

Land Registration Administration Regulations
made under Section 94 of the
Land Registration Act
S.N.S. 2001, c. 6
N.S. Reg. 207/2009 (April 29, 2009, effective May 4, 2009)
as amended by N.S. Reg. 189/2010 (November 22, 2010, effective December 15, 2010)

Citation

1 These regulations may be cited as the *Land Registration Administration Regulations*.

Definitions

2 (1) In these regulations,

“Act” means the *Land Registration Act*;

“AFR” means an application for registration in accordance with Section 37 of the Act;

“authorized lawyer” means a qualified lawyer who is subject to the Property Online user agreement and pre-authorized debit agreements required under Section 3;

“authorized lender” means a chartered bank, trust company, credit union or Provincial government lender, that is subject to the Property Online user agreement and pre-authorized debit agreements required under Section 3;

“authorized surveyor” means a practising land surveyor licensed under the *Land Surveyors Act* who is subject to the Property Online user agreement and pre-authorized debit agreement required under Section 3;

“benefit” means an appurtenance to a registrable or registered interest in a parcel;

“burden” means a restriction or limitation on the use and enjoyment of a parcel that attaches to a registrable or registered interest in a parcel;

“Condo Common View” means the information which is displayed electronically in Property Online which is linked to a condominium corporation registered under the *Condominium Act*;

“Department” means ~~Department of Service Nova Scotia and Internal Services; Service Nova Scotia and Municipal Relations;~~

~~[Note: Effective April 1, 2014, the reference to Service Nova Scotia and Municipal Relations should be read as a reference to the Office of Service Nova Scotia in accordance with Order in Council 2014-71 under the Public Service Act, R.S.N.S. 1989, c. 376.]~~

“dual-purpose document” means a single document that affects 2 or more parcels, 1 or more of which is registered under the Act ~~or a single document that is recorded more than once, at the same time, in the same parcel register, to enable multiple interests.;~~

“electronic document submission” means submission of a document using Property Online;

“Land Information Network-Nova Scotia” or “LINS-NS” means the Province’s electronic database in which all land-related information and documents under the Act and the *Registry Act* are maintained;

“lender” means a chartered bank, trust company, credit union or Provincial government lender;

“non-enabling section of a parcel register” means the section of a parcel register in which documents are recorded which do not enable an interest in the parcel but are changes of address, written directives or notices under these regulations, or provide necessary information concerning the extent of the parcel;

“parcel description certification application” or “PDCA” means an application in accordance with Section 7 to confirm the legal description of a parcel and other related information and to provide evidence and certification that the parcel was created by a subdivision that complies with, is exempt from or is not subject to the subdivision provisions of Part IX of the *Municipal Government Act*;

Definition of “parcel description certification application” amended: N.S. Reg. 189/2010.

“PID” means parcel identification number;

“Property Online” means the Province’s online real property information system that provides Internet browser-based query access to Provincial mapping and other land-related information and electronic access for submitting documents under the Act and the *Registry Act*;

“registration and recording particulars of a document” means the year the document was registered or recorded and the document number or the book and page reference for the document;

“short form legal description” means a legal description that describes a parcel by referring to a plan of survey or subdivision that has been registered with an instrument under the *Registry Act*, filed under the *Registry Act*, or registered or recorded under the Act and includes all of the following:

- (i) the unique identifier for the parcel on the plan,
- (ii) the document number or plan reference for the plan as assigned by the land registration office,
- (iii) the registration district where the parcel is located;

“textual qualification” or “TQ” means a statement in the textual qualification section of the parcel register which provides

- (i) a qualification of the lawyer’s certification of title,

- (ii) an explanatory note,
- (iii) a reference to title information or documentation, or
- (iv) a reference to an interest enabled by statute or common law;

“user number” means the unique identification number given to a Property Online user for the purpose of document submission.

