

# Royal Gazette



## Part II Regulations under the Regulations Act

*Printed by the Queen's Printer*

Halifax, Nova Scotia

Vol. 27, No. 6

April 4, 2003

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### AVAILABLE SOON

The second issue of the 2003 subscription year of the Folio®-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, will soon be available from the Office of the Registrar of Regulations. For information or subscription please call (902) 424-6723 or visit our website at [www.gov.ns.ca/just/regulations/cd](http://www.gov.ns.ca/just/regulations/cd).

**N.S. Reg. 49/2003**

Made: March 11, 2003

Filed: March 13, 2003

**Fluid Milk Pricing Regulations**

Order dated March 11, 2003  
 made by the Natural Products Marketing Council  
 pursuant to clauses 9(c) and (d) of the *Dairy Industry Act*

The Natural Products Marketing Council, pursuant to clauses 9(c) and (d) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on March 11, 2003, made regulations respecting the pricing of fluid dairy products in the form set forth in Schedule "A", effective March 11, 2003.

The regulations attached as Schedule "A" replace

- (a) the *Fluid Milk Pricing Regulations* made pursuant to clauses 9(c) and (d) of the *Dairy Industry Act* on August 7, 2001; and
- (b) Schedule 9 - Milk Prices for Specified Areas made pursuant to Section 13 of the *Dairy Commission Act* on December 3, 1997.

**Dated and Signed at Truro, Nova Scotia, March 11, 2003.**

Sdg: *G. Burris*  
**George D. Burris**  
 General Manager  
 Natural Products Marketing Council

**Schedule "A"**

**Regulations Respecting the Pricing of Fluid Dairy Products**  
 made by the Natural Products Marketing Council pursuant to clauses 9(c) and 9(d)  
 of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*

**Citation**

1 These regulations may be cited as the *Fluid Dairy Pricing Regulations*.

**Minimum prices**

2 Except as otherwise provided in these regulations, the minimum wholesale and minimum retail prices of milk in containers sold in Nova Scotia from processors to retailers and from retailers to customers must be

(a)	<b>whole milk (including fortified products)</b>	
	20 L	\$27.10
	10 L	13.55
	4 L	5.19
	2 L	2.71
	1 L	1.38
	500 ml	.74
	375 ml	.65
	250 ml	.43
	125ml	.30
	10 ml	.03

(b)	<b>partly skimmed milk (including fortified products)</b>	
	20 L	\$26.90
	10 L	13.45
	4 L	5.19

2 L	2.69
1 L	1.37
500 ml	.73
375 ml	.65
250 ml	.43
125 ml	.30
10 ml	.03

(c) **skim milk (including fortified products)**

20 L	\$26.50
10 L	13.25
4 L	5.19
2 L	2.65
1 L	1.35
500 ml	.72
375 ml	.65
250 ml	.43
125 ml	.30
10 ml	.03

(d) **chocolate milk, chocolate partly skimmed milk and flavoured milk (including fortified products)**

20 L	\$29.90
10 L	14.95
4 L	5.74
2 L	2.95
1 L	1.50
500 ml	.79
375 ml	.75
250 ml	.50

(e) **buttermilk**

2 L	\$2.67
1 L	1.36
500 ml	.68

(f) **blend cream (containing 10% - 17.9% butterfat)**

20 L	\$40.920
10 L	20.460
1 L	2.050
500 ml	1.090
375 ml	.840
250 ml	.560
10 ml	.032

(g) **coffee cream (containing 18% - 34.9% butterfat)**

20 L	\$50.440
10 L	25.220
1 L	2.530
500 ml	1.320
375 ml	.990
10 ml	.037

(h) **whipping cream (containing not less than 35% butterfat)**

1 L	\$4.07
500 ml	2.06
375 ml	1.67
250 ml	1.11

(i) <b>egg nog</b>		
2 L		\$3.65
1 L		1.85
375 ml		.78
250 ml		.52
(j) <b>concentrated milk</b>		
1 L		\$3.22

**Maximum discounts**

3 The maximum discount that may be extended by a distributor to any end user is 10% of the minimum wholesale price.

4 The maximum discount that may be extended by a distributor to any customer other than an end user is 18.5% of the minimum wholesale price.

**Equipment**

5 A processor must not place or replace their equipment with a customer without the prior approval of the Council, unless the equipment is provided

- for a fair, special event, promotion, or special situation on a temporary basis; or
- to a school providing milk under a School Milk Program, administered by the Department of Agriculture and Fisheries.

**N.S. Reg. 50/2003**

Made: March 14, 2003

Filed: March 14, 2003

**Crop Insurance Plan for Spring Grain**

Order in Council 2003-88 dated March 14, 2003  
 Regulations made by the Nova Scotia Crop and Livestock Commission  
 and approved by the Governor in Council  
 pursuant to Section 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated February 13, 2003, and pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, is pleased, effective on and after March 14, 2003, to

- approve the repeal by the Nova Scotia Crop and Livestock Insurance Commission of the *Nova Scotia Crop and Livestock Insurance Plan for Spring Grain* approved by Order in Council 95-21 dated January 3, 1995; and
- approve the making by the Nova Scotia Crop and Livestock Insurance Commission of a new crop insurance plan for spring grain in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

**Schedule "A"**

I certify that at a meeting held June 27, 2001, the Crop and Livestock Insurance Commission, pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, passed motions to

- (a) repeal the *Nova Scotia Crop and Livestock Insurance Plan for Spring Grain* approved by Governor in Council by Order in Council 95-21 dated January 3, 1995; and
- (b) adopt a new crop insurance plan for spring grain in the form attached.

Crop and Livestock Insurance Commission

Per: sgd. *Gerald Post*  
Gerald Post, Manager

Dated and signed at Truro, Nova Scotia, January 13, 2003.

**Regulations Respecting a Crop Insurance Plan for Spring Grain  
made pursuant to Section 6 of Chapter 113 of the  
Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act***

**Citation**

1 These regulations may be cited as the *Crop Insurance Plan for Spring Grain*.

**Purpose**

2 The purpose of this plan is to provide for insurance against a reduction in yield of spring grain resulting from one or more of the perils designated in Section 4.

**Interpretation**

3 In this plan,

- (a) "average insurable yield" means the potential production of spring grain as determined by the Commission from an insured person's yield records over the preceding 10 years, and where the required number of production records are not available, the Commission shall use industry averages indexed to the insured person's records for the missing years and yields shall be buffered to + or - 30% of the industry average, subject to a methodology approved by the Commission;
- (b) "contract of insurance" means a contract in Form 1 of the regulations respecting general (field crop) insurance;
- (c) "designated perils" means the perils designated in Section 4 for the purpose of this plan;
- (d) "final seeding report" means a signed declaration of all planted area of spring grain submitted to the Commission by an insured person pursuant to Section 15;
- (e) "mixed grain" means any seed mixture that is seeded to be harvested for grain and that includes both oats and barley;
- (f) "pedigreed seed" refers to a variety of oats, barley and wheat that has the minimum classification of "Certified" seed issued by the Canadian Seed Growers' Association and that is produced in Nova Scotia only for seed production;
- (g) "spring grain" means varieties of oats, barley, wheat and mixed grain accepted by the Commission for insurance coverage;
- (h) "total guaranteed production" means the total guaranteed production determined pursuant to Section 10.

**Designation of perils**

4 The following are designated as perils for spring grain:

- (a) drought;
- (b) frost;
- (c) hail;
- (d) wind;
- (e) excessive moisture;
- (f) insects;
- (g) plant disease; and
- (h) wildlife.

**Designation of crop year**

5 The crop year for spring grain is the period from March 15 in any year to September 30 of the same year.

**Application**

6 An application for a contract of insurance shall be

- (a) on a Contract of Insurance Application Form in Form A of the *Crop and Livestock Insurance Forms Regulations*;
- (b) accompanied by a premium deposit of at least \$20; and
- (c) filed with the Commission no later than May 1 of the first crop year to be insured.

**Contract of insurance**

7 For the purpose of this plan, the entire contract of insurance shall comprise

- (a) a contract of insurance;
- (b) a completed application filed pursuant to clause 6(a); and
- (c) a copy of this plan,

and if a document referred to in clause (a), (b) or (c) is subsequently amended while the contract of insurance is still in force, a copy of the amendment shall be delivered to the insured person.

**Duration of contract**

8 (1) A contract of insurance shall be in force for the crop year for which it is made and shall continue in force for each crop year after that until it is cancelled by an insured person or the Commission in the manner prescribed by subsection (2) or (3).

(2) A contract of insurance may be cancelled by an insured person or the Commission by notice in writing to the other party by March 15 of the crop year for which the cancellation is to be effective.

(3) A contract of insurance may be cancelled by the Commission by notice in writing to an insured person if the insured person is in arrears in the payment of the premium under the contract.

**Coverage**

9 (1) All the area of spring grain owned or operated by an insured person and to be harvested shall be offered for insurance coverage.

(2) Despite subsection (1), the Commission may insure all or part of the area offered for insurance coverage.

**Total guaranteed production offered**

10 (1) The total guaranteed production shall be 70% or 80% of the average insurable yield for the total area of each insured spring grain crop to be harvested.

(2) Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the average insurable yield for the total area of each insured spring grain crop to be harvested.

**Established prices**

11 (1) The price options for each insurable spring grain crop shall be as set out in the following table:

Crop	Option #1	Option #2	Option #3
Milling wheat	\$130/tonne	\$150/tonne	\$170/tonne
Feed wheat	\$120/tonne	\$140/tonne	\$160/tonne
Barley	\$120/tonne	\$140/tonne	\$160/tonne
Oats	\$120/tonne	\$140/tonne	\$160/tonne
Mixed grain	\$120/tonne	\$140/tonne	\$160/tonne

- (2) For pedigreed seed, the price options shall be increased by \$25 per tonne.
- (3) An insured person shall select one of the price options determined pursuant to subsections (1) and (2) as the established price for the purpose of calculating premium and indemnity.

**Maximum indemnity**

12 The maximum indemnity for which the Commission is liable under a contract of insurance shall be the amount obtained by multiplying the total guaranteed production by the established price selected pursuant to subsection 11(3).

**Premium**

13 (1) The base premium rate for each \$100 of coverage shall be as set out in the following table:

Crop	Rate at 70% Coverage	Rate at 80% Coverage	Rate at 85% Coverage
Oats	\$6.70	\$8.80	\$9.90
Barley	\$6.60	\$9.40	\$11.00
Milling wheat	\$4.30	\$7.10	\$8.70
Feed wheat	\$4.30	\$7.10	\$8.70
Mixed grain	\$7.20	\$10.00	\$11.40

- (2) The base premium rate shall be adjusted by giving a discount when indemnity is less than total premiums paid or adding a surcharge when indemnity exceeds total premiums, and adjustments shall be calculated using the following formula:

$$(LR-1) \times (n \div (20+n))$$

where "LR" equals total indemnity divided by total premiums and "n" equals the number of years insured in the plan.

- (3) Despite subsection (2) the maximum discount shall be 50% and the maximum surcharge shall be 100%.
- (4) Despite subsections (1), (2) and (3), the minimum annual premium payable by an insured person in each crop year is \$20.
- (5) The premium determined pursuant to subsections (1), (2), and (3) includes premium payments made by the Government of Canada under the *Farm Income Protection Act* (Canada) and the Province under the Act.

14 (1) An insured person shall pay the premium less any premium deposit to the Commission not later than August 1 for the current crop year.

(2) Interest of 1.5% per month or a minimum of \$5 per month will be charged by the Commission on an overdue account.

#### Final seeding report

15 (1) An insured person shall file a final seeding report with the Commission within 10 days after the final planting date on a Seeding Report in Form G of the *Crop and Livestock Insurance Forms Regulations*.

(2) The final seeding report filed with the Commission shall not be amended by an insured person without the consent in writing of the Commission.

(3) The Commission may revise the final seeding report in any or all respects and adjust the premium accordingly, and in this case shall notify an insured person in writing respecting the revision and adjustment.

(4) An insured person shall be deemed to have agreed with the revision and adjustment by the Commission under subsection (3) unless, within 10 days from mailing or delivery of the notification by the Commission, the insured person notifies the Commission in writing that the insured person rejects the revision and adjustment.

(5) When the Commission has received notice from an insured person under subsection (4), it may notify the insured person in writing that the contract of insurance does not apply for the crop year in which the final seeding report was filed and, when notification is given, shall refund any premium deposit paid in respect of that crop year.

(6) A final seeding report revised under subsection (3) shall, failing notice under subsection (4), constitute the final seeding report for the crop year.

(7) Where an insured person fails to file a final seeding report in any crop year the Commission may

- (a) prepare the final seeding report; or
- (b) deem the insured area to be nil.

(8) Where the Commission prepares a final seeding report under subsection (7),

- (a) the Commission shall mail or deliver a copy of the report to the insured person; and
- (b) the insured person shall pay the premium for the crop year in respect of which the report was prepared.

#### Incorrect area in final seeding report

16 (1) The Commission may measure the insured area by any method that it considers appropriate.

(2) Despite Section 10, where the actual measured area of spring grain in a crop year is less than the insured area, the total guaranteed production and the amount of insurance shall be reduced accordingly and no refund of premium shall be made.

