdens (e.g. right of way in favour of another person or parcel) are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

- By virtue of the attached document, the following related benefits are added to the dominant tenement parcel(s) (*insert PID(s) for dominant tenement parcel(s)*) _____ (*check box and complete table if applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	

7. By virtue of the attached document, the following recorded interests are changed in the parcel's registration (*insert N/A if not applicable*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	

Mailing address of interest holder added (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

8. I request that the following textual qualifications on title in the above-noted parcel be changed (*insert N/A if not applicable*):

Textual qualification on title to be removed (<i>insert any existing textual description being changed, added to or altered in anyway</i>)	
Expiry date of textual qualification on title (if applicable)	
Textual qualification on title to be added (<i>insert replacement textual description</i>)	
Instrument type: 838 (<i>to be used if there is no document attached; insert N/A if a document is attached</i>)	

9. The following is the reason for the requested revision to the textual qualifications on title (*for use when no document is attached*):

10. It is appropriate to revise the parcel registration for the indicated PIDs as certified in this direction.

Certified at _____, in the County of _____, Province of Nova Scotia,
 _____, 2 _____.

 Signature of eligible lawyer
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 26
Request to Record an Interest
Land Registration Act, S.N.S. 2001, c.6, Section 47

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

Take notice that the undersigned hereby requests that the registrar record the attached document in the above parcel register(s) as specified (*select one only*):

- parcel register as a recorded interest
- parcel register as a non-enabling instrument (*e.g. retracement plan*)
- parcel register as a tenant in common interest not registered under the *Land Registration Act* (*for use with not for value transfer of unregistered tenant in common interest*).

-Or-

In the matter of the recording of a judgment-related document (*e.g. assumption, postponement or amendment*) in the judgment roll:

Take notice that the undersigned hereby requests that the registrar record the attached document in the judgment roll.

-Or-

In the matter of a general power of attorney that was recorded under the *Registry Act* and needs to be duplicated in the power of attorney roll or the recording of a general power of attorney in the attorney roll:

Take notice that the undersigned hereby requests that the registrar record the attached document in the power of attorney roll.

And further take notice that the following information relates to the interest being added/duplicated (*select one*):

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable) (includes judgment creditor or grantee of power of attorney)	
Name and mailing address of judgment debtor or power of attorney grantor/donor to be added (if applicable)	
Name and mailing address of judgment creditor or power of attorney grantee/donee (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable) (<i>for power of attorney to be duplicated, insert document/instrument number/year; include book/page if applicable</i>)	

(Optional) **And further take notice that** the attached document is signed by an attorney for a person under a power of attorney, and the power of attorney is (select one or more)

- recorded in the attorney roll
- recorded in the parcel register
- incorporated in the document

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of interest holder/agent
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 27
Request to Cancel the Recording of an Interest
Land Registration Act, S.N.S. 2001, c. 6, subsection 51(4) and clause 57(1)(b)
Land Registration Administration Regulations, Sections 20 and 22

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

And in the matter of the interest described in the attached document, which releases the interest recorded in the (select one)

- parcel register
- judgment roll
- power of attorney roll

Take notice that the undersigned interest holder hereby requests that the registrar cancel the recording of the interest as identified in the attached document and as set out below:

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	

Reference to related instrument in a names based roll or parcel register <i>(insert document/instrument number/year; include book/page if applicable)</i>	
--	--

(Optional) and further take notice that the attached document is signed by an attorney for a person under a power of attorney, and the power of attorney is *(select one or more)*

- recorded in the attorney roll
- recorded in the parcel register
- incorporated in the document

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

	Signature of interest holder/agent
	Name: _____
	Address: _____

	Phone: _____
	Email: _____
	Fax: _____

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 28
Cover Page for Plans Affecting Registered Parcels
Land Registration Act, S.N.S. 2001, c. 6

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

Municipal file number or land registration file number *(insert file number used when PIDs were originally assigned during pre-approval):* _____

In the matter of a plan filed under the *Land Registration Act*;

And in the matter of registered owner *(insert name)* _____:

Take notice that the attached plan relates to the following parcels registered under the *Land Registration Act*:

Parent Parcels	New Parcels
PID:	PID:
PID:	PID:
<i>(Expand box for additional PIDs.)</i>	<i>(Expand box for additional PIDs.)</i>

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of applicant/municipal official
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Form 29
Statement of Registered and Recorded Interests
Land Registration Administration Regulations, clause 9(4)(f)
 (System Generated)

Effective date/time: _____
 Registration district: _____
 AFR number: _____

Parcel information

Parcel identification number (PID): _____
 Civic address and lot number: _____
 General location of the parcel: _____
 Parcel access type: _____

Registered owner's information

Owner name: _____
 Qualifier: _____
 Interest type: _____
 Document reference: _____
 Instrument type: _____
 Address of owner: _____
 Non-resident of Nova Scotia: _____
 (repeated for additional owners)

Manner of tenure:

Manner of tenure: _____
 Description of tenure: _____

Benefits to the registered interests

Interest holder name: _____
 Qualifier: _____
 Interest type: _____
 Document reference: _____
 Instrument type: _____
 Address of interest holder: _____

 (repeated for additional benefit holders)

Burdens on the registered interests

Interest holder name: _____
 Qualifier: _____
 Interest type: _____

Document reference: _____
 Instrument type: _____
 Address of interest holder: _____

(repeated for additional burden holders)

Textual qualifications on title

Tenants in common not registered under the *Land Registration Act*

Interest holder name: _____
 Qualifier: _____
 Interest type: _____
 Document reference: _____
 Instrument type: _____
 Address of interest holder: _____

(repeated for additional tenants in common)

Recorded interests and instruments

Name of interest holder: _____
 Qualifier: _____
 Interest type: _____
 Document reference: _____
 Instrument type: _____
 Expiry date: _____
 Address of interest holder: _____

(repeated for additional recorded interest holders)

Non-enabling instruments

Document reference: _____
 Instrument type: _____
 Plan reference: _____

Limitations on registration:

The registered owner of the registered interest owns the interest defined in this register in respect of the parcel described in the register, subject to any discrepancy in the location, boundaries or extent of the parcel and subject to the overriding interests (*Land Registration Act*, subsection 20(1)).

