



# The Saskatchewan Gazette

PUBLISHED WEEKLY BY AUTHORITY OF THE QUEEN'S PRINTER/PUBLIÉE CHAQUE SEMAINE SOUS L'AUTORITÉ DE L'IMPRIMEUR DE LA REINE

## PART II/PARTIE II

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Volume 108

REGINA, FRIDAY, MARCH 9, 2012/REGINA, VENDREDI, 9 MARS 2012

No. 10/n° 10

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## PART II/PARTIE II

### REVISED REGULATIONS OF SASKATCHEWAN/ RÈGLEMENTS RÉVISÉS DE LA SASKATCHEWAN

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## REVISED REGULATIONS OF SASKATCHEWAN

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### SASKATCHEWAN REGULATIONS 8/2012

#### *The Securities Act, 1988*

Section 154

Commission Order, dated February 1, 2012

(Filed March 1, 2012)

#### Title

1 These regulations may be cited as *The Securities Commission (Adoption of National Instruments) Amendment Regulations, 2012 (No. 2)*.

#### R.R.S. c.S-42.2 Reg 3 amended

2(1) Part XLIX of *The Securities Commission (Adoption of National Instruments) Regulations* is amended in the manner set forth in these regulations.

**(2) Section 1.1 is amended:**

**(a) by adding the following definition after the definition of “IIROC”:**

“**IIROC Provision**” means a by-law, rule, regulation or policy of IIROC named in Appendix G, as amended from time to time”; **and**

**(b) by adding the following definition after the definition of “MFDA”:**

“**MFDA Provision**” means a by-law, rule, regulation or policy of the MFDA named in Appendix H, as amended from time to time”.

**(3) Section 3.16 is amended:**

**(a) by adding the following subsection after subsection (1):**

“(1.1) Subsection (1) only applies to a registered individual who is a dealing representative of a member of IIROC in respect of a requirement specified in any of paragraphs (1)(a) to (c) if the registered individual complies with the corresponding IIROC Provisions that are in effect”; **and**

**(b) by adding the following subsection after subsection (2):**

“(2.1) Subsection (2) only applies to a registered individual who is a dealing representative of a member of the MFDA in respect of a requirement specified in paragraphs (2)(a) or (b) if the registered individual complies with the corresponding MFDA Provisions that are in effect”.

**(4) Section 9.3 is amended:**

**(a) by adding the following subsection after subsection (1):**

“(1.1) Subsection (1) only applies to a registered firm in respect of a requirement specified in any of paragraphs (1)(a) to (q) if the registered firm complies with the corresponding IIROC Provisions that are in effect”; **and**

**(b) by adding the following subsection after subsection (2):**

“(2.1) Subsection (2) only applies to a registered firm in respect of a requirement specified in any of paragraphs (2)(a) to (m) if the registered firm complies with the corresponding IIROC Provisions that are in effect”.

**(5) Section 9.4 is amended:****(a) by adding the following subsection after subsection (1):**

“(1.1) Subsection (1) only applies to a registered firm in respect of a requirement specified in any of paragraphs (1)(a) to (q) if the registered firm complies with the corresponding MFDA Provisions that are in effect”; **and**

**(b) by adding the following subsection after subsection (2):**

“(2.1) Subsection (2) only applies to a registered firm in respect of a requirement specified in any of paragraphs (2)(a) to (k) if the registered firm complies with the corresponding MFDA Provisions that are in effect”.