(3) Despite Section 10, where the actual area of spring grain in a crop year exceeds the insured area, the measured area yield will be pro-rated to the insured area in calculating indemnity payable.

#### Final planting date

17 (1) The final date for planting shall be June 8, or any other date as may be determined by the Commission.

(2) Where spring grain is planted after the final planting date established pursuant to subsection (1), the Commission shall reduce the amount of insurance coverage on the late-seeded area by a minimum of 5% and this value shall be deducted for each day that planting is delayed.

(3) Despite subsections (1) and (2), no coverage shall be offered for spring grain planted after June 15 in a crop year.

**Circumstances where contract of insurance does not apply**

18 The contract of insurance does not apply to, and no indemnity is payable in respect of, a spring grain crop that

- is planted in an area that was not adequately prepared for cropping purposes;
- is planted after June 15 in a crop year; or
- in the opinion of the Commission is not insurable.

**Carry-over of stored grain**

19 If, prior to harvest, an insured person believes that they will have a claim on an insured crop, and if the insured person has any carry-over of spring grain in storage, the insured person must report the carry-over in writing, before the beginning of harvest, or the Commission may regard the carry-over as new production.

**Harvesting**

20 (1) All spring grain planted by an insured person in a crop year shall be harvested unless the Commission consents in writing to a written request by the insured person to

- use any part of the planted area for any other purpose; or
- abandon or destroy any part of the insured crop.

(2) Any insured area used for a purpose other than the purpose that was reported by an insured person in the final seeding report without consent pursuant to subsection (1) shall be adjusted at a level not to exceed the guaranteed production in effect.

(3) Each harvested spring grain crop is to be placed in a separate storage.

(4) Unless prior permission is granted and measurements recorded, failure to keep each harvested spring grain crop in a separate storage may jeopardize any indemnity otherwise payable.

**Notice of crop loss or damage**

21 Subject to the contract of insurance, an insured person is required to notify the Commission in writing within 5 days of any loss or damage to the insured crop.

**Final date for harvest**

22 The final date for harvest shall be September 30 or any other date as may be determined by the Commission, and the Commission may establish a potential yield for any insured area not harvested by this date.

**Harvest yield report**

23 An insured person shall file a harvest yield report within 15 days of the completion of harvest on a Harvest Yield Report Form in Form B of the *Crop and Livestock Insurance Forms Regulations*.

**Evaluation of loss**

24 For the purpose of determining the reduction in yield of an insured crop in a crop year and any indemnity payable, the value of each crop shall progress through Stages 1 to 3, as prescribed in Sections 25, 26, 27 and 28, and the final adjustment of loss pursuant to Section 29.

**Stage 1**

25 (1) Stage 1 comprises the period from the date on which seeding of spring grain is completed to a date 30 days later.

- (2) Where loss or damage from one or more designated perils occurs to an insured crop during Stage 1, the Commission, upon application in writing by the insured person, may consent in writing to a request to abandon or destroy the insured crop on the damaged area.
- (3) Where the Commission approves the abandonment of an insured crop on a damaged area pursuant to subsection (2), and the area is removed from production, the insurance for the year shall be deemed to be cancelled on the portion of the insured crop that is on the damaged area and the amount of loss for the insured crop shall be calculated by multiplying the guaranteed production of the damaged area by the product of the established price and the applicable stage 1 payout rate set out in the following table:

Crop	Stage 1 payout Rate as % of established price
Oats	65%
Barley	65%
Mixed Grain	65%
Feed Wheat	50%
Milling Wheat	50%

- (4) Whether or not an insured person has made an application pursuant to subsection (2), where loss or damage occurs during Stage 1, the Commission may notify the insured person in writing that it intends to terminate insurance coverage on the portion of the insured crop that is on the damaged area and calculate the amount of loss pursuant to subsection (3) for the damaged area.

#### **Reseeding**

26 (1) Where loss or damage from one or more designated perils occurs to 2 hectares or more of an insured crop during Stage 1, the Commission may consent in writing to a written request to reseed the damaged area prior to the final planting date and, when consent is given, shall compensate the insured person pursuant to subsection (2) or (3).

(2) When the Commission consents to the reseeding of a damaged area pursuant to subsection (1), the Commission shall pay the insured person an amount equal to 25% of the established price multiplied by the guaranteed production for that damaged area.

(3) When a damaged area is reseeded in accordance with this Section to an insured spring grain crop, the contract of insurance shall continue to apply to the reseeded area.

#### **Stage 2**

27 (1) Stage 2 comprises the period from the end of Stage 1 to the final harvest date in the crop year, in respect of any portion of the insured crop that is not harvested.

(2) Where loss or damage from one or more designated perils occurs to an insured crop during Stage 2, the Commission, upon application in writing by an insured person, may consent in writing to the use of the damaged area for another purpose and the Commission shall determine the size of the damaged area and the potential production.

(3) When

- (a) consent is given to use a damaged area for another purpose pursuant to subsection (2), and the damaged area is used for that purpose; or
- (b) the harvesting of any portion of the insured crop is not completed on the final harvest date determined pursuant to Section 22 and the harvesting was prevented by a designated peril,

then the amount of loss that is taken into account in the final adjustment of loss shall be calculated by multiplying the difference between the guaranteed production for the damaged or unharvested area and the potential production determined under subsection (2) for the damaged area by 80% of the established price.

(4) When a damaged area is not used for another purpose or the crop is not abandoned or destroyed despite the Commission's consent, the amount of loss calculated under subsection (3) shall not be taken into account in the final adjustment of loss.

**Stage 3**

28 (1) Stage 3 applies to the insured area with respect to which harvesting has been completed.

(2) When the actual production of the harvested area is less than the guaranteed production for the area, the amount of loss

- (a) shall be taken into account in the final adjustment of loss for the total insured area; and
- (b) shall be calculated by multiplying the difference between the guaranteed production and the actual production by the established price.

(3) When a spring grain crop is insured as pedigreed seed, and is rejected for pedigreed seed status as a result of damage from a designated peril, the amount of loss shall be calculated by multiplying the number of tonnes harvested by \$25.

**Final adjustment of loss**

29 (1) The indemnity payable respecting the total insured area in the final adjustment of loss shall be the sum of the amounts of loss calculated for each of Stage 1, Stage 2 and Stage 3.

(2) When the actual production exceeds the guaranteed production of the area, the indemnity payable pursuant to subsection (1) shall be reduced by the amount obtained by multiplying the excess by the established price.

**Notice of claim**

30 (1) Despite subsection 12(1) of the Terms and Conditions of Form 1 of the regulations respecting general (field crops) insurance, which specifies a 60-day filing period, a claim for an indemnity payable due to a reduction of yield shall be made to the Commission within 15 days on a Proof of Loss Form in Form C of the *Crop and Livestock Insurance Forms Regulations*.

(2) Before a payment for an indemnity claimed pursuant to subsection (1) is made, a Claim Release Form in Form D of the *Crop and Livestock Insurance Forms Regulations* must be received by the Commission.

**Arbitration**

31 Where the Commission and an insured person have failed to resolve any dispute arising out of the adjustment of loss under a contract of insurance, and the requirements of the regulations made under the Act respecting the filing of a Proof of Loss Form in Form C of the *Crop and Livestock Insurance Forms Regulations* have been complied with, and either party wishes the dispute determined by arbitration, it shall be the responsibility of that party to notify the other party in writing within 90 days after the end of the crop year that the dispute be determined in accordance with the requirements of the *Arbitration Proceedings Regulations*.

**N.S. Reg. 51/2003**

Made: March 14, 2003

Filed: March 14, 2003

## Crop Insurance Plan for Soybeans

Order in Council 2003-89 dated March 14, 2003

Regulations made by the Nova Scotia Crop and Livestock Commission  
and approved by the Governor in Council  
pursuant to Section 6 of the *Crop and Livestock Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated February 13, 2003, and pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, is pleased, effective on and after March 14, 2003, to :

- (a) approve the repeal by the Nova Scotia Crop and Livestock Insurance Commission of the *Nova Scotia Crop and Livestock Insurance Plan for Soybeans* approved by Governor in Council by Order in Council 95-21 dated January 3, 1995; and
- (b) approve the making by the Nova Scotia Crop and Livestock Insurance Commission of a new crop insurance plan for soybeans in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

**Schedule "A"**

I certify that at a meeting held November 1, 1999, the Crop and Livestock Insurance Commission, pursuant to Section 6 of Chapter 113 of the Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*, passed motions to

- (a) repeal the *Nova Scotia Crop and Livestock Insurance Plan for Soybeans* approved by Governor in Council by Order in Council 95-21 dated January 3, 1995; and
- (b) adopt a new crop insurance plan for soybeans in the form attached.

Crop and Livestock Insurance Commission

Per: sgd. *Gerald Post*  
Gerald Post, Manager

Dated and signed at Truro, Nova Scotia, January 13, 2003.

**Regulations Respecting a Crop Insurance Plan for Soybeans**  
made pursuant to Section 6 of Chapter 113 of the  
Revised Statutes of Nova Scotia, 1989, the *Crop and Livestock Insurance Act*

**Citation**

1 These regulations may be cited as the *Crop Insurance Plan for Soybeans*.

**Purpose**

2 The purpose of this plan is to provide for insurance against a reduction in yield of soybeans resulting from one or more of the perils designated in Section 4.

**Interpretation**

3 In this plan,

- (a) "average insurable yield" means the potential production of soybeans as determined by the Commission from an insured person's yield records over the preceding 10 years, and where the required number of production records are not available, the Commission shall use industry averages indexed to the insured person's records for the missing years and yields shall be buffered to + or - 30% of the industry average, subject to a methodology approved by the Commission;
- (b) "contract of insurance" means a contract in Form 1 of the regulations respecting general (field crop) insurance;
- (c) "designated perils" means the perils designated in Section 4 for the purpose of this plan;
- (d) "final seeding report" means a signed declaration of all planted area of soybeans submitted to the Commission by an insured person pursuant to Section 15;
- (e) "soybeans" means all varieties of soybeans accepted by the Commission for insurance coverage;
- (f) "total guaranteed production" means the total guaranteed production determined pursuant to Section 10.

#### Designation of perils

4 The following are designated as perils for soybeans:

- (a) drought;
- (b) frost;
- (c) hail;
- (d) wind;
- (e) excessive moisture;
- (f) insects;
- (g) plant disease; and
- (h) wildlife.

#### Designation of crop year

5 The crop year for soybeans is the period from May 20 in any year to November 1 of the same year.

#### Application

6 An application for a contract of insurance shall be

- (a) on a Contract of Insurance Application Form in Form A of the *Crop and Livestock Insurance Forms Regulations*;
- (b) accompanied by a premium deposit of at least \$50; and
- (c) filed with the Commission no later than May 1 in advance of the first crop year to be insured.

#### Contract of insurance

7 For the purpose of this plan, the entire contract of insurance shall comprise

- (a) a contract of insurance;
- (b) a completed application filed pursuant to clause 6(a); and
- (c) a copy of this plan,

and if a document referred to in clause (a), (b) or (c) is subsequently amended while the contract of insurance is still in force, a copy of the amendment shall be delivered to the insured person.

#### Duration of contract

8 (1) A contract of insurance shall be in force for the crop year for which it is made and shall continue in force for each crop year after that until it is cancelled by an insured person or the Commission in the manner prescribed by subsection (2) or (3).

- (2) A contract of insurance may be cancelled by an insured person or the Commission by notice in writing to the other party by March 15 in advance of the crop year for which the cancellation is to be effective.
- (3) A contract of insurance may be cancelled by the Commission by notice in writing to an insured person if the insured person is in arrears in the payment of the premium under the contract.

#### Coverage

9 (1) All the area of soybeans owned or operated by an insured person and to be harvested shall be offered for insurance coverage.

(2) Despite subsection (1), the Commission may insure all or part of the area offered for insurance coverage.

#### Total guaranteed production offered

10 (1) The total guaranteed production shall be 70% or 80% of the average insurable yield for the total area of each insured soybean crop to be harvested.

(2) Subject to the terms and conditions of the Canada-Nova Scotia Crop Insurance Agreement currently in force, the Commission may offer a total guaranteed production equal to 85% of the average insurable yield for the total area of each insured soybean crop to be harvested.

#### Established prices

11 (1) The price options for each insurable soybean crop shall be

- (a) \$210 per tonne;
- (b) \$230 per tonne; and
- (c) \$250 per tonne.

(2) An insured person shall select one of the price options set out in subsection (1) as the established price for the purpose of calculating premium and indemnity.

#### Maximum indemnity

12 The maximum indemnity for which the Commission is liable under a contract of insurance shall be the amount obtained by multiplying the total guaranteed production by the established price selected pursuant to subsection 11(2).

#### Premium

13 (1) The base premium rate for each \$100 of coverage shall be as set out in the following table:

Coverage Level	Premium Rate
70%	\$6.70
80%	\$10.70
85%	N/A

(2) The base premium rate shall be adjusted by giving a discount when indemnity is less than total premiums paid or adding a surcharge when indemnity exceeds total premiums, and adjustments shall be calculated using the following formula:

$$(LR-1) \times (n \div (20+n))$$

where "LR" equals total indemnity divided by total premiums and "n" equals the number of years insured in the plan.

(3) Despite subsection (2) the maximum discount shall be 50% and the maximum surcharge shall be 100%.

