



Ministry of Consumer and Commercial Relations

Registration Division

Real Property Registration Branch

BULLETIN NO. 98006

DATE: December 18, 1998

TO: All Land Registrars

Land Titles Act
Registry Act

Miscellaneous
Red Tape Reduction Act, 1998

The Red Tape Reduction Act, 1998 received Royal Assent on December 18, 1998. This bulletin addresses some of the amendments to the Registry Act and the Land Titles Act made by this Act and the dates on which they become effective. There are separate bulletins for specific amendments which relate to cautions, powers of sale and notices of lease.

The Land Titles Act

Section	Description of Amendment	Effective date
s.s.10(2)	The requirement for a seal of office for the Director of Titles is repealed.	December 18, 1998
s.s.70(2)	Notarial copies of powers of attorney may be accepted for registration.	December 18, 1998
s.s.93(2)	The only mandatory requirement for the registration of a charge is that it states the amount of the principal it secures.	December 18, 1998
s.117	The provision for the Land Registrar to issue a certificate of search is repealed.	February 16, 1999

The Registry Act

s.s.6(3)	The requirement for a seal of office for the Director of Land Registration is repealed.	December 18, 1998
s.s.10	The requirement for a seal of office for the Land Registrar is repealed.	December 18, 1998
s.14	The provision for the Land Registrar to provide a Registrar's Abstract is repealed.	February 16, 1999
s.s.18(6)	Paragraphs, 1, 2, 3, 4 and 8 are amended to allow for notarial copies of documents which can be registered in the General Register including a notarial copy of a power of attorney. The Act also makes provisions for the registration of a certificate of appointment of estate trustee and for a certificate of appointment of statutory guardians, or a notarial copy of them.	December 18, 1998

s.s.38(1)(d)	The requirement in this section to produce the original judgment or order for verification when registering a notarial copy of a court order has been repealed.	December 18, 1998
s.s.46(2)	This section is amended to eliminate the requirement for a notation of the registration number of the power of attorney in the abstract index when a document is executed by an attorney.	December 18, 1998
s.s.53(1)(a)	This section has been amended to provide for the registration of a holograph will.	December 18, 1998
s.s.53(2)	This section was repealed thereby eliminating the requirement to produce the will or other document when registering a notarial copy.	December 18, 1998
s.56	<p><i>Subsections 56(2),(3),(4),(5) and 6</i> are repealed. These sections dealt with the production of the duplicate mortgage when registering a discharge. The requirement to produce the duplicate mortgage has been eliminated. As a result staff will no longer request the client to produce the duplicate or attach an affidavit or statement of loss.</p> <p><i>Subsections 56(8) and (10)</i> are repealed and substituted with a provision that a mortgage may be effectively discharged by deleting it from the abstract index, or by making an entry in the abstract index that the mortgage is deleted. Therefore, when the land registrar is satisfied that the discharge validly discharges the mortgage and related instruments, he or she is to delete those instruments from the record in the following manner.</p> <ol style="list-style-type: none"> 1. In the manual system, rule out the instruments from the records in accordance with the abstracting standards; or 2. In the automated system, delete the instruments from the record in accordance with the automated abstracting guide. <p>If any of the instruments are recorded in the manual system (i.e., Parcelized Day Forward Registry) the land registrar may, in lieu of ruling those instruments from the record, make a remark in the abstracting of the discharge document in the automated system that the instruments being discharged are deleted.</p> <p>Pursuant to subsection 56(10) a mortgage that is physically ruled off in the manual records, or deleted by an entry in the automated records have the same effect; the land is no longer affected by any claim under the mortgage or related instruments.</p>	December 18, 1998

s.105

This section is amended to provide for the deposit of notarial copies of certain documents as specified by the Director.


December 18, 1998

The following documents have been specified as documents for which notarial copies may be accepted for deposit:

- a) birth certificate
- b) baptism certificate
- c) marriage certificate
- d) divorce certificate
- e) death certificate
(includes a funeral director's certificate)
- f) burial certificate
- g) post office receipt necessary to the exercise of a power of sale



Ian Veitch
Director of Land Registration


Katherine M. Murray
Director of Titles