**(6) The following Appendices are added after Appendix F:**

**“APPENDIX G - EXEMPTIONS FROM CERTAIN  
REQUIREMENTS FOR IIROC MEMBERS**

*[Section 9.3 [exemptions from certain requirements for IIROC members]]*

| <b>NI 31-103 Provision</b>   | <b>IIROC Provision</b>   |
|--|--|
| section 12.1 [ <i>capital requirements</i> ]                                       | 1. Dealer Member Rule 17.1; and<br>2. Form 1 <i>Joint Regulatory Financial Questionnaire and Report</i> - Part I, Statement B, “Notes and Instructions”  |
| section 12.2 [ <i>notifying the regulator of a subordination agreement</i> ]       | 1. Dealer Member Rule 5.2; and<br>2. Dealer Member Rule 5.2A   |
| section 12.3 [ <i>insurance - dealer</i> ]   | 1. Dealer Member Rule 400.2 [ <i>Financial Institution Bond</i> ];<br>2. Dealer Member Rule 400.4 [ <i>Amounts Required</i> ]; and<br>3. Dealer Member Rule 400.5 [ <i>Provisos with respect to Dealer Member Rules 400.2, 400.3 and 400.4</i> ] |
| section 12.6 [ <i>global bonding or insurance</i> ]                                | 1. Dealer Member Rule 400.7 [ <i>Global Financial Institution Bonds</i> ]  |
| section 12.7 [ <i>notifying the regulator of a change, claim or cancellation</i> ] | 1. Dealer Member Rule 17.6;<br>2. Dealer Member Rule 400.3 [ <i>Notice of Termination</i> ]; and<br>3. Dealer Member Rule 400.3B [ <i>Termination or Cancellation</i> ]  |
| section 12.10 [ <i>annual financial statements</i> ]                               | 1. Dealer Member Rule 16.2 [ <i>Dealer Member Filing Requirements</i> ]; and<br>2. Form 1 <i>Joint Regulatory Financial Questionnaire and Report</i>   |

| NI 31-103 Provision   | IIROC Provision  |
|---|--|
| section 12.11 [ <i>interim financial information</i> ]                          | 1. Dealer Member Rule 16.2 [ <i>Dealer Member Filing Requirements</i> ]; and<br>2. Form 1 <i>Joint Regulatory Financial Questionnaire and Report</i>   |
| section 12.12 [ <i>delivering financial information - dealer</i> ]              | 1. Dealer Member Rule 16.2 [ <i>Dealer Member Filing Requirements</i> ]  |
| subsection 13.2(3) [ <i>know your client</i> ]                                  | 1. Dealer Member Rule 1300.1(a)-(n) [ <i>Identity and Creditworthiness</i> ];<br>2. Dealer Member Rule 1300.2;<br>3. Dealer Member Rule 2500, Section II [ <i>Opening New Accounts</i> ]; and<br>4. Form 2 <i>New Client Application Form</i>  |
| section 13.3 [ <i>suitability</i> ]   | 1. Dealer Member Rule 1300.1(o) [ <i>Business Conduct</i> ];<br>2. Dealer Member Rule 1300.1(p) [ <i>Suitability Generally</i> ];<br>3. Dealer Member Rule 1300.1(q) [ <i>Suitability Determination Required When Recommendation Provided</i> ];<br>4. Dealer Member Rule 1300.1(r) and Dealer Member Rule 1300.1(s) [ <i>Suitability Determination Not Required</i> ];<br>5. Dealer Member Rule 1300.1(t) [ <i>Corporation Approval</i> ];<br>6. Dealer Member Rule 2700, Section I [ <i>Customer Suitability</i> ]; and<br>7. Dealer Member Rule 3200 [ <i>Minimum Requirements for Dealer Members Seeking Approval Under Rule 1300.1(t) for Suitability Relief for Trades not Recommended by the Member</i> ] |
| section 13.12 [ <i>restriction on lending to clients</i> ]                      | 1. Dealer Member Rule 100 [ <i>Margin Requirements</i> ]   |
| section 13.13 [ <i>disclosure when recommending the use of borrowed money</i> ] | 1. Dealer Member Rule 29.26  |
| section 13.15 [ <i>handling complaints</i> ]                                    | 1. Dealer Member Rule 2500B [ <i>Client Complaint Handling</i> ]; and<br>2. Dealer Member Rule 2500, Section VIII [ <i>Client Complaints</i> ]   |