- (4) Despite subsections (1), (2) and (3), the minimum annual premium payable by an insured person in each crop year is \$50.
- (5) The premium determined pursuant to subsections (1) to (3) includes premium payments made by the Government of Canada under the *Farm Income Protection Act* (Canada) and the Province under the Act.

14 (1) An insured person shall pay the premium less any premium deposit to the Commission not later than August 1 for the current crop year.

(2) Interest of 1.5% per month or a minimum of \$5 per month will be charged by the Commission on an overdue account.

**Final seeding report**

15 (1) An insured person shall file a final seeding report with the Commission within 10 days after the final planting date on a Seeding Report in Form G of the *Crop and Livestock Insurance Forms Regulations*.

(2) The final seeding report filed with the Commission shall not be amended by an insured person without the consent in writing of the Commission.

(3) The Commission may revise the final seeding report in any or all respects and adjust the premium accordingly, and in this case shall notify an insured person in writing respecting the revision and adjustment.

(4) An insured person shall be deemed to have agreed with the revision and adjustment by the Commission under subsection (3), unless within 10 days from mailing or delivery of the notification by the Commission, the insured person notifies the Commission in writing that the insured person rejects the revision and adjustment.

(5) When the Commission has received notice from an insured person under subsection (4), it may notify the insured person in writing that the contract of insurance does not apply for the crop year in which the final seeding report was filed and, when notification is given, shall refund any premium deposit paid in respect of that crop year.

(6) A final seeding report revised under subsection (3) shall, failing notice under subsection (4), constitute the final seeding report for the crop year.

(7) Where an insured person fails to file a final seeding report in any crop year, the Commission may

- (a) prepare the final seeding report; or
- (b) deem the insured area to be nil.

(8) Where the Commission prepares a final seeding report under subsection (7),

- (a) the Commission shall mail or deliver a copy of the report to the insured person; and
- (b) the insured person shall pay the premium for the crop year in respect of which the report was prepared.

**Incorrect area in final seeding report**

16 (1) The Commission may measure the insured area by any method that it considers appropriate.

(2) Despite Section 10, where the actual measured area of soybeans in a crop year is less than the insured area, the total guaranteed production and the amount of insurance shall be reduced accordingly and no refund of premium shall be made.

(3) Despite Section 10, where the actual area of soybeans in a crop year exceeds the insured area, the measured area yield will be pro-rated to the insured area in calculating indemnity payable.

#### Final planting date

17 The final date for planting soybeans shall be June 8, or any other date as may be determined by the Commission.

#### Circumstances where contract of insurance does not apply

18 The contract of insurance does not apply to, and no indemnity is payable in respect of, a soybean crop that

- (a) is planted in an area that was not adequately prepared for cropping purposes;
- (b) is planted after the final planting date determined pursuant to Section 17; or
- (c) in the opinion of the Commission is not insurable.

#### Carry-over of stored soybeans

19 If, prior to harvest, an insured person believes that they will have a claim on an insured crop, and if the insured person has any carry-over of soybeans in storage, the insured person must report the carry-over in writing before the beginning of harvest, or the Commission may regard the carry-over as new production.

#### Harvesting

20 (1) All soybeans planted by an insured person in a crop year shall be harvested unless the Commission consents in writing to a written request by the insured person to

- (a) use any part of the planted area for any other purpose; or
- (b) abandon or destroy any part of the insured crop.

(2) Any insured area used for a purpose other than the purpose that was reported by an insured person in the final seeding report without consent pursuant to subsection (1) shall be adjusted at a level not to exceed the guaranteed production in effect.

#### Notice of crop loss or damage

21 Subject to the contract of insurance, an insured person is required to notify the Commission in writing within 5 days of any loss or damage to the insured crop.

#### Final date for harvest

22 The final date for harvest shall be November 1, or any other date as may be determined by the Commission, and the Commission may establish a potential yield for any insured area not harvested by this date.

#### Harvest yield report

23 An insured person shall file a harvest yield report within 15 days of the completion of harvest on a Harvest Yield Report Form in Form B of the *Crop and Livestock Insurance Forms Regulations*.

#### Evaluation of loss

24 For the purpose of determining the reduction in yield of an insured crop in a crop year and any indemnity payable, the value of each crop shall progress through Stages 1 to 3 as prescribed in Sections 25, 26, 27 and 28, and the final adjustment of loss pursuant to Section 29.

#### Stage 1

25 (1) Stage 1 comprises the period from the date on which seeding of soybeans is completed to a date 30 days later.

(2) Where loss or damage from one or more designated perils occurs to an insured crop during Stage 1, the Commission, upon application in writing by the insured person, may consent in writing to a request to abandon or destroy the insured crop on the damaged area.

- (3) Where the Commission approves the abandonment of an insured crop on a damaged area pursuant to subsection (2), and the area is removed from production, the insurance for the year shall be deemed to be cancelled on the portion of the insured crop that is on the damaged area and an adjustment of the total guaranteed production for the area shall be made, less any potential production applied to the area multiplied by 70% of the established price.
- (4) Whether or not an insured person has made an application pursuant to subsection (2), where loss or damage occurs during Stage 1, the Commission may notify the insured person in writing that it intends to terminate insurance coverage on the portion of the insured crop that is on the damaged area and calculate the amount of loss pursuant to subsection (3) for the damaged area.

#### **Reseeding**

**26** (1) Where loss or damage from one or more designated perils occurs to 2 hectares or more of an insured crop during Stage 1, the Commission may consent in writing to a written request to reseed the damaged area prior to the final planting date and, when consent is given, shall compensate the insured person pursuant to subsection (2) or (3).

(2) If the Commission consents to the reseeding of a damaged area pursuant to subsection (1) and the damaged area is removed and reseeded, the Commission shall pay the insured person an amount equal to 25% of the established price multiplied by the guaranteed production for that damaged area.

(3) When a damaged area is reseeded in accordance with this Section to an insured soybean crop, the contract of insurance shall continue to apply to the reseeded area.

#### **Stage 2**

**27** (1) Stage 2 comprises the period from the end of Stage 1 to the final harvest date in the crop year, in respect of any portion of the insured crop that is not harvested.

(2) Where loss or damage from one or more designated perils occurs to an insured crop during Stage 2, the Commission, upon application in writing by an insured person, may consent in writing to the use of the damaged area for another purpose and the Commission shall determine the size of the damaged area and the potential production.

(3) When
 

- (a) consent is given to use a damaged area for another purpose pursuant to subsection (2), and the damaged area is used for that purpose; or
- (b) the harvesting of any portion of the insured crop is not completed on the final harvest date determined pursuant to Section 22 and the harvesting was prevented by a designated peril,

then the amount of loss that is taken into account in the final adjustment of loss shall be calculated by multiplying the difference between the guaranteed production for the damaged or unharvested area and the potential production determined under subsection (2) for the damaged area by 80% of the established price.

(4) When a damaged area is not used for another purpose or the crop is not abandoned or destroyed despite the Commission's consent, the amount of loss calculated under subsection (3) shall not be taken into account in the final adjustment of loss.

#### **Stage 3**

**28** (1) Stage 3 applies to the insured area with respect to which harvesting has been completed.

(2) When the actual production of the harvested area is less than the guaranteed production for the area, the amount of loss
 

- (a) shall be taken into account in the final adjustment of loss for the total insured area; and

(b) shall be calculated by multiplying the difference between the guaranteed production and the actual production by the established price.

#### Final adjustment of loss

29 (1) The indemnity payable respecting the total insured area in the final adjustment of loss shall be the sum of the amounts of loss calculated for each of Stage 1, Stage 2 and Stage 3.

(2) When the actual production exceeds the guaranteed production of the area, the indemnity payable pursuant to subsection (1) shall be reduced by the amount obtained by multiplying the excess by the established price.

#### Notice of claim

30 (1) Despite subsection 12(1) of the Terms and Conditions of Form 1 of the regulations respecting general (field crops) insurance, which specifies a 60-day filing period, a claim for an indemnity payable due to a reduction of yield shall be made to the Commission within 15 days on a Proof of Loss Form in Form C of the *Crop and Livestock Insurance Forms Regulations*.

(2) Before a payment for an indemnity claimed pursuant to subsection (1) is made, a Claim Release Form in Form D of the *Crop and Livestock Insurance Forms Regulations* must be received by the Commission.

#### Arbitration

31 Where the Commission and an insured person have failed to resolve any dispute arising out of the adjustment of loss under a contract of insurance, and the requirements of the regulations made under the Act respecting the filing of a Proof of Loss Form in Form C of the *Crop and Livestock Insurance Forms Regulations* have been complied with, and either party wishes the dispute determined by arbitration, it shall be the responsibility of that party to notify the other party in writing within 90 days after the end of the crop year that the dispute be determined in accordance with the requirements of the *Arbitration Proceedings Regulations*.

N.S. Reg. 52/2003

Made: March 14, 2003

Filed: March 14, 2003

Proclamation, S. 36, S.N.S. 2002, c. 7

Order in Council 2003-93 made March 14, 2003  
 Proclamation made by the Governor in Council  
 pursuant to Section 36  
 of the *Geoscience Profession Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated February 19, 2003, pursuant to Section 36 of Chapter 7 of the Acts of 2002, the *Geoscience Profession Act*, is pleased to order and declare by proclamation that Chapter 7 of the Acts of 2002, the *Geoscience Profession Act*, come into force on and not before March 14, 2003.

PROVINCE OF NOVA SCOTIA

Sgd: *Constance R. Glube*

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

GREETING

## A PROCLAMATION

WHEREAS in and by Section 36 of Chapter 7 of the Acts of 2002, the *Geoscience Profession Act*, it is enacted as follows:

**36** 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 7 of the Acts of 2002, the *Geoscience Profession Act*, come into force on and not before March 14, 2003.

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 7 of the Acts of 2002, the *Geoscience Profession Act*, come into force on and not before March 14, 2003, 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 Constance R. Glube, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality this 14<sup>th</sup> day of March, in the year of Our Lord two thousand and three and in the fifty-second year of Our Reign.

BY COMMAND:

Sgd: *Jamie Muir*  
Provincial Secretary  
Minister of Justice and Attorney General

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### N.S. Reg. 53/2003

Made: March 17, 2003

Filed: March 20, 2003

Land Registration Administration Regulations

Order dated March 17, 2003  
made by the Minister of Service Nova Scotia and Municipal Affairs  
pursuant to Section 94 of the *Land Registration Act*

Regulations Respecting Administration of the *Land Registration Act*  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to 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" or "LRA" means the *Land Registration Act*;
- (b) "application for registration" or "AFR" means an application to a registrar for registration of the title to a parcel made pursuant to Section 37 of the Act;
- (c) "authorized lawyer" means an eligible lawyer who has entered into a *Property Online* Authorized Lawyer User Agreement with the Minister pursuant to subsection 94(3) of the Act that is in force;
- (d) "authorized surveyor" means a Nova Scotia Land Surveyor who has entered into a *Property Online* Parcel Certification User Agreement with the Minister pursuant to subsection 94(3) of the Act that is in force;
- (e) "Department" means the Department of Service Nova Scotia and Municipal Relations;
- (f) "dual purpose document" means a single document that
  - (i) affects two or more parcels, one or more of which is registered pursuant to the Act and one or more of which is still governed by the *Registry Act*, or
  - (ii) evidences interests that are to be registered pursuant to Section 17 and also recorded pursuant to Section 47 of the Act;
- (g) "land registration office" means a land registration office established pursuant to Section 7 of the Act;
- (h) "owner" includes an agent empowered to act for an owner;
- (i) "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 to match the legal description of the parcel;
- (j) "parcel identification number" or "PID" means the unique number in the Province's electronic mapping system assigned to each parcel registered under 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) "*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 parcel description certification applications and applications for registration pursuant to the Act and these regulations; and
- (n) "user name" means a unique identification number or name given to each *Property Online* user.

(2) For 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 includes the civic addresses of the parties to the action, where available;
- (c) "instrument that most recently conveyed the fee simple interest" in clause 13(1)(f) of the Act

means

- (i) a deed or Crown grant registered pursuant to the *Registry Act* that most recently conveyed the fee simple in the parcel,
- (ii) a deed from the person possessing the parcel to him or herself, in the case of an interest being registered based on adverse possession or prescription,
- (iii) a certificate of the Registrar of Crown Lands describing the parcel and confirming that it has never been conveyed, in the case of land of Her Majesty that has never been conveyed, or
- (iv) a certificate of title pursuant to the *Land Titles Clarification Act* or the *Quieting Titles Act* whether or not the certificate is registered pursuant to the *Registry Act*,

but for greater certainty does not include a mortgage or other charge or a will;

- (d) "interests" in clause 3(1)(w) of the Act means interests specified in Section 17 that may be registered;
- (e) "mailing address" means a complete address by which an individual or company is able to receive information, including notices, by mail;
- (f) "mortgage" in 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 with a term of 20 years or less, including any renewal periods of the lease, or
  - (iv) an advance on an existing security interest that secures present and future advances up to the original principal amount of the charge;
- (g) "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);

- (h) "parcel" in subsection 37(2) of the Act does not include an unregistered parcel that is being created for purposes of consolidation with an abutting unregistered parcel where the parcel being created is incapable of being approved except as an addition to another parcel;

- (i) "parcel" in subsection 19(a) of the Act means only a parcel that is sufficiently detailed on a plan to allow the legal description to be certified pursuant to the Act and these regulations based only on a reference to the lot number;
- (j) "person's name" in subsection 66(8) of the Act means
  - (i) if a parcel is registered pursuant to 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 pursuant to the Act, the name shown on the relevant instrument registered pursuant to the *Registry Act*;
- (k) "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 or parcels to an existing security interest or any amendment that 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 with a term of 20 years or less including any renewal periods of the lease, or
  - (iv) an advance on an existing security interest that secures present and future advances up to the original principal amount of the charge;
- (l) "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; and
- (m) "unreleased security interest" in subsection 40(1) means an unreleased security interest to secure borrowing for a non-commercial purpose.