No representations whatsoever are made as to the validity or effect of recorded documents listed in this parcel register. The description of the parcel is not conclusive as to the location, boundaries or extent of the parcel (*Land Registration Act*, subsection 21(1)).

If there are names listed as tenant in common interest holders that are not registered under the *Land Registration Act*, these names have been obtained from *Property Online* and have not been searched for completeness or accuracy. No representations or opinions are made with respect to these tenants in common. The list of tenants in common not registered under the *Land Registration Act* cannot be relied upon as advice on the current state of title of those interests in this parcel. A search of the records at the appropriate land registration office is required to determine the current owner(s) of the tenants in common not registered under the *Land Registration Act*.

To be signed and submitted with
Application for Registration Supporting Documents Cover Page (Form 23)
Land Registration Administration Regulations, clauses 9(4)(a) and (f)

I confirm that

- (a) I am the person who submitted the Application for Registration (AFR) registering the above-noted parcel;
and
- (b) the above information accurately reflects the information contained in the AFR.

Signature of authorized lawyer
Name: *(system generated)*

CERTIFICATE OF REGISTERED OWNERSHIP

Land Registration Act, S.N.S. 2001, c. 6, subsection 13(5)

This is to certify that

is/are the registered owner(s) of the parcel located at _____
in the County of _____
and known as parcel identification number _____.

Certified at *(insert time)* _____ on _____, 2____.

Registrar General of Land Registration

Form 30

Form 31

Notice of Registration for Grantor Grantee Index

Land Registration Act, S.N.S. 2001, c. 6, Section 43
(System Generated)

(Instrument type: 805)

Registration district _____

In the matter of Parcel Identification Number (PID) _____;

And in the matter of *(insert name of owner before registration)* _____;

And in the matter of the parcel located at *(insert civic number, street, community, lot number if available)*
_____:

Take notice that the above-noted parcel was registered under the *Land Registration Act* on (insert date of registration of the parcel) _____ at (insert time of registration of the parcel) _____.

And further take notice that the *Registry Act* no longer applies to the parcel, except with respect to the interpretation of documents recorded under the *Registry Act*.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of Registrar

Form 32
Order to the Registrar to Register the Title
Land Registration Act, S.N.S. 2001, c. 6, Section 42

(Instrument type: 412)

To the registrar for registration district: _____

Registrant user number: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

In the matter of _____, the most recent holder of the above-noted parcel(s) as shown on the consolidated index that is maintained under the *Registry Act*:

Upon it appearing that the above-noted parcel(s) should be brought under the operation of the *Land Registration Act*;

And upon it appearing that the title to the parcel should be registered without a formal application and without complying with some or all of the requirements of the Act;

And upon it appearing that the necessary supporting information has been provided;

You are hereby ordered to register the title to the above-noted parcel(s) upon receipt of the application for registration.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of Registrar General

Form 33
Registrar's Cancellation of Recorded Interest or Judgment
Land Registration Act, S.N.S. 2001, c. 6, subsection 63(4)
Land Registration Administration Regulations, subsection 24(4)

(Instrument type: 825)

Registration district: _____

Registrant user number: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the interest or judgment described as *(insert name of interest holders)*
_____ and set out in document/instrument number/year at book/page _____;

And in the matter of the registered owner's notice requiring cancellation of the above-noted recorded interest or judgment:

Upon having read the registered owner's notice requiring cancellation of recorded interest or judgment and affidavit of service, which establishes that

- (a) the above-noted recorded interest is invalid with respect to the parcel;
- (b) 60 days have expired after service of notice on the holder of the above-noted interest and all others required to be served;
- (c) no certificate of *lis pendens* has been recorded by any person certifying that proceedings in the Supreme Court of Nova Scotia have been commenced to substantiate the above-noted recorded interest; and
- (d) the person who caused the notice to be served is the registered owner of the parcel.

Take notice that the recorded interest described in the above-noted document and recorded in the above-noted parcel register is hereby cancelled.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar

Form 34
Stop Order
Land Registration Act, S.N.S. 2001, c. 6, subsection 56(2)

(Instrument type: 801)

A stop order against a parcel is recorded in the parcel register.

(Instrument type: 802)

A stop order against a person is recorded in the judgment roll.

Registration district: _____

Registrant user number: _____

In the matter of (insert name of person): _____

-Or-

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

It is hereby ordered that (select one)

- no further registrations or recordings be made with respect to the above-noted parcel.
- no further registrations or recordings be made with respect to documents to which the above-noted person is a party.
- no further registrations or recordings be made with respect to documents presented by, prepared by or certified by the above-noted person.

In accordance with subsection 56(2) of the Act, no further registration or recording may be made contrary to this order and no certificate of registered ownership may be issued with respect to the above-noted parcel until this order has been rescinded.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar General

Form 35

Rescission of Stop Order

Land Registration Act, S.N.S. 2001, c. 6, subsection 56(3)

(Instrument type: 803)

A rescission of stop order against a parcel is recorded in the parcel register.

(Instrument type: 804)

A rescission of stop order against a person is recorded in the judgment roll.

Registration district: _____

Registrant user number: _____

In the matter of (insert name of person): _____

-Or-

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

Take notice that the stop order against the above-noted (select one) person/parcel dated _____,
2____, is hereby rescinded.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar General

Form 36
Notice of Registrar's Proposed Rectification
Land Registration Administration Regulations, clause 10A(8)(b)

(Instrument type: 808)

Registration district: _____

Registrant user number: _____

To the registered owner (*insert name and mailing address*):

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

Take notice that (*select one*)

- the (*select one*) registration/revision of registration of the above-noted parcel was made in error.
- the (*select one*) registration/revision of registration of the above-noted parcel contains an error
- an error was made on the Application for Registration.

And further take notice that the registrar hereby initiates the rectification of the (*select one*) registration/revision of registration of the above-noted parcel and that the proposed rectification has been submitted to the Registrar General for determination within 30 days.