| NI 31-103 Provision   | IIROC Provision  |
|---|--|
| subsection 14.2(2) [ <i>relationship disclosure information</i> ]         | <p>1. Dealer Member Rules of IIROC that set out the requirements for relationship disclosure information similar to those contained in IIROC's Client Relationship Model proposal, published for comment on January 7, 2011;</p> <div data-bbox="805 575 1328 768" style="border: 1px solid black; padding: 5px;"> <p>IIROC has not yet assigned a number to the relationship disclosure dealer member rule in its Client Relationship Model proposal. We will refer to the dealer member rule number when IIROC has assigned one.</p> </div> <p>2. Dealer Member Rule 29.8;<br/> 3. Dealer Member Rule 200.1(c);<br/> 4. Dealer Member Rule 200.1(h);<br/> 5. Dealer Member Rule 1300.1(p) [<i>Suitability Generally</i>];<br/> 6. Dealer Member Rule 1300.1(q) [<i>Suitability Determination Required When Recommendation Provided</i>];<br/> 7. Dealer Member Rule 1300.2; and<br/> 8. Dealer Member Rule 2500B, Part 4 [<i>Complaint procedures / standards</i>]</p> |
| section 14.6 [ <i>holding client assets in trust</i> ]                    | 1. Dealer Member Rule 17.3   |
| section 14.8 [ <i>securities subject to a safekeeping agreement</i> ]     | <p>1. Dealer Member Rule 17.2A<br/> 2. Dealer Member Rule 2600 - Internal Control Policy Statement 5 [<i>Safekeeping of Clients' Securities</i>]</p>   |
| section 14.9 [ <i>securities not subject to a safekeeping agreement</i> ] | <p>1. Dealer Member Rule 17.3;<br/> 2. Dealer Member Rule 17.3A; and<br/> 3. Dealer Member Rule 200.1(c)</p>   |
| section 14.12 [ <i>content and delivery of trade confirmation</i> ]       | 1. Dealer Member Rule 200.1(h)   |

**“APPENDIX H - EXEMPTIONS FROM CERTAIN  
REQUIREMENTS FOR MFDA MEMBERS**

*[Section 9.4 [exemptions from certain requirements for MFDA members]]*

| <b>NI 31-103 Provision</b>   | <b>MFDA Provision</b>   |
|--|---|
| section 12.1 <i>[capital requirements]</i>                                       | 1. Rule 3.1.1 <i>[Minimum Levels]</i> ;<br>2. Rule 3.1.2 <i>[Notice]</i> ;<br>3. Rule 3.2.2 <i>[Member Capital]</i> ;<br>4. Form 1 MFDA <i>Financial Questionnaire and Report</i> ; and<br>5. Policy No. 4 <i>[Internal Control Policy Statements - Policy Statement 2: Capital Adequacy]</i> |
| section 12.2 <i>[notifying the regulator of a subordination agreement]</i>       | 1. Form 1 MFDA <i>Financial Questionnaire and Report</i> , Statement F <i>[Statement of Changes in Subordinated Loans]</i> ; and<br>2. Membership Application Package - Schedule I (Subordinated Loan Agreement)  |
| section 12.3 <i>[insurance - dealer]</i>   | 1. Rule 4.1 <i>[Financial Institution Bond]</i> ;<br>2. Rule 4.4 <i>[Amounts Required]</i> ;<br>3. Rule 4.5 <i>[Provisos]</i> ; and<br>4. Policy No. 4 <i>[Internal Control Policy Statements - Policy Statement 3: Insurance]</i>  |
| section 12.6 <i>[global bonding or insurance]</i>                                | 1. Rule 4.7 <i>[Global Financial Institution Bonds]</i>   |
| section 12.7 <i>[notifying the regulator of a change, claim or cancellation]</i> | 1. Rule 4.2 <i>[Notice of Termination]</i> ; and<br>2. Rule 4.3 <i>[Termination or Cancellation]</i>  |
| section 12.10 <i>[annual financial statements]</i><br><i>Statements]</i> ; and   | 1. Rule 3.5.1 <i>[Monthly and Annual]</i> ;<br>2. Rule 3.5.2 <i>[Combined Financial Statements]</i> ; and<br>3. Form 1 MFDA <i>Financial Questionnaire and Report</i>   |
| section 12.11 <i>[interim financial information]</i>                             | 1. Rule 3.5.1 <i>[Monthly and Annual]</i> ;<br>2. Rule 3.5.2 <i>[Combined Financial Statements]</i> ; and<br>3. Form 1 MFDA <i>Financial Questionnaire and Report</i>   |
| section 12.12 <i>[delivering financial information - dealer]</i>                 | 1. Rule 3.5.1 <i>[Monthly and Annual]</i>   |
| section 13.3 <i>[suitability]</i>  | 1. Rule 2.2.1 <i>[“Know-Your-Client”]</i> ; and<br>2. Policy No. 2 <i>[Minimum Standards for Account Supervision]</i>   |