**Forms**

3 (1) Forms 1 to 22 in Schedule A are prescribed for filing, registering and recording at the land registration office.

(2) Forms 23 to 28 and Form 44A in Schedule A are prescribed as the cover pages required by Section 4.

(3) Forms 29 to 43 in Schedule A are prescribed for the use of the land registration office staff.

(4) Form 44 in Schedule A is prescribed for use as a cover page to be attached to any document to be registered pursuant to the *Registry Act* and which are not required to be registered or recorded pursuant to the *Land Registration Act*.

(5) Directions and explanations included in a form are binding but may be deleted when a form is submitted for filing, registering or recording at the land registration office.

(6) The place of execution or a jurat contained in a form may be altered to suit the circumstances prevailing at the time of execution of the form.

(7) Any reference to location or place of residence in the Province contained in a form may be altered suit the circumstances prevailing at the time of execution of the form.

**Document preparation**

4 (1) Every document presented for registration or recording pursuant to the Act must include the

following information on an attached cover page as prescribed in subsection 3(2):

- (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 where 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; and
- (h) the registration district where the parcel is located.

(2) Every document presented for registration pursuant to the Act must also include a statement as to whether any of the owners of the interest is a non-resident.

(3) Where no cover page specified in subsection 3(2) corresponds with a document being presented for registration or recording, the information required under subsection (1) and (2) must be included on the first page of the document being presented.

(4) The registrar is entitled to rely upon the information contained in a cover page.

(5) A dual purpose document must not be accepted for registration or recording pursuant to 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 Commissioner of Oaths or Notary Public.

#### Parcel description certification application

5 (1) An application for certification by the registrar of a match between the parcel identification number and the legal description of the parcel as required by clause 37(4)(g) of the Act shall 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) A PDCA may be submitted only by an individual who is authorized on behalf of a parcel owner to submit the PDCA and who is

- (a) an authorized lawyer;
- (b) an authorized surveyor; or
- (c) a member of such other class of individuals authorized by the Minister to submit PDCAs.

(3) Prior to submitting a PDCA, the individual who will be submitting the PDCA on behalf of the parcel owner, shall assist the applicant parcel owner in identifying the parcel's PID and take reasonable steps to identify the PID, including

- (a) reviewing the legal description;

- (b) reviewing Provincial mapping graphics; and
- (c) having the applicant parcel owner confirm the apparent match of the graphics identified by the PID with the legal description.

(4) If an electronic graphical representation of a parcel does not exist, an applicant parcel owner must submit a Request for PID Assignment in Form 1 before submitting a PDCA, along with such information as will enable the preparation of a graphical representation of the parcel.

(5) Subject to Sections 7 and 8, a legal description submitted as the certified legal description and included in the PDCA must contain the full text of the legal description, including the full text of

- (a) every servitude that benefits the parcel;
- (b) every easement referred to in the legal description; and
- (c) every parcel excepted from the legal description, unless the excepted parcel is described by reference to a plan that has been registered or recorded pursuant to the Act or the *Registry Act*.

(6) If the length of a legal description exceeds the space available in the electronic PDCA form

- (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 reference to the fact 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 referenced in the e-mail to which the legal description is attached.

#### **Creation of legal description on subdivision**

**6** If a parcel registered pursuant to the Act is subsequently subdivided, the registrar may

- (a) if the details shown on the plan of subdivision permit, create a legal description that complies with Section 19 of the Act for one or more of the subdivided parcels and the remainder lands; or
- (b) require the owner of the subdivided parcels to submit a PDCA for one or more of the subdivided parcels or remainder lands.

#### **Change in legal description**

**7 (1)** If the legal description of a registered parcel is altered by a plan of survey, correction of an error, addition of a servitude that benefits the parcel or to which the parcel is subject, or another cause, a PDCA for the amended parcel in Form 2 or 3 required by Section 5, must be made to the registrar and the new legal description approved by the registrar as the certified legal description in order to revise the register to show the new legal description.

**(2)** The following words of certification, signed by an authorized lawyer or authorized surveyor, must be included in the amended legal description required by subsection (1):

"I certify that this legal description is intended to describe, the same parcel as represented by PID \_\_\_\_\_."

**(3)** An application pursuant to this Section which requests adding the benefit of a servitude to a registered parcel must

- (a) if the servitude encumbers lands registered pursuant to the Act, be accompanied by
  - (i) the document that conveys the servitude, and

- (ii) an authorized lawyer's certificate of legal effect in Form 9 confirming that the registered owner of the parcel has good title to the servitude; or
- (b) if the servitude encumbers lands not registered pursuant to the Act, be accompanied by
  - (i) the document which conveys the servitude,
  - (ii) an abstract of title to the land subject to the servitude,
  - (iii) an Opinion of Title and Affidavit of Verification in Form 8, and
  - (iv) an authorized lawyer's Certificate of Legal Effect in Form 9 confirming that the registered owner of the parcel has good title to the servitude.
- (4) Upon receipt of a certificate of legal effect as required by clause (3)(a), the registrar must update the particulars of the registered interest to show the benefit of the servitude in accordance with the certificate of legal effect.
- (5) If the legal description of a registered parcel is altered as the result of a survey, and the plan of survey is recorded pursuant to the Act, the amended legal description required by subsection (1) may, in lieu of including the full description of the property to which the document relates, refer to the parcel by lot number as shown on the plan, as provided for in subsection [clause] 19(a) of the Act.

#### Change in boundaries

- 8 (1) If a plan of survey of a parcel that is registered pursuant to the Act illustrates the need to change an existing certified legal description, a PDCA for the amended parcel in Form 2 or 3 as required by Section 5, must be submitted together with a copy of the survey plan upon which it is based.
- (2) The amended legal description in a PDCA required pursuant to subsection (1) may, in lieu of including the full description of the property to which the document relates, refer to the parcel by lot number as shown on the plan, as provided for in subsection [clause] 19(a) of the Act.
- (3) The following words must be included in the amended legal description required by subsection (1):  
"Being and intended to be the same parcel certified to match PID \_\_\_\_\_."
- (4) If land that is not part of a registered parcel is to be added to a registered parcel, an application to add the land to the registered parcel must be made in accordance with an application for registration in Section 9.

#### Application for registration

- 9 (1) An application for registration made pursuant to Section 37 of the Act must be made by an authorized lawyer.
- (2) An application for registration 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) in hard copy in draft or final form using Form 7, 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.
- (3) The following items, together with the items specified in subsection 37(4) of the Act, must be

received in the land registration office within 10 business days of the submission of Form 6 or 7 in final form:

- (a) a statutory declaration from the owner respecting residency and occupation in Form 5;
- (b) an authorization to submit application for registration in Form 4;
- (c) copies of any documents referred to in an abstract of title that are not already registered, recorded or filed pursuant to the Act or the *Registry Act*; and
- (d) a copy of the statement of registered and recorded interests in Form 29 that was sent electronically to the authorized lawyer upon submission of the final form of Form 6 or 7, that has been signed by the submitting authorized lawyer.

(4) If circumstances require, the statutory declaration from the owner respecting residency and occupation in Form 5 may be sworn by an owner's personal representative, trustee, or agent who has personal knowledge of the facts.

(5) 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 fee simple 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.

(6) Subject to subsection (7), if a statutory declaration pursuant to clause (3)(a) discloses the existence of possession that is adverse, the applicant must
 

- (a) notify the occupier in writing that an application for registration of the parcel has been made; and
- (b) include a copy of the written notice together with the other documents required to accompany the application for registration pursuant to subsection (3).

(7) Subsection (6) does not apply to adverse possession that is preserved by subsection 75(1) of the Act.

(8) For purposes of subsection (9) "current owner" means the predecessor in title to the sheriff, trustee, mortgagee, or receiver in the case where title to a parcel has vested in a sheriff, trustee, mortgagee, or receiver.

(9) An application for registration made to the registrar pursuant to subsection 37(2) of the Act, must be made in the name of the current owner 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.

#### Registration pursuant to Section 41 of the Act

10 A person registering an interest in a parcel pursuant to Section 41 of the Act must first submit

- (a) a PDCA in accordance with Section 5; and
- (b) an application for registration in accordance with subsections 9(1) and (2), and clauses 37(4)(a), (ba) and (g) of the Act, and accompanied by the items required in clause 9(3)(d) of these regulations.

#### Content of register

11 (1) In addition to the matters specified by subsection 13(1) of the Act, a parcel register must contain a reference to
 

- (a) the full text of every document by which the title to the parcel is affected, as registered or recorded pursuant to the Act or the *Registry Act*;
- (b) any judgment against predecessors in title to which the parcel is, or may be, subject;

- (c) any judgments against any registered owner(s) that were effective at the time of registration or revision of the registered ownership of the interest; and
- (d) an instrument or interest type assigned to a registered or recorded interest in a parcel register.

(2) 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.

(3) If a parcel register does not include a reference to a judgment against a previous owner of the parcel to which the parcel is still subject, and the judgment creditor or the assignee of the judgment creditor suffers loss as a result of the effect of subsection 20(1) of the Act, the failure to include the reference is deemed to be a failure to make a recording for which the judgment creditor or the assignee of the judgment creditor is entitled to compensation pursuant to Section 85 of the Act.

(4) An archive register is not part of the parcel register.

#### Prescribed contracts

12 (1) Contractual rights respecting parcels registered pursuant to the Act, including but not limited to rights of first refusal, are prescribed contracts for the purposes of the definition of "interest" in clause 3(1)(g) of the Act.

(2) Prescribed contracts may be recorded in the parcel register and, if recorded, are subject to the Act's recording and cancellation of recording provisions.

#### Certificate of registered ownership

13 (1) A certificate of registered ownership may be issued pursuant to subsection 13(5) of the Act, only if the applicant is the registered owner of the fee simple estate in the parcel.

(2) A certificate of registered ownership must be in Form 30.

#### Certificate of legal effect

14 (1) A request to revise the registration of a registered parcel must be in Form 24 and must include a certificate of legal effect.

(2) A direction to revise the registration of a registered parcel must be in Form 25 and must be accompanied by a document that operates as a direction to revise the registration of a registered parcel.

(3) Despite subsections (1) and (2), a certificate of legal effect is not required if an opinion of title is filed pursuant to clause 37(4)(b) of the Act.

#### Tenants in common

15 (1) If an undivided interest in a parcel is registered pursuant to the Act, the outstanding undivided interests will not be registered unless

- (a) the application for registration and opinion of title include the outstanding undivided interests; or
- (b) a Form 24 is submitted subsequent to the registration of the parcel.

(2) A Form 24 submitted pursuant to clause (1)(b) must be accompanied by all the items referred to in subsection 37(4) of the Act and subsection 9(3) of these regulations.

#### Change of name

16 (1) An application pursuant to Section 22 of the Act to change the name in which a parcel is registered must be in Form 21.

(2) 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 (4), title to a parcel based on an interest acquired by adverse possession or prescription will not be registered unless the interest holder submits an application that complies with Section 37 of the Act and Section 9 of these regulations.

(2) If an order of the court confirms that an interest in a registered parcel has been acquired by adverse possession or prescription as referred to in clause 74(2)(a) of the Act

- (a) Section 41 of the Act and Section 10 of these regulations 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 and an interest as described in Section 74 of the Act has been acquired in a parcel and the Crown issues a release pursuant to Section 37 of the *Crown Lands Act*, the release must be registered pursuant to the *Registry Act* and the parcel's registration will not be revised until an application for registration is made pursuant to Section 37 of the Act.

(4) For the purposes of subsection (2), an application for registration pursuant to 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 shall apply with the necessary changes.

#### Judgment information

18 (1) Section 5 and subsection 66(8) of the Act apply with any necessary changes for legal entities.

(2) For purposes of the preparation of judgments pursuant to subsections 67(1) and (4) and 68(2) of the Act, information that tends to distinguish a person from another person of the same or similar name includes a date of birth.

(3) For 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 but that do not include these features; and
- (c) despite a slight difference in spelling, the surname of the judgment debtor is deemed to be identical to the surname of a registered owner as recorded in the parcel register if the distinguishing information on the judgment certificate is identical to the distinguishing information on the parcel register.

(4) A judgment creditor who holds a judgment that is recorded in the judgment roll may update the name or address of the judgment debtor by recording a Request to Update the Name or Address of a Judgment Debtor and Affidavit in Form 21A in the judgment roll and, if applicable, parcel register.

(5) An update of name or address pursuant to subsection (4) is effective from the date and time that the request was recorded.

(6) On the coming into force of the Act, statutory declarations respecting similar names judgments must be recorded in the judgment roll.

