

2002

CHAPTER 50

An Act to amend *The Land Surveys Act, 2000*

(Assented to July 10, 2002)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Land Surveys Amendment Act, 2002*.

S.S. 2000, c.L-4.1 amended

2 *The Land Surveys Act, 2000* is amended in the manner set forth in this Act.

Section 4 amended

3 **Clause 4(2)(a) is repealed and the following substituted:**

“(a) all plans filed or registered in the land titles office of the former land registration district pursuant to the former Act, *The Land Titles Act, The Condominium Property Act, 1993* or any former *Condominium Property Act*, or copies of those plans as they were provided to the Chief Surveyor’s office pursuant to *The Land Titles Act*”.

Section 52 amended

4 **Clause 52(1)(c) is repealed and the following substituted:**

“(c) any other document in:

- (i) the land surveys directory;
- (ii) the land titles registry; or
- (iii) the abstract directory established pursuant to *The Land Titles Act, 2000*”.

Section 55 amended

5 **Subclause 55(a)(iii) is repealed and the following substituted:**

“(iii) any other document in:

- (A) the land surveys directory;
- (B) the land titles registry; or
- (C) the abstract directory established pursuant to *The Land Titles Act, 2000*”.

Section 81 amended

6 **Subsection 81(3) is repealed and the following substituted:**

“(3) If the Controller or the Registrar of Titles considers it appropriate or necessary, the Controller or the Registrar of Titles may:

- (a) waive any fees, charges or taxes, in whole or in part; or
- (b) refund any fees, charges or taxes, in whole or in part”.

Section 86 amended**7(1) The following subsection is added after subsection 86(3):**

“(3.1) Any description of a parcel of land for which a certificate of title was issued pursuant to *The Land Titles Act* or any former *Land Titles Act* is deemed for the purposes of this Act to be a parcel on an approved plan and may be dealt with as if approved pursuant to this Act”.

(2) The following subsection is added after subsection 86(4):

“(5) Any proceeding or process commenced pursuant to *The Land Titles Act* or any former *Land Titles Act* respecting plans must be continued pursuant to and in conformity with this Act, as far as it is practicable to do so”.

Section 89 amended**8 Subsection 89(2) is repealed and the following substituted:**

“(2) On the coming into force of an order pursuant to section 87 designating an area of Saskatchewan as an area to which this Act applies, all metes and bounds descriptions mentioned in subsection (3):

- (a) are converted to descriptive plans in the prescribed manner; and
- (b) are deemed to be descriptive plans approved pursuant to this Act and may be dealt with as if approved pursuant to this Act.

“(3) Subsection (2) applies to any metes and bounds description that appears:

- (a) on a certificate of title:
 - (i) that was issued pursuant to *The Land Titles Act*;
 - (ii) that was in existence on the day before the coming into force of the order mentioned in subsection (2); and
 - (iii) that is for land located within the area designated in the order mentioned in subsection (2); or
- (b) on a record of unpatented land:
 - (i) that was in existence on the day before the coming into force of the order mentioned in subsection (2); and
 - (ii) that is for land located within the area designated in the order mentioned in subsection (2)”.

Section 90 amended**9 Subsection 90(1) is amended in the portion preceding clause (a) by adding “or subdivision” after “consolidation”.****Coming into force**

10 This Act comes into force on assent but is retroactive and is deemed to have been in force on and from June 25, 2001.