| <b>NI 31-103 Provision</b>  | <b>MFDA Provision</b>  |
|---|--|
| section 13.12 [ <i>restriction on lending to clients</i> ]                      | 1. Rule 3.2.1 [ <i>Client Lending and Margin</i> ];<br>and<br>2. Rule 3.2.3 [ <i>Advancing Mutual Fund Redemption Proceeds</i> ]   |
| section 13.13 [ <i>disclosure when recommending the use of borrowed money</i> ] | 1. Rule 2.6 [ <i>Borrowing for Securities Purchases</i> ]  |
| section 13.15 [ <i>handling complaints</i> ]                                    | 1. Rule 2.11 [ <i>Complaints</i> ]<br>2. Policy No. 3 [ <i>Complaint Handling, Supervisory Investigations and Internal Discipline</i> ]; and<br>3. Policy No. 6 [ <i>Information Reporting Requirements</i> ]                                  |
| subsection 14.2(2) [ <i>relationship disclosure information</i> ]               | 1. Rule 2.2.5 [ <i>Relationship Disclosure</i> ]   |
| section 14.6 [ <i>holding client assets in trust</i> ]                          | 1. Rule 3.3.1 [ <i>General</i> ];<br>2. Rule 3.3.2 [ <i>Cash</i> ]; and<br>3. Policy No. 4 [ <i>Internal Control Policy Statements - Policy Statement 4: Cash and Securities, and Policy Statement 5: Segregation of Clients' Securities</i> ] |
| section 14.8 [ <i>securities subject to a safekeeping agreement</i> ]           | 1. Rule 3.3.3 [ <i>Securities</i> ]; and<br>2. Policy No. 4 [ <i>Internal Control Policy Statements - Policy Statement 4: Cash and Securities, and Policy Statement 5: Segregation of Clients' Securities</i> ]                                |
| section 14.9 [ <i>securities not subject to a safekeeping agreement</i> ]       | 1. Rule 3.3.3 [ <i>Securities</i> ]  |
| section 14.12 [ <i>content and delivery of trade confirmation</i> ]             | 1. Rule 5.4.1 [ <i>Delivery of Confirmations</i> ];<br>2. Rule 5.4.2 [ <i>Automatic Payment Plans</i> ];<br>and<br>3. Rule 5.4.3 [ <i>Content</i> ]  |

”.

**Coming into force**

3 These regulations come into force on the day on which they are filed with the Registrar of Regulations.



**SASKATCHEWAN REGULATIONS 9/2012***The Economic and Co-operative Development Act*

## Section 16

Order in Council 99/2012, dated February 29, 2012

(Filed March 1, 2012)

**Title**

**1** These regulations may be cited as *The Information Technology Office Service Amendment Regulations, 2012*.

**R.R.S. c.E-0.011 Reg 1 amended**

**2** *The Information Technology Office Service Regulations* are amended in the manner set forth in these regulations.

**Section 2 amended**

**3 Section 2 is amended:**

(a) **by repealing clause (k); and**

(b) **by adding the following clauses after clause (j):**

“(l) the Crown Investments Corporation of Saskatchewan;

“(m) the Liquor and Gaming Authority”.

**Section 2.1 repealed**

**4 Section 2.1 is repealed.**

**Coming into force**

**5** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

**SASKATCHEWAN REGULATIONS 10/2012***The Land Titles Act, 2000*

## Section 187

Order in Council 100/2012, dated February 29, 2012

(Filed March 1, 2012)

**Title****1** These regulations may be cited as *The Land Titles Amendment Regulations, 2012*.**R.R.S. c.L-5.1 Reg 1 amended****2** *The Land Titles Regulations, 2001* are amended in the manner set forth in these regulations.**Section 31 amended****3 The following subsection is added after subsection 31(2):**

“(2.1) For the purposes of clause 12(5)(c) of the Act, no mineral title is to reference an undivided fractional interest that is less than an undivided one-twentieth of the whole interest in mines and minerals or in any mineral commodity contained in that mineral title”.

**New section 38.1****4 The following section is added after section 38:****“Aeronautics Act implied interests**

**38.1(1)** Zoning regulations made pursuant to the *Aeronautics Act* (Canada) constitute an implied interest on title pursuant to section 18 of the Act on the deposit with the Controller of Surveys of:

- (a) a copy of the zoning regulations; and
- (b) the associated plan and a description of the lands affected by the zoning regulations prepared in accordance with subsection 5.6(2) of the *Aeronautics Act* (Canada).