#### Removal of judgments recorded pursuant to the *Registry Act*

19 On the coming into force of the Act, a judgment recorded pursuant to the *Registry Act* before that date is deemed to be removed from the 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 pursuant to 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 pursuant to 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 recorded interest is cancelled.

#### Compliance with subsection 51(4) of the Act

22 (1) A security interest holder is deemed to be in compliance with subsection 51(4) of the Act where, 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.

(2) Subsection 51(4) of the Act does not apply where the security interest is intended to remain in place to secure future advances.

#### Proof of service

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

- by whom the document was served;
- the day of the week, the time of day, and the date on which it was served;
- where it was served;
- how service was effected; and
- any other particulars required pursuant to the Act

and to which must be attached as an exhibit, a copy of all documents served.

#### Notice to cancel or amend an interest

24 (1) A notice to the registrar to cancel or amend an interest pursuant to subsection 60(2) or subsection 63(4) of the Act must be accompanied by

- an affidavit proving service on the holder of the interest; and
- the fee for recording the notice.

(2) Proof of service of a notice pursuant to subsection 60(2) or 63(4) of the Act must be recorded in an archive register together with the interest cancelled.

#### Notices

25 (1) Unless otherwise provided in the Act or these regulations, all notices required to be sent pursuant to the Act or these regulations must be sent by any means that affords proof of delivery.

(2) If an address is not known, the Registrar General may provide directions for substituted service of

any notice pursuant to the Act or these regulations.

**Stop orders**

26 (1) If the Registrar General orders that no further registrations or recordings be made with respect to a parcel in accordance with clause 56(1)(d) of the Act, a copy of the order must be filed in the parcel register.

(2) If the Registrar General orders 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 in accordance with clause 56(1)(d) of the Act, a copy of the order must be filed 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 that no further registrations or recordings be made with respect to documents presented by, prepared by, or certified by a named person in accordance with clause 56(2)(c) of the Act, a copy of the order must be filed in the judgment roll indexed under the name of each person with respect to whom the order was made.

**Land registration offices**

27 (1) A land registration office is established in each registration district at such time as the Act comes into force in each registration district.

(2) On the coming into force of the Act in each registration district, the land registration office will be combined with the registry of deeds established pursuant to the *Registry Act* for that registration district.

(3) The combined land registration office and registry of deeds for each registration district is the land registration office for the particular registration district.

**Office hours**

28 (1) Each land registration office is open to the public between the hours of 8:30 am and 4:30 pm, Monday through Friday, except on holidays observed by the Province.

(2) Each land registration office must accept documents for registration or recording that are delivered to the land registration office in hard copy between the hours of 8:30 am and 4:00 pm, Monday through Friday, except on holidays observed by the Province.

(3) Each land registration office must accept documents submitted electronically 24 hours per day, 7 days per week, subject to system availability.

(4) Documents submitted electronically are processed during the hours the land registration office is open to the public.

**Effective date**

29 These *Land Registration Administration Regulations* are effective on March 24, 2003.

I hereby prescribe the foregoing regulations and forms in Schedule "A" pursuant to Section 94 of Chapter 6 of the Acts of 2001, the *Land Registration Act*.

Sgd: *P. G. Christie*  
Peter G. Christie  
Minister of Service Nova Scotia  
and Municipal Relations

March 17, 2003

**Schedule A**  
**Land Registration Administration Regulations Forms**

**Form 1**  
**Request for PID Assignment**  
*Land Registration Administration Regulations Section 5*

**Registration District:** \_\_\_\_\_

**Registrant User Number:** \_\_\_\_\_

**Select One:**

This parcel is not mapped.       This parcel is a portion of existing PID \_\_\_\_\_.

**Assessment Account:** \_\_\_\_\_ **External File Number:** \_\_\_\_\_

**Parcel Location:** Civic # \_\_\_\_\_ Lot #: \_\_\_\_\_ Community \_\_\_\_\_

**Additional Location Information:** \_\_\_\_\_

**Book and Page reference of latest conveyance of parcel (and legal description number if multiple parcels in Schedule A)** \_\_\_\_\_

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 together with a graphical representation of where the parcel is located in relation to surrounding parcels on the provincial map*

**Additional Comments:**

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**Statement of Applicant/Agent of Applicant**

1. I have reviewed the mapping and have confirmed that the parcel described in the attached legal description has not been 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, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Land Registration Use Only:

PID Assigned: \_\_\_\_\_

Property Mapper: \_\_\_\_\_

Signature of Property Owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 2**  
**Parcel Description Certification Application**  
*Land Registration Act, S.N.S., 2001, c. 6, clause 37(4)(g)*  
*[Electronic Application]*

[Registrant User Number is captured by the system]

PID: \_\_\_\_\_

Assessment Account: \_\_\_\_\_

County / Registration District:<sup>1</sup> \_\_\_\_\_

External File Number: \_\_\_\_\_

Parcel Location<sup>2</sup>: Civic # \_\_\_\_\_ Lot #: \_\_\_\_\_ Community \_\_\_\_\_

Book and Page reference of latest conveyance of parcel (and legal description number if multiple parcels in Schedule A) \_\_\_\_\_

Application Type: *[if PID has a certified legal description, field defaults to amending]*

***Statement of Applicant's Agent***

I have reviewed the legal description included in this application and the provincial mapping graphics. The owner applicant has confirmed that the graphics identified by the PID appear to match the legal description for the PID. The submission of this PDCA does not constitute a representation or expression of opinion as to location, boundaries or extent of the parcel.

Comments<sup>3</sup>:

Legal Description: (Limited to 32K Characters - 8 pages of text):

<sup>1</sup>System generated from PID data.

<sup>2</sup>System generated from PID data.

<sup>3</sup>Submitter inserts comments to facilitate the certification process (explanation of discrepancies, etc)

**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)*  
*[Paper Form]*

Registrant User Number: \_\_\_\_\_

Registration District: \_\_\_\_\_

PID: \_\_\_\_\_

Assessment Account: \_\_\_\_\_  
 Parcel Location: Civic # \_\_\_\_\_ Lot #: \_\_\_\_\_ Community \_\_\_\_\_  
 Book and Page reference of latest conveyance of parcel (and legal description number if multiple parcels in Schedule A) \_\_\_\_\_

Name and Address/Phone Number/Email of Current Owner(s): (*Expand if additional owners*)  
 \_\_\_\_\_

Name and Address/Phone Number /Email of Submitter:  
 \_\_\_\_\_

**Application Type:** (*select one*)

Amending (certified previously)  
 Existing (not certified previously)

**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 Applicant's Agent**

I have reviewed the legal description included in this application and the provincial mapping graphics. The owner applicant has confirmed that the graphics identified by the PID appear to match the legal description for the PID. The submission of this PDCA does not constitute a representation or expression of opinion as to location, boundaries or extent of the parcel.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this  
 \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant/Agent**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

**Form 4**  
**Authorization to Submit Application for Registration**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 37(1), 37(4)(g)*

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number (PID)

<b>PID:</b>	_____
<b>PID:</b>	_____
<i>Expand box for additional PIDs</i>	

AND IN THE MATTER OF a transfer of ownership of the above noted parcel.

I/WE (*insert name of current owner of the parcel*) \_\_\_\_\_ am/are the owner(s) of the parcel(s) identified by the above-noted PID(s)

I/WE HEREBY AUTHORIZE (*insert name of lawyer or surveyor*) \_\_\_\_\_ ("my/our agent" herein) to perform such investigations and to submit such documents or forms as may be required in order to (*select one or both*)

- Submit the parcel description certification application (*lawyers or surveyors*).
- Register title to the above-noted parcel(s) (*lawyers only*).

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature of Registered Owner(s)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

### Form 5

#### Owner's Declaration Regarding Occupation of Parcel & Residency Status *Land Registration Act, S.N.S. 2001, c. 6, clause 37(4)(h) and Section 38*

Registration District: \_\_\_\_\_  
Registrant User Number: \_\_\_\_\_

IN THE MATTER OF Parcel Identification Number

PID:
PID:
<i>Expand box for additional PID s</i>

AND IN THE MATTER OF Registered Owner \_\_\_\_\_

I/we \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_, do solemnly declare:

1. I am/we are the owner(s) of the parcel identified as the above noted Parcel Identification Number (PID)s.
2. I am/we are submitting this Declaration in support of an Application for Registration pursuant to section 37 of the *Land Registration Act*;
3. To my/our knowledge neither the whole nor a portion of the above noted PID is adversely occupied by a person other than me/us.

**-Or-**

To my/our knowledge the whole or a portion of the above noted PID is adversely occupied by a person other than me/us as set out below:

- a. The occupation commenced on or about \_\_\_\_\_
- b. The name and address of the person in occupation (if unknown state "unknown")  
\_\_\_\_\_



*Administration Regulations* is in my possession and will be filed with the registrar within ten business days after the submission of this application for registration. I further certify that everything in this application is true, correct and complete, and that title to the parcel is as shown on this application.

Signature of Authorized Lawyer  
Name, address and phone number of lawyer

<sup>4</sup>The certified legal description for this PID will be incorporated by references to the PID on the AFR upon submission.

<sup>5</sup>Multiple instances are allowed

<sup>6</sup>The owner name will be placed in the parcel register as shown

<sup>7</sup>Triggering document conveying title or Register Book and Page reference of last document conveying title.

<sup>8</sup>Mandatory if there is a mixture of manner of tenure

Prescribed Form

**Form 7**

**Application for Registration**

*Land Registration Act, S.N.S.2001, c. 6, subsection 18(1) and subsection 37(4)*

*Land Registration Administration Regulations subsection 9(3)*

[Paper Form]

Registrant User Number:

Parcel Identification Number (PID):

Certification Date and Time:

Type of AFR (select one)

- Sale Trigger
- Subdivision Trigger
- Order Pursuant to *Land Titles Certification Act*
- Voluntary Conversion

- Mortgage Trigger
- Order Pursuant to *Quieting Titles Act*
- New Condominium Corporation

Individual Owners (list names and mailing addresses of all owners)

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Instrument type and registration particulars (Insert Registry Book and Page reference of last conveyance document or the last document giving evidence of title)

Book and Page \_\_\_\_\_

Residency status (select one)

- I am a permanent resident of Nova Scotia
- I am a non-resident of Nova Scotia

Manner of Tenure (select one):

- Not Applicable (sole owner)
- Tenants in common
- Mixed tenure (Insert description of mixed tenure) \_\_\_\_\_
- Joint tenants
- Nothing specified in conveyance document

Interest Holders (list names and mailing addresses of all other interest holders)

Name of Owner of Interest \_\_\_\_\_

Mailing Address \_\_\_\_\_

Instrument type/code: \_\_\_\_\_

Parcel Access:

- Public
- Private

<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): _____	

**Lawyer's Certification**

I certify that everything required pursuant to Section 37 of the *Land Registration Act* and the *Land Registration Administration Regulations* is in my possession and will be filed with the registrar within ten business days after the submission of this application for registration. I further certify that everything in this application is true, correct and complete, and that title to the parcel is as shown on this application.

\_\_\_\_\_  
Signature of Authorized Lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Prescribed Form****Form 8****Opinion of Title and Affidavit of Verification**

*Land Registration Act*, S.N.S. 2001, c. 6, s. 37(4)(b)

Registration District \_\_\_\_\_  
Registrant User Number: \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number (PID)

**PID:** \_\_\_\_\_

**PID:** \_\_\_\_\_

*Expand box for additional PIDs*

*[Note: In order to list multiple PIDs, the abstract must apply equally to all the PIDs]*

I, (name of solicitor), hereby certify that:

1. The above-noted PID(s) represent the parcel(s) that are included in this Opinion of Title.
2. The information contained in the attached Abstract of Title and Application for Registration is a true and correct summary of the title information disclosed by the records on file in the office of the Registrar of Deeds for the county where the parcel lies.
3. This opinion is subject to the accuracy of the indices at the office of the Registrar of Deeds.
4. The attached Abstract of Title shows a chain of ownership of the parcel to the standard required to demonstrate a marketable title pursuant to (check one):
  - The *Marketable Titles Act*
  - The *Limitation of Actions Act*
  - The common law
5. 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

6. The following describes the appurtenances that attach to the parcel:

---

7. The following describes the interests of others in the parcel (*describe other interests such as easements, encumbrances, restrictive covenants, etc.*): \_\_\_\_\_

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

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

<input type="checkbox"/> Public Road	<input type="checkbox"/> Private Road
<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 ( <i>specify</i> ): _____	

---

10. 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.

11. Part IX of the *Municipal Government Act* (*select one only*)

- Has been complied with and the plan approving the subdivision is registered as plan number \_\_\_\_\_
- Does not apply with respect to the parcels referenced in this for the following reasons (*state reason for exemption from subdivision requirements*) \_\_\_\_\_

12. A title insurance policy (*select one*)

- Was not issued with respect to this parcel.
- Was issued with respect to this parcel for the following purpose (*provide details*): \_\_\_\_\_

---

13. Unless noted above, this opinion is subject to the following:

- (i) Rights in respect of the lands, which may have been acquired by adverse possession or prescription;
- (ii) The overriding interests stipulated in Section 73 of the *Land Registration Act*; and
- (ii) The actual boundaries of the lands, the location of any buildings or structures in relation to 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.