And further take notice that the details of the rectification are as follows:

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder added (if applicable)	
Manner of tenure (if applicable)	
Access type to be removed (if applicable)	
Access type to be added (if applicable)	
Reference to related instrument in names-based roll/parcel register (if applicable)	

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar

Form 37
Notice of Registrar General's Confirmation of Registrar's Proposed Rectification
Land Registration Act, S.N.S. 2001, c. 6, subsection 18(16) and
Land Registration Administration Regulations, subsection 10A(6)

(Instrument type: 820)

Registration district: _____

Registrant user number: _____

Expiry date of this instrument (if applicable): _____

To registered owner/agent (*insert name and mailing address*):

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the registrar's proposed rectification of the registration of the above-noted parcel(s) as evidenced by the recording of a Notice of Registrar's Proposed Rectification in Form 36;

Take notice that the Registrar General hereby confirms the registrar's proposed rectification of the registration of the above-noted parcel(s),

And further take notice that if you wish to oppose the confirmation of the registrar's proposed rectification, within 30 days from the date of service of this notice you are required to:

- (a) commence proceedings in the Supreme Court of Nova Scotia, and
- (b) record a Certificate of *Lis Pendens* in Form 19 with the registrar.

And further take notice that if no Certificate of *Lis Pendens* is recorded within 30 days of this notice, you are required to submit a Request by Owner for Rectification and Certificate of Legal Effect in Form 17 requesting the rectification of the parcel as proposed by the registrar.

And further take notice that upon receipt of the Form 17 the registrar will rectify the parcel as proposed and cancel all notices pertaining to the registrar's proposed rectification.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar General

Form 38
Cancellation of Recording of Registrar's Proposed Rectification
Land Registration Administration Regulations, subsection 10A(10)

(Instrument type: 812)

Registration district: _____
Registrant user number: _____

To the registered owner/agent (*insert name and mailing address*):

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the registrar's proposed rectification recorded as document/instrument number/year _____.

Take notice that the Registrar General has refused to accept the registrar's proposed rectification of the (*select one*) registration/revision of registration of the above-noted parcel.

And further take notice that the recording of the Notice of Registrar's Proposed Rectification is hereby cancelled.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2____.

 Signature of Registrar

Form 39
Notice of Registrar General's Confirmation of Registrar's Refusal to Revise or Rectify
Land Registration Act, S.N.S. 2001, c. 6, subsection 18(16) and
Land Registration Administration Regulations, subsection 10A(6)

(Instrument type: 820)

Registration district: _____
Registrant user number: _____
Expiry date of this instrument (if applicable): _____

To registered owner/agent (*insert name and mailing address*):

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the registered owner/agent's request to (*select one*) revise/rectify the registration of the above-noted parcel(s);

And in the matter of the registrar's refusal to (*select one*) revise/rectify the registration as evidenced by the recording of a Notice of Request and Refusal by Registrar to Revise or Rectify a Registration;

And in the matter of the registered owner/agent's application to the Registrar General for a review of the registrar's refusal to (*select one*) revise/rectify the registration as requested:

Take notice that the Registrar General hereby confirms the registrar's refusal to (*select one*) revise/rectify the registration of the above-noted parcel(s).

And further take notice that if you wish to oppose the confirmation of the registrar's refusal to (*select one*) revise/rectify the registration of the above-noted parcel, within 30 days from the date of service of this notice you are required to:

- (a) commence proceedings in the Supreme Court of Nova Scotia, and
- (b) record a Certificate of *Lis Pendens* in Form 19 with the registrar.

And further take notice that if no Certificate of *Lis Pendens* is recorded within 30 days of this notice, the parcel will not be (*select one*) rectified/revised and the registrar will cancel all notices pertaining to the registered owner/agent's request to (*select one*) revise/rectify the registration.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar General

Form 40

Notice of Request and Refusal by Registrar to Revise or Rectify a Registration

Land Registration Act, S.N.S. 2001, c. 6, subsections 18(13) and
Land Registration Administration Regulations, clause 10A(2)(b)

(Instrument type: 806)

Registration district: _____

Registrant user number: _____

Expiry date of this instrument (if applicable): _____

To the registered owner/agent (*insert name and mailing address*):

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

And in the matter of the registered owner/agent's request to (*select one*) revise/rectify the registration of the above-noted parcel(s).

And in the matter of the attached (*select one*) Form 17/Form 24/Form 25.

Take notice that the request to (*select one*) revise/rectify the registration of the above-noted parcel(s) has been refused by the registrar.

And further take notice that you have 30 days from the date of this notice to apply to the Registrar General for a review of the registrar's decision to refuse the request for (*select one*) revision/rectification.

And further take notice that if you do not apply for a review of the registrar's decision with 30 days, the registrar will cancel the recording of this Notice of Request and Refusal by Registrar to (*select one*) Revise/Rectify a Registration and the registration of the above-noted parcel will not be (*select one*) revised/rectified.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar

Form 41

Refusal of Request to Revise or Rectify a Registration and Cancellation of Form 40

Land Registration Act, S.N.S. 2001, c. 6, subsections 18(15) and 18(16) and

Land Registration Administration Regulations, subsections 10A(4) and (7)

(Instrument type: 851)

Registration district: _____

Registrant user number: _____

To the registered owner/agent (*insert name and mailing address*):

In the matter of Parcel Identification Number (PID)

PID:
PID:
(<i>Expand box for additional PIDs.</i>)

And in the matter of the registered owner/agent's request for (*select one*) revision/rectification;

And in the matter of the recording of a Notice of Request and Refusal by Registrar to Revise or Rectify a Registration:

Take notice that (*select one*)

- 30 days has passed since the registrar denied the above-noted request for (*select one*) revision/rectification, and the person who requested the (*select one*) revision/rectification has not applied to the Registrar General for review of the registrar's decision.
- 30 days has passed since the Registrar General confirmed the registrar's decision to deny the request for (*select one*) revision/rectification, and the person who requested the review of the registrar's decision has not filed a Certificate of *Lis Pendens*.

