

FOR RELEASE
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New Land Titles Act regulations are first of their kind in Canada

WHITEHORSE—The Government of Yukon has proclaimed the *Land Titles Act, 2015* and enacted its accompanying regulations, an unprecedented milestone for the territory and the country.

"The Yukon government is pleased to be leading the country with these groundbreaking legislative changes," Premier Darrell Pasloski said. "We are delivering on our promise to establish a framework to protect the integrity of the land titles system, secure interests of property owners, and provide new economic development options. With the instrumental support of Kwanlin Dün First Nation, we have introduced a new mechanism for registering Settlement Land while safeguarding Aboriginal rights and title. This will create new residential and commercial development opportunities."

Four new regulations under the act establish: rules for registering First Nation Settlement Land in the Land Titles Office; requirements for plans of survey and other plans; general administration and operations provisions; and also set transaction fees.

"First Nation governments have long contemplated the need for some form of land registry to unlock the potential of its settlement lands for the benefit of citizens and economic development. Our citizens have been clear, never is KDFN to give up Aboriginal rights and title to our Settlement Land," Kwanlin Dün Chief Doris Bill said. "Kwanlin Dün is pleased to have reached this landmark regulation with Yukon and to have paved the way for all Yukon First Nations with self-government agreements to apply to register lands or leases with the Land Titles Office, if they wish to do so."

New provisions enable the Land Titles Office to keep pace with the volume and complexity of modern land dealings in Yukon and provide more accessible land titles information.

"We've maintained the high standards of Yukon's land titles system while establishing new processes that align with the demands of today's land transactions," Minister of Justice Brad Cathers said. "This is the result of years of work led by the Department of Justice and valuable involvement by key stakeholders."

Improving Yukon's land titles system is the objective of the multi-phase Land Titles Modernization Project. Current project priorities include preparing the Land Titles Office to transition to an electronic registration and records system and developing regulations to accompany the new *Condominium Act, 2015*.

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See background information below.

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Background

- The new *Land Titles Act, 2015* and accompanying regulations modernize the land titles system and streamline business transactions in the Land Titles Office, while clarifying the state of law in respect of real property in Yukon.
- Review of the previous legislation, which dates back to the late 1800s, showed that a new framework was required to create allowances for the Land Titles Office to transition from a paper-based system into an electronic system and to streamline policies, processes and procedures to keep pace with the increased volume and complexity of modern land dealings in Yukon.
- The new legislation and regulations were developed with the assistance of the Land Titles Modernization Project Stakeholder Advisory Committee and the Land Titles Act Drafting Advisory Group, which includes representatives from First Nation and municipal governments; real estate law, surveying and condominium sectors; the business community; federal surveyor general's branch; and Yukon government departments. It also reflects the comments received during public consultation periods.
- The *Land Titles Act, 2015* has been brought into force with four essential regulations that outline the process and procedures for handling land transactions.

General Regulation:

- contributes to the administration of the act and outlines the operational rules of the Land Titles Office (e.g., hours of operation, location, etc.);
- establishes the process for registration reviews and appeals;
- creates rules for managing personal information in the Land Titles Office;
- empowers the registrar to establish standards governing instruments; and
- allows for future transition to an electronic registration and records system.

Settlement Land Regulation:

- allows for registration of Yukon First Nation Category A and Category B Settlement Lands in the Land Titles Office in a manner that preserves Aboriginal rights and title;
- clarifies the requirements for eligible First Nations that apply to register Settlement Lands in the Land Titles Office;
- sets out the information which will appear on title;
- defines the scope of a First Nation's approving authority powers; and
- allows the registrar to re-issue certificates of title for fee simple titles already registered in the land titles office.

Survey Plans Regulation:

- establishes the rules and requirements for registering plans of survey and other plans;
- empowers the registrar to establish standards for plans;
- allows for the authorization of the Surveyor's General Branch of the Natural Resources Canada - Yukon Region to serve as Yukon's survey authority for plans of titled land;
- simplifies procedures for enlarging a parcel; and
- establishes rules for deferred monumentation of surveyed parcels.

Tariff of Fees Regulation:

- outlines fees in force;
- includes new set fee for registration of transfers and mortgages and simplifies calculation of assurance fund fees.
- The new land titles legislation and regulations fall under the scope of the Land Titles Modernization Project, which was initiated in 2012 to improve Yukon's land titles system and facilitate more timely and efficient land transactions and provide citizens with better access to land titles information.
- More information on the Land Titles Modernization Project is available on the Department of Justice Land Titles Office web page.

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