CERTIFIED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia.

Signature of Authorized Lawyer  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

----- Prescribed Form -----

**AFFIDAVIT OF VERIFICATION**  
*Land Registration Act, S.N.S 2001, c. 6, s. 37(4)(b)*

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

1. I am an eligible lawyer as certified by the Nova Scotia Barristers' Society.

2. I confirm that the Opinion of Title filed in support of the Application for Registration of PID \_\_\_\_\_ is based upon the attached abstract of title as required by subsection 37(9) of the *Land Registration Act*.

SWORN TO at \_\_\_\_\_, in the \_\_\_\_\_  
 County of \_\_\_\_\_, \_\_\_\_\_  
 Province of Nova Scotia, this \_\_\_\_ day  
 of \_\_\_\_\_, 20\_\_\_\_ before me, \_\_\_\_\_  
 A Commissioner of the Supreme \_\_\_\_\_  
 Court of Nova Scotia \_\_\_\_\_ ) [Insert Name of Authorized Lawyer]

**Form 9**  
**Certificate of Legal Effect**  
*Land Registration Administration Regulations* Section 7(3)

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 current Registered Owner(s): \_\_\_\_\_

TAKE NOTICE THAT the registered owner hereby requests the addition of a benefit of a servitude relating to the above noted parcel(s) as set out below.

I HEREBY CERTIFY THAT:

1) The interest conveyed in the attached (*indicate[d] nature or type of document*) \_\_\_\_\_ encumbers lands registered pursuant to the Act.

**Or**

The interest conveyed in the attached (*indicated nature or type of document*) \_\_\_\_\_ encumbers lands not registered pursuant to the Act, and the documentation required pursuant to clause 7(3)(b) of the *Land Registration Administration Regulations* is attached.

2) The registered owner of the parcel has good title to the servitude.  
 3) By virtue of the attached document, the following appurtenances ( benefits to the parcel) are to be added to the parcel's registration:

Instrument Type/Code	
Expiry Date (if applicable)	
Interest to be Removed (if applicable)	
Interest to be Added (if applicable)	
Interest Type	
Manner of Tenure	
Mailing Address of Interest Holder	
Non-Resident Yes/No? (If applicable)	

Reference to Instrument in Names-Based Roll (If applicable)	
---	--

(Repeat table for each appurtenance)

4) It is appropriate to amend the certified legal description as set out in the attached legal description and to revise the register to add the interest as stated herein.

DATED at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Authorized Lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds is attached.

Prescribed Form

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

[Instrument Type: 809]

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

IN THE MATTER OF Section 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 #/year and book/page if applicable) \_\_\_\_\_ in the records of the Land Registration Office.

IN THE MATTER OF Parcel Identification Number(s):

PID: \_\_\_\_\_

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,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Authorized Signature of Lender/Receiver  
 Name: \_\_\_\_\_

Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds is attached.

**Prescribed Form**

**Form 11**

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

**Registration District:** \_\_\_\_\_  
**Registrant User Number:** \_\_\_\_\_

**TO** the Holder of the Interest or Judgment

**AND TO**, where 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)

<b>PID:</b>
<b>PID:</b>
<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 number/year and book/page if applicable*) \_\_\_\_\_.

**TAKE NOTICE THAT** I am the registered owner 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 hereto is an affidavit setting out the reasons for this request to cancel the interest described above.

**AND FURTHER TAKE NOTICE THAT** if you wish to substantiate this interest or judgment, you are required to commence proceedings in the Supreme Court of Nova Scotia within 60 days from the date of service of this notice.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
 \_\_\_\_\_

**Signature of Registered Owner**  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

## AFFIDAVIT

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

1. I am registered owner of the parcel known as PID \_\_\_\_\_ and as such have personal knowledge of the matters herein deposed to unless otherwise stated.
2. The interest described as \_\_\_\_\_ in the parcel register for the above noted 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, this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_ before me,

A Commissioner of the Supreme \_\_\_\_\_  
Court of Nova Scotia \_\_\_\_\_) [Name of Deponent]

**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)*

**IN THE MATTER OF** Section 63(4) of the *Land Registration Act*

**AND 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 \_\_\_\_\_ (document number/year).

### AFFIDAVIT OF SERVICE

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

1. I am the registered owner of the above noted parcel and as such have personal knowledge of the matters herein deposed to unless otherwise stated.
2. On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ I caused a notice to be sent to the holder of the following recorded interest (*insert document number/year and book/page if applicable*): \_\_\_\_\_
3. A true copy of the Owner's Notice Requiring Cancellation of Recorded Interest or Judgment is annexed

hereto as Exhibit "A" and proof of delivery of the notice is annexed hereto as Exhibit "B";

4. Sixty days have expired after the serving of the Notice (*section 63(4)*);
5. I have not received a certificate of lis pendens in relation to this matter;
6. I ask that the registrar cancel the recording detailed in paragraph 2.

SWORN TO at \_\_\_\_\_, in the \_\_\_\_\_  
County of \_\_\_\_\_,  
Province of Nova Scotia, this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_ before me,

A Commissioner of the Supreme Court of Nova Scotia ) [Name of Registered Owner]  
 )

## **Form 13**

[Instrument Type: 810]

**Registration District:** \_\_\_\_\_

**Registrant User Number:** \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number

<b>PID:</b>
<b>PID:</b>
<i>Expand box for additional PIDs</i>

**AND IN THE MATTER OF** Registered Owner: \_\_\_\_\_

**TAKE NOTICE THAT** a lien, order, claim, certificate, assessment, or designation (*as applicable*) is filed in the Judgment Roll pursuant to the following Act (*select one*):

- Labour Standards Code** (lien/charge/mortgage)
- Pension Benefits Act** (lien) (mandatory recording for Judgment Roll)
- Workers Compensation Act** (assessment) (optional recording)

-Or-

**TAKE NOTICE THAT** a lien, order, claim, certificate, assessment, or designation (*as applicable*) is filed in the parcel register of the above noted PIDs pursuant to the following Act (*select one*):

- Agriculture Marshlands Conservation Act (designation)
- Agriculture and Marketing Act (lien)
- Cemeteries Protection Act (order)
- Condominium Act (lien)
- Environment Act (lien)
- Escheats Act (order)
- Expropriation Act (order)
- Metalliferous Mines and Quarries Regulation Act (lien)
- Mineral Resources Act (lien)
- Municipal Government Act (lien)
- Pension Benefits Act (lien) (optional recording in parcel register)
- Public Trustees Act (certificate)
- Fisheries and Coastal Resources Act (lien)
- Revenue Act (lien)

Fire Prevention Act (lien)  Workers Compensation Act (assessment) (optional recording)  
 Gypsum Mining Income Tax Act (claim)

**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 Department or File Reference Number*) \_\_\_\_\_.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Authorized Signature (*Insert name, address, e-mail, ph. #*)

**Form 14**  
**Release of Lien (and other discharges)**  
*Land Registration Act S.N.S. 2001, c. 6, Sections 96-124*

[Instrument Type: 819]

Registration District: \_\_\_\_\_

Registrant User Number: \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number

<b>PID:</b>
<b>PID:</b>
<i>Expand box for additional PIDs</i>

**AND IN THE MATTER OF** Registered Owner: \_\_\_\_\_

**TAKE NOTICE THAT** a release, withdrawal or discharge of a lien, order, claim, certificate, assessment, or designation (*as applicable*) is filed in the Judgment Roll pursuant to the following Act (*check one*):

*Labour Standards Code* (lien/charge/mortgage)  
 *Pension Benefits Act* (lien) (mandatory recording for Judgment Roll)  
 *Workers Compensation Act* (assessment) (optional recording)

**-Or-**

**TAKE NOTICE THAT** a release, withdrawal or discharge of a lien, order, claim, certificate, assessment, or designation (*as applicable*) is filed in the Parcel Register pursuant to the following Act (*check one*):

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

**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 Department or File Reference Number) \_\_\_\_\_.

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Authorized Signature (Insert name, address, e-mail, ph. #)

### 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)*

[Instrument # 831]

Registration District: \_\_\_\_\_  
Registrant User Number: \_\_\_\_\_

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 number/year and 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 there are reasonable and probable grounds to believe that (select one)

- All of the obligations under the security interest have been performed.
- The holder of the security interest has agreed to release all or part of the collateral.
- The security interest does not affect the parcel in the register.
- No security interest exists.

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 release or not include 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 attached.

AND FURTHER TAKE NOTICE THAT pursuant to 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, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature of Owner /Interest Holder

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

**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]

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

IN THE MATTER OF (*insert Judgment Debtor's name and mailing address*): \_\_\_\_\_

AND IN THE MATTER OF (*insert Judgment Creditor's 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 number and year or book and page reference*)\_\_\_\_\_

**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 five years from the date of renewal unless a further request to renew the judgment is recorded before the expiry date, where authorized by the *Land Registration Act*.

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this  
 \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
 \_\_\_\_\_

Signature of Judgment Creditor or Agent

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

**Form 17**  
**Request by Owner for Rectification**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 33(1) or (2)*

[Instrument # 807]

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

IN THE MATTER OF Parcel Identification Number (PID)

**PID:** \_\_\_\_\_

PID:
------

Expand box for additional PIDs
--------------------------------

AND IN THE MATTER OF the registration/revision of registration (*select one*) of the above noted parcel evidenced by document number: \_\_\_\_\_.

TAKE NOTICE THAT the registration/revision of registration (*select one*) of the above noted parcel was (*select one*)

- not authorized or was based on a transaction that has been rectified or rescinded according to law.
- made in error or there was an error in the registration.

AND FURTHER TAKE NOTICE THAT the registered owner hereby requests the rectification of the registration of the above noted parcel.

AND FURTHER TAKE NOTICE THAT the details of the rectification are as follows:

Instrument Type/Code	
Expiry Date (if applicable)	
Interest to be Removed (if applicable)	
Interest to be Added (if applicable)	
Interest Type	
Mailing Address of Interest Holder	
Non-Resident Yes/No? (If applicable)	
Reference to Instrument in Names-Based Roll (if applicable)	

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature of Registered Owner(s)

Name: \_\_\_\_\_  
 Street No. or Mailing Address: \_\_\_\_\_  
 Town: \_\_\_\_\_  
 Province & Country: \_\_\_\_\_  
 Postal Code: \_\_\_\_\_  
 Phone & Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

### 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) or 33 (5)*

[Instrument # 840]

Registration District: \_\_\_\_\_

Registrant User Number: \_\_\_\_\_

Expiry date of this instrument (*if applicable*): \_\_\_\_\_

IN THE MATTER OF Parcel Identification Number (PID)

<b>PID:</b>	
<b>PID:</b>	
<i>Expand box for additional PIDs</i>	

**AND IN THE MATTER OF** the request to revise/rectify (*select one*) 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 revise/rectify (*select one*) the registration of the above noted parcel.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
  
*[Handwritten signature]*

Signature of Registered Owner(s)  
Name: \_\_\_\_\_  
Street or Mailing Address: \_\_\_\_\_  
Town: \_\_\_\_\_  
Province & Country: \_\_\_\_\_  
Postal Code: \_\_\_\_\_  
Phone & Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

## Prescribed Form

**Form 19**  
**Certificate of Lis Pendens**  
*Land Registration Act, S.N.S. 2001, c. 6, s. 58*

[Instrument Type: 826]

**Registration District:** \_\_\_\_\_  
**Registrant User Number:** \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number(s):

<b>PID:</b>	
<b>PID:</b>	
<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 the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between:

**Plaintiff:** \_\_\_\_\_

And

**Defendant:** \_\_\_\_\_

Court file No.:

## ED at in the County of

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
  

---

Prothonotary

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds is attached.

**Form 20**  
**Objection by Owner to Registrar's Proposed Rectification**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 33(3)*

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number (PID)

<b>PID:</b>
<b>PID:</b>
<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.

**TAKE NOTICE THAT** the registered owner objects to the registrar's proposed rectification and requests a determination by the Registrar General.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
 (Signature)

Signature of Registered Owner(s)

Name: \_\_\_\_\_

Street or Mailing Address: \_\_\_\_\_

Town: \_\_\_\_\_

Province & Country: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone & Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**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)*  
*Land Registration Administration Regulations Section 17*

[Instrument # 109]

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number (PID)

<b>PID:</b>
<b>PID:</b>
<i>Expand box for additional PIDs</i>

**AND IN THE MATTER OF** the change of name or a misspelling of the name of registered owner/interest holder (*select one and insert name*) \_\_\_\_\_

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

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Registered Owner/Interest Holder

#### **AFFIDAVIT OF NAME CHANGE/MISSPELLING**

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

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

(*Choose One:*)

2. On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ I changed my name:

From: \_\_\_\_\_

To: \_\_\_\_\_

**-Or-**

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

(*Choose One:*)

*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 in a deed or other instrument:

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

SWORN TO at \_\_\_\_\_, in the \_\_\_\_\_  
 County of \_\_\_\_\_, \_\_\_\_\_  
 Province of Nova Scotia, this \_\_\_\_\_ day  
 of \_\_\_\_\_, 20\_\_\_\_ before me, \_\_\_\_\_  
 \_\_\_\_\_

A Commissioner of the Supreme Court  
 of Nova Scotia

Registered Owner/Interest Holder

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds is attached.