And further take notice that the registrar hereby cancels the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar

Form 42
Approval of Request to Revise or Rectify and Cancellation of Form 40
Land Registration Administration Regulations, subsection 10A(5)

(Instrument type: 845)

Registration district: _____

Registrant user number: _____

To the registered owner/agent (*insert name and mailing address*):

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the registered owner/agent's request to (*select one*) revise/rectify the registration of the above-noted parcel(s);

And in the matter of the registrar's refusal to (*select one*) revise/rectify the registration of the above-noted parcel(s) and the registered owner/agent's request for a review of the refusal:

Take notice that the Registrar General approves the registered owner/agent's request to (*select one*) revise/rectify the registration of the above-noted parcel(s).

And further take notice that the recording of the Notice of Request and Refusal by Registrar to Revise or Rectify a Registration is cancelled.

And further take notice that the registrar must rectify or revise the registration as requested by the registered owner/agent.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of Registrar General

Form 43
Notice of Intent to Cancel Subdivision
Land Registration Act, S.N.S. 2001, c. 6, subsection 18(9) and subclause 46(1)(b)(i)
(Internal form to support procedures)

Registration district: _____

To the Development Officer (*insert name and mailing address*): _____

In the matter of Plan Number _____:

Take notice that the above-noted plan does not meet the requirements of the *Municipal Government Act* Section 282A because (*select one*)

- one or all of the existing parcels on the plan or instrument of subdivision have not been registered under the *Land Registration Act*.
- the plan or instrument of subdivision adds or consolidates parcels or areas of land and either the parcel from which land is taken or the parcel to which land is added is not registered under the *Land Registration Act*.

And further take notice that the affected parcels must be registered under the *Land Registration Act* before the subdivision plan can be registered.

And further take notice that failure to register the parcel(s) within 30 days of this notice will result in the subdivision plan being cancelled under subsection 282A(4) of the *Municipal Government Act*.

And further take notice that a notice will be sent to the developer if the plan is cancelled.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of property mapper

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Form 44

Request to the Registrar of Deeds to Register a Document

Land Registration Act, S.N.S. 2001, c. 6, Sections 37 and 46
Land Registration Administration Regulations, subsection 3(6)

Registration district: _____

Registrant user number: _____

Submitter's name/firm: _____

Grantor/declarant/developer re: attached document: _____

Apparent PID (if available): _____

In the matter of Section 37 or 46 of the *Land Registration Act*:

Take notice that the attached document relates to a parcel that is not registered under the *Land Registration Act*, and the document may be accepted for registration under the *Registry Act* because it is (*select one only*)

- not a transfer for valuable consideration as referred to in clause 46(1)(a) of the *Land Registration Act*.
- not a mortgage as defined in clause 2(2)(e) or security interest as defined in clause 2(2)(i) of the *Land Registration Administration Regulations*.
- a transfer of a parcel between persons married to one another.
- a transfer of a parcel between persons formerly married to one another, if the transfer is for the purpose of division of matrimonial assets.
- a transfer of a parcel between persons who are parties to a registered domestic partnership agreement.
- a transfer of a parcel acquired by Her Majesty in right of the Province or a municipality for the purpose of road widening, alignment or movement.

- a deed to a predecessor in title being registered in order to feed the estoppel or clarify title.
- a transfer of an unregistered parcel that is created for the purpose of consolidation with an abutting unregistered parcel, if the parcel being transferred/created is incapable of being approved except as an addition to another parcel.
- a transfer of a parcel from the Nova Scotia Farm Loan Board to a borrower under the *Agriculture and Rural Credit Act*.
- any other instrument not mentioned above that is not a trigger under subsections 37(2) and 37(3) of the *Land Registration Act*.

I hereby request that this document be registered under the *Registry Act*.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Signature of owner/agent/transferee

Name: _____

Address: _____

Phone: _____

Email: _____

Fax: _____

Form 44A

Transitional Exemptions to Land Registration *Land Registration General Regulations, Section 8*

Registration district: _____

Registrant user number: _____

Submitter's name/firm: _____

Grantor/declarant/developer re: attached document: _____

PID (if available): _____

In the matter of Section 8 of the *Land Registration General Regulations*;

And in the matter of (*select one only*)

- a transfer for valuable consideration** completed before the coming into force of the Act in this registration district and presented for registration under the *Registry Act* within 90 days of the coming into force of the Act in this registration district:
- a mortgage or security interest**, if the funds were advanced before the coming into force of the Act in this registration district and it is presented for registration under the *Registry Act* within 90 days of the coming into force of the Act in this registration district:
- a non-family subdivision resulting in 3 or more parcels**, if the plan of subdivision was submitted to the municipality for final approval before the coming into force of the Act in this registration district:
- a condominium registration**, if all the documents necessary for acceptance for registration of a condominium corporation declaration were submitted to the Registrar of Condominiums before the coming into force of the Act in this registration district and the condominium declaration is presented for registration under the *Registry Act* within 90 days of the coming into force of the Act in this registration district:

Take notice that the above-noted transaction occurred on _____, 2_____, which was before the coming into force of the Act in this registration district.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of owner/interest holder/agent/authorized individual
Name: _____
Address: _____
Phone: _____
Email: _____
Fax: _____

Form 44B
Section 46A Certificate of the Registrar General
Land Registration Act, S.N.S. 2001, c. 6, Section 46A

Registration district: _____
Registrant user number: _____

In the matter of an agreement under Section 46A of the *Land Registration Act* that was entered into between (insert name of parcel owner) _____ and the Minister of Service Nova Scotia and Municipal Relations and executed on _____, 2_____:

I hereby certify that the attached instrument may be registered under the *Registry Act* in accordance with the terms of the agreement.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of Registrar General

Form 45
Request to Remove Interests Placed in Parcel Register on Subdivision and Certificate of Legal Effect

Land Registration Act, S.N.S. 2001, c. 6, subsection 23(2) and Land Registration Administration Regulations, subsection 14(7)

(Instrument type: 836)

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

To: the Registrar

In the matter of Parcel Identification Number (PID)

PID:
PID:
(Expand box for additional PIDs.)