(2) Deposit of the copy of the zoning regulations, associated plan and description of lands with the Controller of Surveys pursuant to this section constitutes deposit of the zoning regulations, associated plan and description of lands on record in the office of the Registrar of Land Titles for the purposes of the *Aeronautics Act* (Canada)”.

**Section 58 amended****5 The following subsection is added after subsection 58(2):**

“(3) A customized search of shortform lease and mortgage covenants may be performed based on any of the following criteria:

- (a) the document number assigned by the Registrar;
- (b) the name of the lessor or mortgagee associated with the shortform lease or mortgage covenant for which a document number is assigned;
- (c) the client number of the person who submitted the shortform lease or mortgage covenant;

- (d) the reference number assigned by the person who submitted the shortform lease or mortgage covenant;
- (e) the type of shortform covenant;
- (f) the active or inactive status of the shortform covenant”.

New sections 103.1 and 103.2

**6 The following sections are added after section 103:**

**“Due diligence**

**103.1(1)** In this section, ‘**property**’ means land or an interest in land that is the subject of a claim for compensation pursuant to Part XII of the Act.

(2) For the purposes of clause 84(2)(g) of the Act, in order for a mortgagee to demonstrate due diligence, the mortgagee must demonstrate to the satisfaction of the Registrar that the mortgagee has taken reasonable steps to verify that the registered owner is transferring or mortgaging the property.

(3) For the purposes of subsection (2), reasonable steps include any of the following:

- (a) conducting or having an agent conduct an in-person meeting with the registered owner or the mortgagor within a reasonable time before the date of the transfer or mortgage of the property;
- (b) obtaining from the registered owner or the mortgagor:
  - (i) one piece of original government-issued photo identification containing the name, date of birth and address of the registered owner or the mortgagor; and
  - (ii) one additional piece of original government-issued identification that provides the name of the registered owner or the mortgagor;
- (c) verifying the information supplied by the registered owner or the mortgagor in the mortgage loan application by checking the employment references and by ensuring that the information contained in a consumer report relating to the credit information of the registered owner or the mortgagor corresponds to the information in the mortgage loan application;
- (d) obtaining a copy of the agreement of purchase and sale;
- (e) conducting or causing an agent to conduct an on-site appraisal of the property within a reasonable time before the date of the transfer or mortgage of the property;
- (f) visiting or causing an agent to visit the property within a reasonable time before the date of transfer or mortgage of the property;
- (g) instructing an agent to complete searches of title affecting the person’s interest in the property;
- (h) reviewing or causing an agent to review the Canadian Real Estate Association’s Multiple Listing Service history or other sale listing, if any is available, and making reasonable inquiries into the sale listing;
- (i) taking any other steps that, in the opinion of the Registrar, are appropriate in the circumstances of the case.

**“Amount of compensation**

**103.2** For the purposes of clause 87(8)(b) of the Act, the amount of compensation includes the following reasonable expenses:

- (a) legal fees for the purchase of an equivalent principal residence;
- (b) real estate agent fees for the purchase of an equivalent principal residence;
- (c) any other reasonable expense the Registrar considers appropriate”.

**New section 104.05**

**7 The following section is added after section 104.04:**

**“No compensation payable for loss from submission or selection of shortform covenants**

**104.05(1)** In this section and sections 110.1 and 111.1, ‘**set of shortform lease covenants**’ or ‘**set of shortform mortgage covenants**’ means shortform lease covenants or shortform mortgage covenants, as the case may be, that have been given one document number.

(2) No compensation is payable pursuant to subsection 84(2) of the Act for any loss, damage or deprivation suffered by any person as a result of the submission of a set of shortform lease covenants or a set of shortform mortgage covenants or the selection of the document number assigned by the Registrar for use in an application to register an interest”.

**Section 110 amended**

**8(1)** Subsection 110(1) is amended by striking out “For the purposes of” and substituting “Subject to subsection (3), for the purposes of”.

**(2) The following subsection is added after subsection 110(2):**

“(3) If a covenant in a lease is acceptable to the Registrar and is assigned a document number, the lessor or the lessee may use the shortform of the covenant in a lease, notwithstanding that the covenant is not listed in Column 2 of Appendix 1”.