**Form 21A**  
**Request to Update the Name or Address of a Judgment Debtor**  
*Land Registration Administration Regulations subsection 19(4)*

[Instrument No. 713]

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** an update of the name or address of the judgment debtor as shown on a Certificate of Judgment recorded in the Judgment Roll as document number (*insert document number and book/page reference*) \_\_\_\_\_ with name and address of the judgment debtor as follows (*insert name and address (if any) of judgment debtor as shown on recorded judgment*):  
 \_\_\_\_\_

**TAKE NOTICE THAT** the name and/or address of the judgment debtor is incorrect or incomplete and should be updated.

**AND FURTHER TAKE NOTICE THAT** a request is hereby made to the registrar to change the name or address of the judgment debtor as follows:  
 \_\_\_\_\_  
 \_\_\_\_\_

**AND FURTHER TAKE NOTICE THAT** attached hereto is my affidavit confirming that the change of name or address of the judgment debtor is appropriate.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
  
*[Handwritten signature]*

**Signature of Judgment Creditor**

## **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 judgment recorded in the Judgment Roll as follows: *(insert Book and Page of recording)* \_\_\_\_\_
2. The person named as the judgment debtor in the above noted judgment is the same person as set out in the above Request to Update the Name or Address of a Judgment Debtor.
3. It is appropriate to update the name or address of the judgment debtor contained in the above-noted judgment.

SWORN TO at \_\_\_\_\_, in the  
County of \_\_\_\_\_,  
Province of Nova Scotia, this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_ before me,

A Commissioner of the Supreme Court of Nova Scotia ) Judgment Creditor

## Form 22

## Change of Address

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

**Registration District:** \_\_\_\_\_  
**Registrant User Number:** \_\_\_\_\_

**IN THE MATTER OF Parcel Identification Number (PID)**

<b>PID:</b>	
<b>PID:</b>	
<i>Expand box for additional PIDs</i>	

**AND IN THE MATTER OF** document number and year \_\_\_\_\_ (*For Names-based Roll*)

**AND IN THE MATTER OF** the Registered Owner/a Recorded Interest Holder (*select one and insert name*):

**TAKE NOTICE THAT: (select one)**

- I am the above noted Registered Owner/agent
- I am 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 should be used to serve all notices and documents requiring service pursuant to the *Land Registration Act*.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature of Owner /Interest Holder  
 or Agent for Owner /Interest Holder

Print Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

NRI File Number \_\_\_\_\_ (for Internal Use only)

**Form 23**  
**Application for Registration Supporting Documents Cover Page**  
*Land Registration Act, S.N.S.2001, c. 6, s. 37*

Cover  
Page

Registration District: \_\_\_\_\_

Registrant User Number: \_\_\_\_\_

**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 documents are attached (*attach all*):

- Authorization to Submit Application for Registration (Form 4)
- Abstract of Title
- Opinion of Title & Affidavit of Verification (Form 8)
- Owner's Declaration Re: Occupation of Parcel & Residency Status (Form 5)
- Signed copy of Statement of Registered and Recorded Interests (*System generated report sent to lawyer when the parcel register is created or updated*)

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature of Authorized Lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

Cover  
Page

**Form 24**  
**Request to Revise the Registration and Certificate of Legal Effect**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 18(13)*

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

**IN THE MATTER OF** Parcel Identification Number (PID)

<b>PID:</b>
<b>PID:</b>
<i>Expand box for additional PIDs</i>

**AND IN THE MATTER OF** current Registered Owner(s): \_\_\_\_\_

**AND IN THE MATTER OF** the transfer of registered ownership of the above noted PIDs to (*insert name of transferee*) \_\_\_\_\_.

**TAKE NOTICE THAT** the transferee 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 pursuant to a power of attorney, and the power of attorney is (*select one or more*)

- Recorded in the attorney roll,
- Recorded in the parcel register, or
- Attached to the document.

**I HEREBY CERTIFY THAT:**

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.
2. The attached document operates as follows:

<b>Instrument Type/Code</b>	
<b>Expiry Date (if applicable)</b>	
<b>Interest to be Removed (if applicable)</b>	
<b>Interest to be Added (if applicable)</b>	
<b>Interest Type</b>	
<b>Manner of Tenure</b>	
<b>Mailing Address of Interest Holder</b>	
<b>Non-Resident Yes/No? (If applicable)</b>	
<b>Reference to Instrument in Names-Based Roll (if applicable)</b>	

3. After reviewing the judgment roll with respect to the current registered owner(s) of the registered interest in the parcel, the following judgments are to be incorporated into the parcel register:

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

4. By virtue of the attached document, the following appurtenances (right of way benefits to the parcel) are to be added to the parcel's registration:

Instrument Type	Interest Type	Interest Holder
	Easement Benefit Holder	

5. It is appropriate to revise the parcel registration as certified herein.

DATED at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, this  
\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Signature of Authorized Lawyer

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Fax: \_\_\_\_\_

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds is attached.

**Form 25**  
**Direction to Revise Registration**  
*Land Registration Act, S.N.S., 2001, c. 6, Sections 27, 29, 30, 31, 32*

Cover  
Page

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

IN THE MATTER OF Parcel Identification Number (PID)

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 PID(s)

(Select one)

- Proof of Death of Joint Tenant [LRA s. 27]
- Expropriation [LRA s. 29]
- Receiving Order or Assignment in Bankruptcy [LRA s. 30]
- Tax Deed [LRA s. 31]
- A judgment or order of a court [LRA s. 32(1)(a)]
- An enactment of Canada or the Province or an order in council [LRA s. 32(1)(b)]

- An order, judgment or certificate issued pursuant to the *Land Titles Clarification Act* or the *Quieting Titles Act* [LRA s. 32(1)(d)]
- Any 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:**

- 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.
- 2) The attached document operates as follows:

<b>Instrument Type/Code</b>	
<b>Expiry Date (if applicable)</b>	
<b>Interest to be Removed (if applicable)</b>	
<b>Interest to be Added (if applicable)</b>	
<b>Interest Type</b>	
<b>Manner of Tenure</b>	
<b>Mailing Address of Interest Holder</b>	
<b>Non-Resident Yes/No? (If applicable)</b>	
<b>Reference to Instrument in Names-Based Roll (if applicable)</b>	

- 3) After reviewing the judgment roll with respect to the current registered owner(s) of the registered interest in the parcel, the following judgments are to be incorporated into the parcel register:

<b>Instrument Type / Code</b>	<b>Interest Type</b>	<b>Interest Holder</b>	<b>Names-Based Roll Reference (If applicable)</b>

- 4) By virtue of the attached document, the following appurtenances (*right of way benefits to the parcel*) are to be added to the parcel's registration:

<b>Instrument Type</b>	<b>Interest Type</b>	<b>Interest Holder</b>
	Easement Benefit Holder	

- 5) It is appropriate to revise the parcel registration as certified herein.

**DATED** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Signature of Authorized Lawyer

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds is attached.

**Form 26**  
**Request to Record an Interest**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 47(1)*

Cover  
Page

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

**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 as an interest in the above noted parcel(s) in the following register or roll (*select one only*):

Parcel Register       Judgment Roll       Power of Attorney Roll

**AND FURTHER TAKE NOTICE THAT** the following information relates to the interest:

Instrument Type/Code	
Expiry Date (if applicable)	
Interest to be Removed (if applicable)	
Interest to be Added (if applicable)	
Interest Type	
Manner of Tenure	
Mailing Address of Interest Holder	
Non-Resident Yes/No? (If applicable)	
Reference to Instrument in Names-Based Roll (if applicable)	

[Optional] **AND FURTHER TAKE NOTICE THAT** the attached document is signed by an attorney for a person pursuant to a power of attorney, and the power of attorney is (*select one or more*)

Recorded in the attorney roll  
 Recorded in the parcel register, or  
 Attached to the document.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. \_\_\_\_\_

Signature of Interest Holder/Agent  
 Name: \_\_\_\_\_

Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds 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)*

Cover  
Page

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 holder \_\_\_\_\_;

AND IN THE MATTER OF the interest described in the attached document which releases the interest recorded in the name of above noted interest holder 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 to be Removed (if applicable)	
Interest to be Added (if applicable)	
Interest Type	
Manner of Tenure	
Mailing Address of Interest Holder	
Non-Resident Yes/No? (If applicable)	
Reference to Instrument in Names-Based Roll (if applicable)	

[Optional] AND FURTHER TAKE NOTICE THAT the attached document is signed by an attorney for a person pursuant to a power of attorney, and the power of attorney is (select one or more)

Recorded in the attorney roll  
 Recorded in the parcel register, or  
 Attached to the document.

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature of Interest Holder/Agent  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Fax: \_\_\_\_\_

This document also affects non-land registration parcels. A certified true copy for registration in the Registry of Deeds is attached.

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

**Cover  
Page**

Registration District: \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

Municipal File Number or Land Registration File Number (*File number used when PIDs were originally assigned during pre-approval*) \_\_\_\_\_

IN THE MATTER OF a plan filed pursuant to 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 pursuant to the *Land Registration Act*:

Parent PIDs	New PIDs
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,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Applicant / Municipal Official

Street or Mailing Address

City/Town

Postal Code

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

**Form 29**  
**Statement of Registered and Recorded Interests**  
**[System Generated]**

Effective Date\Time: \_\_\_\_\_  
Registration District: \_\_\_\_\_

**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: \_\_\_\_\_  
  
Owner Name: \_\_\_\_\_  
Qualifier: \_\_\_\_\_  
Interest Type: \_\_\_\_\_  
Document Reference: \_\_\_\_\_  
Instrument Type: \_\_\_\_\_  
Address of Owner: \_\_\_\_\_

**MANNER OF TENURE:**  
Description of Tenure: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RECORDED INTERESTS AND INSTRUMENTS:**

Name of Interest Holder: \_\_\_\_\_  
Qualifier: \_\_\_\_\_  
Interest Type: \_\_\_\_\_  
Document Reference: \_\_\_\_\_  
Instrument Type: \_\_\_\_\_  
Expiry Date: \_\_\_\_\_  
Address of Interest Holder: \_\_\_\_\_

Name of Interest Holder: \_\_\_\_\_  
Qualifier: \_\_\_\_\_  
Interest Type: \_\_\_\_\_  
Document Reference: \_\_\_\_\_  
Instrument Type: \_\_\_\_\_  
Expiry Date: \_\_\_\_\_  
Address of Interest Holder: \_\_\_\_\_

## OTHER RECORDED DOCUMENTS

Document Reference:

Instrument Type

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---

Document Reference:

Instrument Type

---

---

To be signed and submitted with  
Application for Registration Supporting Documents Cover Page (Form 23)  
*Land Registration Administration Regulations* clause 9(5)(d)

I confirm that:

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

Signature of Authorized Lawyer

Name: 

---

Address: 

---

Phone: 

---

Email: 

---

Fax: 

---

## 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 (PID) \_\_\_\_\_.

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

**Registrar General of Land Registration**

**Form 31****Notice of Registration for Grantor Grantee Index**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 43(1)*

[Instrument # 805]

**Registration District** \_\_\_\_\_**IN THE MATTER OF** Parcel Identification Number (PID) \_\_\_\_\_, which legal description is located in the parcel description database.**AND IN THE MATTER OF** (*insert name of owner prior to registration*): \_\_\_\_\_**AND IN THE MATTER OF** the parcel located at (*insert civic #, street, community, lot number if available*) \_\_\_\_\_**TAKE NOTICE THAT** the above noted parcel was registered pursuant to 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 provisions of the *Registry Act* no longer apply to the parcel, except with respect to the interpretation of documents recorded pursuant to the *Registry Act*.**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
  

---

Registrar

**Form 32****Order to the Registrar to Register the Title**  
*Land Registration Act, S.N.S. 2001, c. 6, s. 42*

[Instrument # 835]

**TO the Registrar for Registration District:** \_\_\_\_\_  
**Registrant User Number:** \_\_\_\_\_**IN THE MATTER OF** Parcel Identification Number (PID)

<b>PID:</b>
<b>PID:</b>
<i>Expand box for additional PIDs</i>

**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 this Act;**AND UPON IT APPEARING THAT** the necessary supporting information has been provided;**YOU ARE HEREBY ORDERED** to register the title to the parcel(s) of the above noted PID(s) upon receipt of the application for registration.

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Registrar

Prescribed Form

**Form 33**

**Registrar's Cancellation of Recorded Interest or Judgment**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 63(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 \_\_\_\_\_ and set out in document number/year \_\_\_\_\_.

**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:

1. Sixty days have expired after service of notice on the holder of the above noted interest and all others required to be served,
2. 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
3. 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 is hereby cancelled.

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Registrar

**Form 34**  
**Stop Order**

*Land Registration Act, S.N.S., 2001, c. 6, subsection 56(2)*

[Instrument #: 801]

Stop Order against a parcel is recorded in the parcel register

**[Instrument #: 802]**

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:
<i>Expand box for additional PIDs</i>

**IT IS HEREBY ORDERED THAT (select one)**

- No further registrations or recordings may be made with respect to the above noted parcel.
- No further registrations or recordings may be made with respect to documents to which the above noted person is a party.
- No further registrations or recordings may be made with respect to documents presented by, prepared by or certified by the above noted person.