I hereby certify that the following interests that were placed in the parcel register on the creation of the (*select one*) infant condominium unit/infant parcel on subdivision do not apply to the (*select one*) infant condominium unit/infant parcel and should be removed from the parcel register, and that it is appropriate to update or revise the parcel register as outlined below:

Instrument type/code	
Interest holder to be removed (if applicable)	
Interest holder type to be removed (if applicable)	

Certified at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

 Signature of eligible lawyer
 Name: _____
 Address: _____
 Phone: _____
 Email: _____
 Fax: _____

Form 46
Certificate of Judgment
(Certificate of Certificate Registration)
Land Registration Act, S.N.S. 2001, c. 6, Section 67
Land Registration Administration Regulations,
 clauses 2(2)(b) and (d) and subsections 18(1) and (2)

Registry of Deeds/LRO Stamp:

(Instrument type: 707)

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

Court file # _____
 Name of court: _____

(Insert title of proceeding/style of cause.)

Judgment creditor information

Name (*must include first and last name; must include middle name or initial if available*):
 (first) _____ (middle) _____ (last) _____
-Or-
Company name: _____

Address (*must include a valid Canada Post mailing address where judgment creditor can be served, and must include the civic address if available*):

Mailing address: Street name and number: _____
 PO box _____ Town: _____
 Province: _____ Postal code: _____

Civic address: *(if different from mailing address)*
 Street name and number: _____
 Town: _____ County/Province: _____

Name of lawyer *(must be included if the creditor is/was represented):* _____

Other information *(must include at least one other piece of information that tends to distinguish the judgment creditor from all others):* _____

Judgment debtor information

Name *(must include first and last name; must include middle name or initial if available):*
 (first) _____ (middle) _____ (last) _____

-Or-

Company name: _____

Address: *(must include a valid Canada Post mailing address where judgment debtor can be served, and must include the civic address if available):*

Mailing address: Street name and number: _____
 PO box _____ Town: _____
 Province: _____ Postal code: _____

Civic address: *(if different from mailing address)*
 Street name and number: _____
 Town: _____ County/Province: _____

Name of lawyer *(must be included if the debtor is/was represented):* _____

Other information *(must include at least one other piece of information that tends to distinguish the judgment debtor from all others):* _____

Debt _____
Interest _____
Cost _____
Judgment _____

I hereby certify that judgment has been entered in the above-noted action for the *(select one and insert name of judgment creditor)* plaintiff/defendant _____, against the *(select one and insert name of judgment debtor)* plaintiff/defendant _____, for *(insert amount of debt)* \$ _____ and pre-judgment interest of \$ _____ and \$ _____ costs of suit; amounting in all to \$ _____.

I further certify that the foregoing is a true abstract of the original judgment in the above-noted action, entered in the records of the court at _____, which judgment was duly signed on _____, 2 _____.

Given under seal of the Court at _____ on _____, 2 _____.

 Signature of (Deputy) Prothonotary

(Insert name, address and contact information for lawyer/individual recording the judgment.)

Name: _____
 Address: _____
 Phone: _____
 Fax: _____
 E-mail: _____

Form 47
Request to Cancel the Recording of a Judgment and Certificate of Satisfaction
Land Registration Act, S.N.S. 2001, c. 6, subsection 68(4)
Land Registration Administration Regulations, clause 22(4)(b)

(Instrument type: 709)

Registration district: _____

Registrant user number: _____

Submitter's name/firm: _____

In the matter of the judgment creditor _____;

-Or-

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

And in the matter of the judgment described in the attached certificate of satisfaction.

Take notice that the undersigned hereby requests that the registrar cancel the recording of the interest as identified in the attached certificate of satisfaction and as set out below:

Instrument type/code	
Interest holder type to be removed	
Book/page and document/year reference of judgment recorded in the judgment roll/parcel register (if applicable)	

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Witness (*Barrister/Commissioner*)

 Signature of interest holder/agent/
 judgment debtor/owner
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

 A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly.)

Court file # _____
Name of court: _____

(Insert title of proceeding/style of cause.)

Certificate of Satisfaction

I hereby certify that the judgment in the above action, signed on _____, 2____, for (enter judgment amount) _____, all inclusive of debts and costs, was fully satisfied by the judgment debtor on _____, 2____.

Certified under the seal of the Court at _____, Nova Scotia, on _____, 2____.

Signature of (Deputy) Prothonotary

Return to:

(Insert name and mailing address lawyer/individual requesting certificate.)

Form 48

Request to Record a Full or Partial Release of Judgment
Land Registration Act, S.N.S. 2001, c. 6, subsection 69(3)
Land Regulation Administration Regulations, clause 22(4)(a)

(Full release instrument type: 709)
(Partial release instrument type: 710)

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

In the matter of the judgment creditor _____;

And in the matter of Parcel Identification Number (PID) (use only when the judgment is listed in a land registration parcel register)

PID:
PID:
(Expand box for additional PIDs.)

And in the matter of (check one)

- a full release of the judgment against (insert name(s) of all judgment debtors being released) _____:
- a full release of the judgment against (insert PID(s) and attach legal description for all the parcel(s) being released) _____:
- a full release of the judgment against (insert name(s) of all judgment debtors being released) _____ and against (insert PID(s) and attach legal description for the parcel(s) being released) _____:
- a partial release of judgment releasing (insert name(s) of those judgment debtors being released) _____:
- a partial release of judgment releasing (insert PID(s) and attach legal description for those parcel(s) being released) _____:

- a partial release of judgment releasing *(insert name(s) of those judgment debtors being released)* _____ and releasing *(insert PID(s) and attach legal description for those parcel(s) being released)* _____:

Take notice that the undersigned hereby requests that the registrar record the release in the judgment roll.

And take notice that the undersigned hereby requests that the registrar cancel the recording of the interest as identified in the attached release of judgment as set out below:

Instrument type/code	
Interest holder and type to be removed	
Book/page and document/year reference of judgment recorded in the judgment roll/parcel register (if applicable)	

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

 Signature of interest holder/agent
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Court File # _____
 Name of Court: _____

(Insert title of proceeding/style of cause.)