**New section 110.1**

**9 The following section is added after section 110:**

**“Application to file shortform lease**

**110.1(1)** A person seeking to file a set of shortform lease covenants for the purposes of subsection 110(3) shall:

- (a) apply to the Registrar in the form provided by the Registrar; and
- (b) file with the application the set of shortform lease covenants.

(2) A set of shortform lease covenants filed pursuant to subsection (1) must not contain:

- (a) the name of the lessee;
- (b) the description of the leased land; or
- (c) the signatures of the lessee and witness.

(3) If the Registrar considers that the set of shortform lease covenants is acceptable for filing pursuant to this section, the Registrar shall:

- (a) assign a document number to it; and
- (b) advise the applicant of the date on which it was accepted and the document number assigned to it.

(4) The Registrar may require that a set of shortform lease covenants that is proposed for filing be delivered to the Registrar in an electronic format or any other format that will facilitate the electronic entry of the set in the records of the land titles registry.

(5) A set of shortform lease covenants must not be amended or modified by the lessee or lessor except as permitted pursuant to subsection 142(3) of the Act.

(6) Shortform lease covenants are public information and access to and disclosure of shortform lease covenants are to be provided in accordance with the Act and these regulations.

(7) Inactive shortform lease covenants will be included in search results but must not be used in an application to register a lease except as permitted by the Registrar”.

**Section 111 amended**

**10(1) Subsection 111(1) is amended by striking out “For the purposes of” and substituting “Subject to subsection (3), for the purposes of”.**

**(2) The following subsection is added after subsection 111(2):**

“(3) If a covenant in a mortgage is acceptable to the Registrar and is assigned a document number, the mortgagor or the mortgagee may use the shortform of the covenant in a mortgage, notwithstanding that the covenant is not listed in Column 2 of Appendix 2”.

**New section 111.1**

**11 The following section is added after section 111:**

**“Application to file shortform mortgage**

**111.1(1)** A person seeking to file a set of shortform mortgage covenants for the purposes of subsection 111(3) shall:

- (a) apply to the Registrar in the form provided by the Registrar; and
- (b) file with the application the set of shortform mortgage covenants.

(2) A set of shortform mortgage covenants filed pursuant to subsection (1) must not contain:

- (a) the name of the mortgagor;
- (b) the description of the land for which title has issued and pursuant to which the estate or interest is held;

- (c) the amount secured under the mortgage;
  - (d) the amount of payments to be made under the mortgage;
  - (e) the rate of interest of the mortgage;
  - (f) the term of the mortgage;
  - (g) the signatures of the mortgagor and witness; or
  - (h) any other matter as determined by the Registrar.
- (3) If the Registrar considers that the set of shortform mortgage covenants is acceptable for filing pursuant to this section, the Registrar shall:
- (a) assign a document number to it; and
  - (b) advise the applicant of the date on which the set was accepted and the document number assigned to it.
- (4) The Registrar may require that a set of shortform mortgage covenants that is proposed for filing be delivered to the Registrar in an electronic format or any other format that will facilitate the electronic entry of the set in the records of the land titles registry.
- (5) A set of shortform mortgage covenants must not be amended or modified by the mortgagee or mortgagor except as permitted pursuant to subsection 130(3) of the Act.
- (6) Shortform mortgage covenants are public information and access to and disclosure of shortform mortgage covenants are to be provided in accordance with the Act and these regulations.
- (7) Inactive shortform mortgage covenants will be included in search results but must not be used in an application to register a mortgage except as permitted by the Registrar”.

**Coming into force**

- 12(1)** Subject to subsections (2) to (5), these regulations come into force on February 21, 2012.
- (2) Subject to subsections (3) to (5), if these regulations are filed with the Registrar of Regulations after February 21, 2012, these regulations come into force on the day on which they are filed with the Registrar of Regulations.
- (3) Subject to subsection (5), section 3 comes into force on the day on which section 5 of *The Land Titles Amendment Act, 2009* comes into force.
- (4) Subject to subsection (5), section 6 comes into force on the day on which sections 9 and 11 of *The Land Titles Amendment Act, 2009* come into force.
- (5) If sections 5, 9 and 11 of *The Land Titles Amendment Act, 2009* come into force before these regulations are filed with the Registrar of Regulations, sections 3 and 6 come into force on the day on which these regulations are filed with the Registrar of Regulations.