**IT IS FURTHER ORDERED THAT** no further registration or recording shall be made contrary to the Order and no certificate of registered ownership shall be issued with respect to the parcel identified herein until this Order has been rescinded.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. (Signature)

Registrar General

**Form 35**  
**Rescission of Stop Order**  
*Land Registration Act, S.N.S., 2001, c. 6, subsection 56(3)*

**[Instrument #: 803]**

Rescission of Stop Order against a parcel is recorded in the parcel register

**[Instrument #: 804]**

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:
<i>Expand box for additional PIDs</i>

**TAKE NOTICE THAT** the Stop Order against the above noted Person/Parcel (*select one*) dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ is hereby rescinded.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Registrar General

**Form 36**  
**Notice of Registrar's Proposed Rectification**  
*Land Registration Act, S.N.S. 2001, c. 6, subsection 33(3)*

[Instrument # 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>

AND IN THE MATTER OF the registration/revision of registration (*select one*) of the above noted parcel evidenced by document number: \_\_\_\_\_.

**TAKE NOTICE THAT** the registration/revision of registration (*select one*) of the above noted parcel was (*select one*):

- not authorized or was based on a transaction that has been rectified or rescinded according to law.
- made an error or there was an error in the registration.

AND FURTHER **TAKE NOTICE THAT** the registrar hereby initiates the rectification of the registration of the above noted parcel.

AND FURTHER **TAKE NOTICE THAT** the details of the rectification are as follows:

Instrument Type/Code	
Expiry Date (if applicable)	
Interest to be Removed (if applicable)	
Interest to be Added (if applicable)	
Interest Type	
Manner of Tenure	
Mailing Address of Interest Holder	
Non-Resident Yes/No? (If applicable)	
Reference to Instrument in Names-Based Roll (if applicable)	

**AND FURTHER TAKE NOTICE THAT** the registration/revision of registration (select one) will be rectified unless you file an objection with the registrar within 15 days of receipt of this notice.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. 

\_\_\_\_\_  
Registrar

### Form 37

#### Notice of Abandonment or Referral of Registrar's Proposed Rectification *Land Registration Act, S.N.S. 2001, c. 6, subsection 33(8), (9)*

[Instrument # 829]

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>

**AND IN THE MATTER OF** the registrar's proposed rectification of the registration of the above noted PID(s).

**AND IN THE MATTER OF** the registered owner's objection to the registrar's proposed rectification.

**TAKE NOTICE THAT** (select one):

- The registrar has abandoned the proposed rectification and the Notice of Registrar's Proposed Rectification is cancelled.
- The registrar has submitted the proposed rectification to the Registrar General for determination.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. 

\_\_\_\_\_  
Registrar

### Form 38

#### Cancellation of Recording of Registrar's Proposed Rectification *Land Registration Act, S.N.S. 2001, c. 6, subsection 33(10)*

[Instrument # 812]

Registration District: \_\_\_\_\_  
Registrant User Number: \_\_\_\_\_ 

TO the Registered Owner: (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 registrar's proposed request for rectification recorded as document number/year \_\_\_\_\_.

AND IN THE MATTER OF the registered owner's objection to the registrar's proposed rectification of registration of the above noted parcel.

TAKE NOTICE THAT the Registrar General has refused to accept the registrar's proposed rectification 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,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
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) or 33(7)*

[Instrument # 820]

Registration District: \_\_\_\_\_

Registrant User Number: \_\_\_\_\_

Expiry date of this instrument (if applicable): \_\_\_\_\_

TO Registered Owner: (insert name and mailing address)

IN THE MATTER OF IN THE MATTER OF Parcel Identification Number (PID)

PID:

PID:

*Expand box for additional PIDs*

AND IN THE MATTER OF the registered owner's request to revise/rectify (*select one*) the registration of the above noted parcel(s).

AND IN THE MATTER OF the registrar's refusal to revise/rectify (*select one*) 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's application to the Registrar General for a review of the registrar's refusal to revise/rectify (*select one*) the registration as requested.

TAKE NOTICE THAT the Registrar General hereby confirms the registrar's refusal to revise/rectify (*select*

one) the registration of the above noted PID.

**AND FURTHER TAKE NOTICE THAT** the registered owner has thirty days from the date of this notice to record a Certificate of Lis Pendens with the Supreme Court of Nova Scotia.

**AND FURTHER TAKE NOTICE THAT** if no Lis Pendens is recorded within thirty days of this notice the parcel will not be rectified/revised (*select one*) and the registrar shall cancel all notices pertaining to registered owner's request to revise/rectify (*select one*) the registration.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
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), 18(14) or 33(4), 33(5)*

[Instrument # 806]

Registration District: \_\_\_\_\_

Registrant User Number: \_\_\_\_\_

Expiry date of this instrument (if applicable): \_\_\_\_\_

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>

AND IN THE MATTER OF the request to revise/rectify (*select one*) the registration of the above noted parcel(s) made by the registered owner(s).

**TAKE NOTICE THAT** the request to revise/rectify (*select one*) 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 revision/rectification (*select one*).

**AND FURTHER TAKE NOTICE THAT** if you do not apply for a review of the registrar's decision with 30 days, the registrar shall cancel the recording of this notice of request and refusal by registrar to revise/rectify (*select one*) a registration and the registration of the above noted parcel will not be revised/rectified (*select one*).

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Registrar

### Form 41

**Cancellation of Notice of Request for Revision or Rectification**  
*Land Registration Act, S.N.S 2001, c. 6, subsections 18(15), 18(16) or 33(6), 33(7)*

**[Instrument Type: 818]**

**Registration District:** \_\_\_\_\_  
**Registrant User Number:** \_\_\_\_\_

**TO** the Registered Owner: (*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's request for revision/rectification (*select one*).

**AND IN THE MATTER OF** the recording of a notice of request and refusal to revise or rectify a registration by the registrar.

**TAKE NOTICE THAT (select one):**

- Thirty days has passed since the registrar denied the above noted request for revision/rectification (*select one*), and the person who requested the revision/rectification (*select one*) has not applied to the Registrar General for review of the registrar's decision.
- Thirty days has passed since the Registrar General confirmed the registrar's decision to deny the request for revision/rectification (*select one*), and the person who requested the review of the registrar's decision has not filed a notice of lis pendens.

**AND FURTHER TAKE NOTICE THAT** the registrar hereby cancels the recording of the notice of request and refusal to revise or rectify a registration by registrar.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
  
*[Handwritten signature]*

## Registrar

### Form 42

## **Cancellation of Notice of Request and Refusal by Registrar to Revise or Rectify a Registration**

*Land Registration Act, S.N.S. 2001, c. 6, subsection 18(16) or 33(7)*

**[Instrument # 845]**

**Registration District:** \_\_\_\_\_  
**Registrant User Number:** \_\_\_\_\_

**TO** the Registered Owner: (insert name and mailing address)

**IN THE MATTER OF** Parcel Identification Number (PID)

**PID:**

**Expand box for additional PIDs**

**AND IN THE MATTER OF** the owner's request to revise/rectify (*select one*) the registration of the above noted parcel(s).

**AND IN THE MATTER OF** the registrar's refusal to revise/rectify (*select one*) the registration of the above noted parcel(s) and the registered owner's request for a review of the refusal.

**TAKE NOTICE THAT** the Registrar General does not confirm the registrar's refusal to revise/rectify (*select one*) 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 shall rectify or revise the registration as requested by the registered owner.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. (Signature)

Registrar

**Cover  
Page**

**Form 43**  
**Notice of Intent to Cancel Subdivision**  
*Land Registration Act, S.N.S. 2001, c. 6, subsections 18(9) & 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* clause [subsection] 282A(4) because (*select one*):

- One or all of the existing parcels on the plan or instrument of subdivision have not been registered pursuant to 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 the land is added are not registered pursuant to the *Land Registration Act*.

**AND FURTHER TAKE NOTICE THAT** the affected parcels must be registered pursuant to 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 pursuant to 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, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. (Signature)

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*

Registration District \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

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 pursuant to the *Land Registration Act*, and the document may be accepted for registration pursuant to the *Registry Act* because:  
 (select one only)

- It is not a transfer for valuable consideration as defined in clause 46(1)(a) of the *Land Registration Act*.
- It is not a mortgage as defined in clause 2(2)(f) or security interest as defined in clause 2(2)(k) of the *Land Registration Administration Regulations*.
- It is a transfer of a parcel between persons married to one another.
- It is a transfer of a parcel between persons formerly married to one another, where the transfer is for the purpose of division of matrimonial assets.
- It is a transfer of a parcel between persons who are parties to a registered domestic partnership agreement.
- It is 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.
- It is a deed that conveys an interest of a predecessor in title to the present owner being used to feed the estoppel or clarify title.
- It is a transfer of an unregistered parcel that is created for the purpose of consolidation with an abutting unregistered parcel where the parcel being transferred/created does not meet the minimum lot requirements under a subdivision by-law or the *Provincial Subdivision Regulations*.
- It is a transfer of a parcel from the Nova Scotia Farm Loan Board to a borrower under the Agriculture and Rural Credit Act.
- It is an instrument that is not required to be registered or recorded pursuant to the *Land Registration Act* and the *Land Registration Administration Regulations*.

I HEREBY REQUEST THAT this document be registered pursuant to the *Registry Act*.

DATED at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature of Owner/Transferee  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

**Form 44A**  
**Transitional Exemptions to Land Registration**  
*Land Registration General Regulations, Section 8*

Cover  
Page

Registration District \_\_\_\_\_  
 Registrant User Number: \_\_\_\_\_

**IN THE MATTER OF** Section 8 of the *Land Registration General Regulations*;

**AND IN THE MATTER OF** (*check one only*)

- A Transfer for Valuable Consideration** completed prior to the coming into force of the Act in this registration district.
- A Mortgage or Security Interest** where the funds were advanced prior to the coming into force of the Act in this registration district.
- A Non-Family Subdivision Resulting in three or More Parcels** where the plan of subdivision was submitted to the municipality for final approval prior to the coming into force of the Act in this registration district.
- A Condominium Registration** where all the documents necessary for acceptance for registration of a condominium corporation declaration have been submitted to the Registrar of Condominiums prior to the coming into force of this Act in this registration district.

**TAKE NOTICE THAT** the above noted transaction occurred on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ which was prior to the coming into force of the Act in this registration district.

**AND FURTHER TAKE NOTICE THAT** this document is being presented for registration in the Registry of Deeds within 90 days of the coming into force of the *Land Registration Act* in this registration district.

**DATED** at \_\_\_\_\_ in the County of \_\_\_\_\_, Province of Nova Scotia,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Owner/Agent/Authorized Individual  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

**N.S. Reg. 54/2003 and 55/2003**

Made: March 21, 2003

Filed: March 24, 2003

Conservation Number Plates Regulations  
and Documents and Services Fees

Order in Council 2003-105 dated March 21, 2003

Regulations and amendment to regulations made by the Governor in Council  
pursuant to Section 38 and subsection 302(1) of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated January 23, 2003, is pleased, effective on and after March 21, 2003, to

- (a) pursuant to Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, approve of regulations respecting the issuance of conservation number plates made by the Minister of Service Nova Scotia and Municipal Relations in the form set forth in Schedule "A" attached to and forming part of the report and recommendation; and
- (b) pursuant to subsection 302(1) of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, amend the regulations respecting documents and services fees made by the Governor in Council by Order in Council 2000-276 dated May 24, 2000, in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation.

**N.S. Reg. 54/2003**

## Conservation Number Plates Regulations

**Schedule "A"**

**Regulations Respecting Conservation Number Plates  
made by the Minister of Service Nova Scotia and Municipal Relations pursuant to  
Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

**Citation**

1 These regulations may be cited as the *Conservation Number Plates Regulations*.

**Description of conservation plate**

2 (1) Upon application to the Registry of Motor Vehicles in the form prescribed by the Registrar, a person may be issued a special number plate that

- (a) is 15.24 cm in width by 30.48 cm in length;
- (b) shows a multi-coloured piping plover followed by blue letters and numerals on a silver-white field; and
- (c) bears the words "NOVA SCOTIA" at the top and "CONSERVATION - SPECIES AT RISK" at the bottom,

and is otherwise in general accordance with the number plate depicted in Schedule "A".

**Vehicle weight restriction**

3 A conservation plate may be issued only for a passenger motor vehicle or a commercial motor vehicle that is registered for a weight of 5000 kg or less.

MADE at Halifax, Nova Scotia, January 23, 2003.

Sdg: *P.G. Christie*  
The Honourable Peter Christie  
Minister of Service Nova Scotia  
and Municipal Relations

**Schedule 'A'**



N.S. Reg. 55/2003  
Documents and Services Fees

**Schedule "B"**

**Amendment to the Regulations Respecting Documents and Services Fees  
made by the Governor in Council pursuant to subsection 302(1)  
of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act***

The regulations respecting documents and services fees made by the Governor in Council by Order in Council 2000-276 dated May 24, 2000, are amended by adding the following immediately after "Administration fee for initial issuance of veteran's number plate ....\$5.00":

Administration fee for initial issuance of conservation number plate ..... \$20.00

Conservation fund fee for initial issuance of conservation number plate ..... \$50.00

Replacement fee for conservation number plate ..... \$20.00