(select one) **Full/Partial Release of Judgment**

The judgment creditor hereby releases

- (a) the lands described as PID(s) *(insert all of the PIDs being released from the judgment)* _____; *(select one)* and/or
- (b) the judgment debtor named *(insert the name(s) of all of the judgment debtors who are being released from the judgment)* _____.

from the judgment that was entered against the judgment debtor(s) on _____, 2_____, and recorded at the Registry of Deeds Office/Land Registration Office in _____, Nova Scotia, in *(insert document/instrument number/year; include book/page if applicable)* _____.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

 Signature of interest holder or agent
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

 Witness *(Barrister/Commissioner)*

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly.)

Form 49

Correction of Request to Record an Interest or Cancel the Recording of an Interest
Land Registration Administration Regulations, subsection 4(7)

(Instrument type: 822)

Registration district: _____

Registrant user number: _____

Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

Take notice that *(select one)*

- the *(select one)* Request to Record an Interest in Form 26/Request to Cancel the Recording of an Interest in Form 27 was made in error.
- the *(select one)* Request to Record an Interest in Form 26/Request to Cancel the Recording of an Interest in Form 27 contains an error.

And further take notice that the undersigned interest holder hereby requests that the registrar correct the parcel register in accordance with the information set out below:

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder to be added (if applicable)	
Reference to related instrument in the parcel register (if applicable) <i>(insert document/instrument number/year; include book/page if applicable)</i>	

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Witness (Barrister/Commissioner)

 Signature of interest holder or agent
 Name: _____
 Address: _____

 Phone: _____
 Email: _____
 Fax: _____

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

 A Barrister/Commissioner of the Supreme Court of Nova Scotia
 (Insert stamp of name or print name legibly.)

Form 50
Request to Transfer an Unregistered Tenant in Common Interest in a Parcel
Land Registration Administration Regulations, subsection 15(3)

(Instrument type: 114)

Registration district: _____
Registrant user number: _____
Submitter's name/firm: _____

In the matter of Parcel Identification Number (PID)

PID:
PID:
<i>(Expand box for additional PIDs.)</i>

Take notice that an unregistered tenant in common interest in the above-noted parcel(s) has been transferred for no value as shown on the attached *Municipal Government Act* Affidavit of Value;

And further take notice that the undersigned owner of the unregistered tenant in common interest hereby requests that the registrar update the parcel register(s) in accordance with the information set out below:

Instrument type/code	
Expiry date (if applicable)	
Interest holder and type to be removed (if applicable)	
Interest holder and type to be added (if applicable) <i>Note: include qualifier (e.g. estate of, executor, trustee, personal representative) if applicable</i>	
Mailing address of interest holder to be added (if applicable)	

<p>Reference to related instrument in names-based roll/parcel register (if applicable) <i>(insert document/instrument number/year; include book/page if applicable)</i></p>	
--	--

Dated at _____, in the County of _____, Province of Nova Scotia,
 _____, 2_____.

 Signature of owner of unregistered
 tenant in common interest or agent

Name: _____
 Address: _____

Phone: _____
 Email: _____
 Fax: _____

 Witness (*Barrister/Commissioner*)

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

 A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly.)

N.S. Reg. 226/2004

Made: November 8, 2004

Filed: November 10, 2004

Winter Parking Regulations

Order dated November 8, 2004
 Regulations made by the Deputy Provincial Traffic Authority
 pursuant to Section 202 of the *Motor Vehicle Act*

Winter Parking Regulations
Effective December 13, 2004

Regulations made by the
Deputy Provincial Traffic Authority
pursuant to Section 202 of the Motor Vehicle Act
R.S.N.S. 1989 Chapter 293

Whereas due to the congestion on the streets and highways in the communities as listed on Schedule "A", caused by vehicular and pedestrian traffic and the limitation on the free use of the streets liable to be caused by the presence of snow and ice thereon, I am of the opinion that special conditions exist and I do so declare.

Therefore under the authority of Section 202 of the *Motor Vehicle Act*, as Deputy Provincial Traffic Authority for the Province of Nova Scotia, I make the following temporary Regulations:

- 1 These regulations may be cited as the *Winter Parking Regulations*.

- 2 (1) Notwithstanding that certain traffic signs have been erected in the communities as listed on Schedule "A" prohibiting or permitting vehicles to park or stand upon sections of highway during the hours stated thereon,
- (a) no person shall park upon any highway or street in the communities as listed on Schedule "A" between the hours of one o'clock in the forenoon and the hour of seven o'clock in the forenoon of the same day,
 - (b) no owner, driver or person having control or custody of any vehicle shall park the vehicle if it is unattended by a person authorized to move and capable of operating the same, upon any highway or streets in the communities as listed on Schedule "A", in such a manner as to hinder, inconvenience or prevent the proper removal of snow or ice from such highway or street;
 - (c) no owner, driver or person having control or custody of any vehicle shall during the period from one hour after any snow storm has commenced to two hours after such snow storm has stopped, park the vehicle if it is unattended by a person authorized to move and capable of operating the same, upon any highway or street of the communities as listed on Schedule "A".
- (2) The provision of subsection (1) shall not apply to
- (a) a motor vehicle of a physician or surgeon parked reasonably near their office or residence and immediately available for professional calls;
 - (b) a motor vehicle parked by a physician or surgeon who is actually engaged in their professional occupation and reasonably near where he is so engaged;
 - (c) a motor vehicle parked by an operator who is actually engaged in discharging their duties as a police constable or a member of the police or the armed services;
 - (d) a motor vehicle parked by an operator who is actually engaged in discharging their duties as a member of a fire department;
 - (e) a commercial vehicle parked by an operator for the purpose of loading or unloading merchandise;
 - (f) a motor vehicle belonging to a public utility company or corporation parked reasonably near the residence of an operator and immediately available for emergency calls.
- 3 No owner or person having control or custody of any vehicle which has been parked contrary to these regulations shall leave the same standing or parked upon any highway, street or community as listed on Schedule "A".
- 4 The time referred to shall be the time which is from time to time legally in effect in the Province of Nova Scotia.
- 5 It shall be an offence for any person to fail to comply with these regulations and such person will be liable to a penalty as provided by Section 292 of the *Motor Vehicle Act*.
- 6 These regulations shall be in full force and effect from Monday, the 13th day of December, A.D. 2004, up to and including Monday, the 31st day of March, A.D. 2005.

