



Land Registration Act **Amendments Have Been Enacted**

Amendments to the LRA were introduced in the House of Assembly on May 5, 2008. The amendments were a product of operational experience in the land titles system, suggestions from stakeholders and detailed consultation with the Nova Scotia Barristers' Society. The Bill received Royal Assent on May 27, 2008 and has become Chapter 19 of the Acts of 2008.



under the Act,
(iv) receive notices and intervene in proceedings affecting parcels of land registered under the Act,
(v) administer the Act more effectively and efficiently;
(d) increase the ability of any aggrieved person to pursue a remedy under the Act;

The explanatory note for the Bill provides a good overview of the amendments:

Explanatory Note

This Bill makes numerous changes to the Land Registration Act that are necessary as a result of over three years of experience of having the Act in force on a province-wide basis. In general, the amendments are designed to remove some areas of ambiguity, enhance the integrity of the land registration system and make the Act more effective and efficient. In particular, the amendments to the Land Registration Act contained in this Bill (a) clarify that the parcel register is meant to reflect the state of title on the initial registration so that a person can rely on the registration without having to look at the historic record at the Registry of Deeds;

(b) clarify the situations in which compensation will be paid for errors or omissions in a parcel register;

(c) increase the powers of the Registrar General to

- (i) hear appeals,
- (ii) correct errors or omissions in a parcel register,
- (iii) hear and investigate complaints arising

(e) add a new level of appeal to the Registrar General from a decision of a registrar rather than requiring a person to appeal to the Supreme Court from a decision of a registrar;

(f) enhance the integrity of the system by creating restricted access to the system to accommodate privacy concerns and to prevent fraud;

(g) clarify the responsibility of certifying lawyers when registering and recording interests in the land registry;

(h) make minor changes in wording to more accurately express the existing interpretations and practices under the Act; and

(i) make a number of housekeeping amendments to remove some areas of ambiguity by clarifying certain definitions contained in the Act and by amending and moving several Sections in the Act to improve the readability and understanding of the Act.

Regulations and forms must be amended as a result of the enactment of the Bill. These will be developed over the summer. The Procedures Advisory Committee will be consulted on any changes to the regulations and forms.

A Registrar General's Communiqué devoted to the Bill and regulations and forms amendments will be coming out in the Fall. A late September Proclamation date will be sought.

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E-Land Registry Update

The following scan initiatives are under way for this fiscal year:

2007/08 60-year Scan Project Cleanup Sites

A few books have either not been uploaded or not scanned from the 2007-08 fiscal's projects. We are working on these concurrently as other sites begin.

Pictou E-Vault Activities

We are also working on Quality Control and uploading the digitized bound books for Pictou County. Other related microfilm is in the process of being digitized; Pictou LRO will be fully electronic in the near future. There are about 66 books remaining to complete the 265-bound book upload.

This Fiscal's 100 Percent E-Land Registry Sites

Antigonish and Yarmouth are set to become the latest 100 percent E-Land Registry sites. Duties will include all breakable book scanning, plan scanning, bound book microfilm digitization and all other related activities needed to make these sites fully electronic. Equipment setup and staff training took place in May and book scanning began full production on May

22. To date we have scanned and uploaded 197 books and is on schedule for the Fall completion estimate.

WADE Atlantic began plan scanning in full production on site in Yarmouth on June 10 and has been averaging 150 to 200 plans per day. To date, 3800 plans have been scanned and will be uploaded before mid-July. This work is scheduled to be completed by the end of August. All bound book microfilm has been sent to the vendor for digitization; when complete, scanning staff will perform the quality control and upload to POL.

Plan Scanning at Other Sites

Depending on budget and progress at the 100 percent E-Land Registry sites, we may be able to do some large format plan scanning at one or two additional sites within this fiscal year. Look for upcoming announcements.

60-year Book Scanning Sites

As with plan scanning, depending on budget and 100 per cent E-Land Registry site status, we may begin more 60-year sites. Decisions on this will take place in the upcoming months... stay tuned.



Common Ground Distribution

We are changing the way we deliver *Common Ground* and the *Registrar General's Communiqué*.

Starting with the June issue, we will be reducing the number of hard copies delivered to clients and stakeholders, and will be increasing the number of notifications sent to remind readers that these publications can be accessed on our Newsletter web page. This will not only reduce our impact on the environment and reduce costs, it will also provide instant delivery for everyone simultaneously.



Notification will go out to all POL subscribers, all MLAs, ANSLs members, Development Officers, Municipal Units, and NSAR. If you are not a member of any of these groups and would like to receive notification of the publication of *Common Ground* and *Registrar General's Communiqué*, please go to www.gov.ns.ca/snsmr/property/registry/news and scroll down to the bottom of the page to sign up.

E-Land Registry Web Page

While clients and staff are updated quarterly in the respective newsletter on province-wide E-land Registry progress and kept in the loop as we load large sections of records online, we needed a way for clients and staff to see at a glance what records are available online in each county and what records still need to be accessed on site.

The new E-Land Registry page offers an overview at a glance of what is online for each county and what is in progress.

As well it will be updated to show upcoming sites planned for more E-Land Registry work over the year.

Relevant information on processes for requesting image replacements and how to use the information online will also be linked from this page.

Go to www.nspropertyonline.ca and look on the left menu.

Requesting Image Replacements

Image quality issues should be reported to “Ask POL a Question” – be sure to distinguish between urgent requests, indicating, for example, where the original document or plan is not available on site at the LRO and where the image is unreadable and not usable to complete the title work.

Image replacement requests are often really requests to read a particular area of the plan that can actually be read by zooming in. Sometimes the area of the plan that is not readable is not indicated in the request, yet this is the area we need to focus on. Specifics as to the unreadable text or lot information are very helpful to support staff so they may concentrate on making the requested information readable even if other portions of the document plan are not. In many cases, the condition and age of originals determine the overall readability of the online scanned image. It is sometimes possible, however, to enhance portions of documents and plans while other sections remain unreadable based on original condition.

Please indicate why the plan is not readable or usable and specifically where on the plan the problem is. Images which are reported as poor quality only will not be replaced.

In the future, all images of plans and documents deemed to be the best image attainable based on the condition of the original document or plan will be indicated as such in the form of a document association in POL. This will prevent duplicate requests from users to replace the image.

When sending a request, please include the county, any referenced plan numbers, book and page numbers, drawer numbers, as well as the level of urgency of your request.

Note: The process for urgent image replacement requests does not apply to situations where the original plans and documents are still accessible by clients at the Land Registration Office. Halifax County is the only LRO where all records have been converted to electronic. For many LROs, a portion of the records has been converted to electronic (i.e. 60 years of documents) but paper or microfilm records are still on site and available for access. We are in the process of loading the images for the historic books in Pictou

County and will provide updates as those images become available.