Dated at Halifax, Nova Scotia, this 8th day of November, 2004.

Sgd: *Bernie Clancey*

Bernie Clancey, P. Eng.

Deputy Provincial Traffic Authority for the Province of Nova Scotia

Schedule "A"

Annapolis County

Aaron Park Subdivision
 Baptist Church Subdivision
 Bonaventure Subdivision
 Bonavista Subdivision
 Bridgetown/Carleton Corner (Route 201)
 Brookside Dr/Pine Grove Crescent
 Clementsport Road
 Forest View Subdivision
 Hidden Valley Subdivision
 Jefferson Subdivision
 Nictaux Flats Subdivision
 Nictaux (Trunk 201)
 Nictaux Falls (Trunk 10)
 Nictaux Falls Road
 Nictaux Road
 Nictaux (Trunk 10)

Orchard Drive
 Paradise (Trunk 1)
 Pleasant Heights Subdivision
 Poplar Grove Subdivision
 Shady Rest Subdivision
 South Street
 Springfield (Trunk 10)
 Streets in Granville Ferry
 Taylor Road
 Torbrook Road
 Village of Bear River
 Village of Lawrencetown
 Ward Estates Subdivision
 Welton Lane
 Whispering Pines Subdivision

Antigonish County

Arbor Drive Extension
 Briery Way
 Brookside Way
 Crockett Court
 Chisholm Drive
 Church Street Extension
 Grandview Drive
 Greenwold Avenue
 Heritage Drive
 Highland Drive Extension
 MacIsaac's Lane
 Mountainview Drive

Ponderosa Drive
 Pottery Lane
 Sylvan Valley Lane
 Sylvan Valley Road
 Tamara Drive
 Townsend Street
 Trinity Lane
 Trotters Lane
 Vincent's Way
 West River Cross Road
 Whisper Avenue
 Wild Horse Drive

Colchester County

Barnhill Subdivision
 Brookfield
 Granville Drive, Onslow
 Hilden
 Londonderry
 Lower Truro
 MacKenzie Subdivision
 Old Halifax Road
 Parks Subdivision
 Princeton Heights Subdivision
 Salmon River
 Sinclair Subdivision
 Townsend Subdivision
 Truro Heights
 Village of Tatamagouche
 Village of Bible Hill

Cumberland County

Athol Road
 Biggs Drive, East Amherst
 D'Orsay Subdivision, East Amherst
 Joggins
 Maccan
 Village of Pugwash
 Village of River Herbert
 Wallace

Digby County

Church Point (Trunk 1)
 Comeauville (Trunk 1)
 Francis Drive
 Meteghan (Trunk 1)
 Point Prim Road
 Saulnierville (Trunk 1)
 Village of Bear River
 Village of Freeport
 Village of Weymouth
 Village of Sandy Cove
 Village of Westport

Guysborough County

Village of Guysborough
 Village of Sherbrooke

Halifax Regional Municipality

Antrim
 Bayside
 Bear Cove
 Beaverbank
 Black Point
 Blind Bay
 Boutilier's Point
 Brookside
 Carrolls Corner
 Chaswood
 Chezzetcook
 Conrad Settlement
 Cooks Brook
 Dean
 Dutch Settlement
 East Chezzetcook
 East Dover
 East Jeddore
 East Lawrencetown
 East Petpeswick
 East Preston
 East Pennant
 East Ship Harbour
 Elderbank
 Elmsdale
 Elmsvale
 Fall River
 Five Island Lake
 French Village
 Gaetz Brook
 Glen Haven
 Glen Margaret
 Goodwood
 Grand Desert
 Grand Lake
 Hacketts Cove
 Halibut Bay
 Hammonds Plains
 Harrietsfield
 Hatchet Lake
 Head of Chezzetcook
 Head Jeddore

Head of St. Margaret's Bay
 Herring Cove
 Hubbards
 Indian Harbour
 Ingramport
 Ketch Harbour
 Lake Echo
 Lake Egmont
 Lake Charlotte
 Lantz
 Lawrencetown
 Lewis Lake
 Lower East Chezzetcook
 Lower Prospect
 Lower Tantallon
 Lower Three Fathom Harbour
 Lower West Jeddore
 McGrath's Cove
 Meaghers Grant
 Middle Musquodoboit
 Middle Porters Lake
 Middle Village
 Mineville
 Moser River
 Musquodoboit Harbour
 Myers Point
 New Road
 Oakfield
 Oldham
 Ostrea Lake
 Peggy's Cove
 Pleasant Point
 Pockwock
 Porters Lake
 Port Dufferin
 Portuguese Cove
 Preston
 Prospect
 Prospect Bay
 Queensland
 Salmon River Bridge
 Sambro

Seabright
 Seaforth
 Shad Bay
 Sheet Harbour
 Sheldrake Lake
 Ship Harbour
 Smith Settlement
 Stillwater Lake
 Tangier
 Tantallon
 Terence Bay
 Three Fathom Harbour
 Upper Lakeville
 Upper Lawrencetown

Hants County

Enfield
 Elmsdale
 Lantz
 Milford
 Shubenacadie
 Lower Nine Mile River
 Mt. Uniacke
 Etter Settlement
 South Uniacke
 Falmouth
 Martock
 Curry's Corner
 Brooklyn
 Three Mile Plains
 Garlands Crossing
 Five Mile Plains
 Newport Station
 St. Croix
 Ellershouse
 East Uniacke

Kings County

Village of Aylesford
 Village of Canning
 Village of Cornwallis Square
 Village of Greenwood
 Village of Kingston
 Village of New Minas
 Village of Port Williams
 Aldershot
 Auburn
 Cambridge
 Centreville
 Coldbrook
 Grand Pre
 Greenwich
 Hants Border
 Kingsport
 Eagle Crest Subdivision

Upper Musquodoboit
 Upper Sackville
 Upper Tantallon
 Watt Section
 Wellington
 West Chezzetcook
 West Dover
 West Jeddore
 West Lawrencetown
 West Pennant
 West Petpeswick
 Whites Lake
 Williamswood
 Yankeetown

Inverness County

Charles MacLean Road
 Cheticamp
 Church Street
 Hilltop Estates
 Kings Road
 Lovers Lane
 Mabou
 Village of Inverness
 Village of Port Hastings

North Alton
 North Kentville
 Blomidon View Subdivision
 Brookside Acres Subdivision
 Lunn's Subdivision
 Pinevale Subdivision
 Canard Acres Subdivision
 Albert McPhee's Subdivision
 Riverside Park Subdivision
 Foley Park Subdivision
 Village Green Subdivision
 Silver Lake Subdivision
 Fox Hill Subdivision
 Lamont Park Subdivision
 Harry Balsor Subdivision
 B. Morton Subdivision
 Fred Thomas Road from Rt. 341 north 0.5 km

Lunenburg
 Village of Chester
 Western Shore
 Village of New Germany

Richmond County
 Village of St. Peter's

Victoria County
 Village of Baddeck

N.S. Reg. 227/2004

Made: November 12, 2004

Filed: November 15, 2004

Proclamation, S. 2, S.N.S. 2004, c. 37

Order in Council 2004-440 made November 12, 2004

Proclamation made by the Governor in Council

pursuant to Section 2

of *An Act to Amend Chapter 1 (1992 Supplement) of
 the Revised Statutes, 1989, the House of Assembly Act*

The Governor in Council on the report and recommendation of the Deputy President of the Executive Council dated October 29, 2004, pursuant to Section 2 of Chapter 37 of the Acts of 2004, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, is pleased to order and declare by proclamation that Chapter 37 of the Acts of 2004, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, come into force on and not before November 12, 2004.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

G/S

ELIZABETH THE SECOND, by the Grace of God,
 of the United Kingdom, Canada and Her Other
 Realms and Territories, Queen, Head of the
 Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
 CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 2 of Chapter 37 of the Acts of 2004, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, it is enacted as follows:

- 2** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 37 of the Acts of 2004, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, come into force on and not before November 12, 2004;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 37 of the Acts of 2004, *An Act to Amend Chapter 1 (1992 Supplement) of the Revised Statutes, 1989, the House of Assembly Act*, come into force on and not before November 12, 2004, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 12th day of November, in the year of Our Lord two thousand and four and in the fifty-third year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 228/2004

Made: November 12, 2004

Filed: November 15, 2004

Proclamation, S. 27, S.N.S. 2004, c. 38

Order in Council 2004-441 made November 12, 2004
Proclamation made by the Governor in Council
pursuant to Section 27
of *An Act to Amend Chapter 6 of the Acts of 2001, the Land Registration Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated November 4, 2004, pursuant to Section 27 of Chapter 38 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 2001, the Land Registration Act*, is pleased to order and declare by proclamation that Chapter 38 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 2001, the Land Registration Act*, come into force on and not before December 1, 2004, and that Section 15 of said Chapter 38 have effect on and after September 24, 2004.

PROVINCE OF NOVA SCOTIA

Sgd: *Myra A. Freeman*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 27 of Chapter 38 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 2001, the Land Registration Act*, it is enacted as follows:

- 27 (1) Subject to subsection (2), this Act comes into force on such day as the Governor in Council orders and declares by proclamation.
- (2) Section 15 has effect on and after September 24, 2004, upon the Governor in Council so ordering and declaring by proclamation.

AND WHEREAS it is deemed expedient that Chapter 38 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 2001, the Land Registration Act*, come into force on and not before December 1, 2004, and that Section 15 of said Chapter 38 have effect on and after September 24, 2004;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 38 of the Acts of 2004, *An Act to Amend Chapter 6 of the Acts of 2001, the Land Registration Act*, come into force on and not before December 1, 2004, and that Section 15 of said Chapter 38 have effect on and after September 24, 2004, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour the Honourable Myra A. Freeman, Lieutenant Governor of the Province of Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 12th day of November, in the year of Our Lord two thousand and four and in the fifty-third year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 229/2004

Made: January 21, 2004

Filed: November 16, 2004

Dairy Farmers of Nova Scotia By-laws

Order dated January 21, 2004
Amendment to regulations made by the Dairy Farmers of Nova Scotia
and approved by the Natural Products Marketing Council
pursuant to clause 15(1)(h) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(h) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on November 27, 2003, made amendments to the *Dairy Farmers of Nova Scotia By-laws* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after January 21, 2004.

Dated and signed at Truro, Nova Scotia, January 21, 2004.

Sgd: *Brian Comeau*
Brian Cameron
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, January 21, 2004.

Sgd: *G. Burris*
George Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendments to the Dairy Farmers of Nova Scotia By-laws
made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(h) of Chapter 24 of the Acts of 2000,
the Dairy Industry Act**

- 1 Section 55 of the Dairy Farmers of Nova Scotia By-laws made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on May 24, 2001, is amended by repealing subsection (1) and substituting the following:
 - (1) DFNS shall cause its accounts to be audited and be provided with an audit report and audited financial statements annually by one or more auditors within 2 months and 15 days after the end of the fiscal year or the DFNS board meeting prior to the Annual General Meeting, whichever is earlier.
- 2 The Dairy Farmers of Nova Scotia By-laws are further amended by adding the following Section immediately following Section 59:

Producer licence suspension or cancellation hearings

- 60 (1) The Board may suspend or cancel a producer licence, in whole or in part, pursuant to Section 10 of the *Milk Producer Licensing Regulation[s]*, by first providing the affected producer with the opportunity for a hearing before the Board.
- (2) Affected producers shall receive written notice of a hearing before the Board, stating the date, time, location and reason for the hearing.
- (3) A processor representative may attend a hearing held pursuant to subsection (2), but shall not vote with respect to matters at issue in the hearing.
- (4) The Board shall notify the processor representative of any Board hearing pursuant to subsection (2).
- (5) The processor representative, subject to procedures set out by the Board, may make representations at a hearing.