(2) For the purposes of the Act,

“addresses of the parties” in subsection 67(1) of the Act means a complete address at which a person is able to receive information, including notices, by mail;

“mortgage” in subsection 37(3) of the Act and clause 46(1)(c) of the Act includes any amendment to a mortgage or agreement with the lender that increases the amount of the obligation secured, increases the amount available for borrowing under a mortgage, adds an additional parcel or permits additional advances up to the original amount secured, but does not include any of the following:

- (i) amendments other than those included under this clause,
- (ii) an assignment,
- (iii) a mortgage of a leasehold interest,
- (iv) an advance on an existing security interest that secures present and future advances up to the original principal amount secured;

“municipality” has the same meaning as in the *Municipal Government Act*;

“non-resident” means any of the following:

- (i) an individual who resides outside the Province for 183 days or more in a calendar year, and includes a person who intends to reside outside the Province for 183 days or more in the present calendar year or the next calendar year,
- (ii) a body corporate
 - (A) whose head office is not in the Province, or
 - (B) in which the majority of the issued and outstanding shares are beneficially owned by non-residents, unless the body corporate is registered to do business in the Province and owns or leases an office, plant, factory or other structure in the Province for use by its business,
- (iii) a person who acquires a parcel for or on behalf of an individual or body corporate referred to in subclause (i) or (ii);

“party” in subsection 79(1) of the Act means the person or persons who collectively make up one side of the transaction evidenced by an instrument;

“person’s name” in subsection 66(8) of the Act means

- (i) if a parcel is registered under the Act, the name of the registered owner of the registered interest as shown in the parcel register, or
- (ii) if a parcel is not registered under the Act, the name shown on the relevant instrument registered under the *Registry Act*;

“Provincial mapping” means the system of geographical representation of parcels created and maintained as part of the land registration system established under the Act.

- (3) In the Act and these regulations, a reference to a provision of the *Municipal Government Act* includes a reference to a provision of the *Halifax Regional Municipality Charter*, relating to the same subject matter, to the extent that it relates to property located in the Halifax Regional Municipality.

Subsection 2(3) added: N.S. Reg. 189/2010.

Property Online

- 3 (1) Property Online is prescribed as the system through which persons authorized in this Section may query information or submit documents that are registered or recorded under the Act.
- (2) LIN-NS is prescribed as the system in which all documents that are registered or recorded under the Act are maintained.
- (3) To be an authorized lawyer, a qualified lawyer must
 - (a) be a party to a current and valid Property Online authorized lawyer user agreement with the Minister; and
 - (b) be authorized under a current and valid Property Online pre-authorized debit agreement between their law firm and the Minister, **unless they are exempted due to the nature of their practice, under a written approval from the Registrar General** .
- (4) To be an authorized lender, a lender must be a party to the following current and valid agreements with the Minister:
 - (a) an authorized lender user agreement; and
 - (b) a Property Online pre-authorized debit agreement.
- (5) If an authorized lawyer or authorized lender uses a separate debit account for payment of electronic document submission fees, they must be a party to an additional current and valid pre-authorized debit agreement for that account.

- (6) To be an authorized surveyor, a surveyor must be a party to the following current and valid agreements with the Minister:
- (a) a Property Online parcel certification user agreement; and
 - (b) a Property Online pre-authorized debit agreement.
- (7) Except as provided in subsection (8), to query information in Property Online, a person must be a party to, or be authorized under, the following current and valid agreements with the Minister:
- (a) a Property Online query user agreement; and
 - (b) a pre-authorized debit agreement, **unless they are exempted, due to the nature of their business, under a written agreement from the Registrar General:**
- (8) A person may query information in Property Online at a land registration office without a query user agreement or pre-authorized debit agreement if they pay the applicable fee prescribed under the *Land Registration General Regulations* made under the Act.

Prescribed forms

- 4 (1) The forms listed in the following table and as attached to these regulations are prescribed to be used in the administration of the Act for the purposes stated and must include a certificate of legal effect in the manner prescribed in the form as required:

Form No.	Purpose of Form	Certificate of Legal Effect Included
1	to request a PID assignment	no
2	to submit a PDCA electronically	no
5	to provide a declaration by the registered owners of a parcel on their residency status and whether the parcel is occupied without permission	no
6	to submit an AFR electronically	yes
6A	to correct errors or omissions in information previously submitted with or without a certificate of legal effect	yes
8	to give notice to a parcel owner as required under Sections 14, 15, 16, and 18	no
8A	to register notice under the <i>Registry Act</i> as required under Section 14	no
9	to give notice to an occupier or the most recent owner as shown on the consolidated index under Section 10	no
10	to give notice of crystallization of a floating charge in a debenture that affects a parcel registered under the Act	no

Form No.	Purpose of Form	Certificate of Legal Effect Included
15	to give notice requiring the registrar to cancel the recording of a security interest in accordance with subsection 60(2) of the Act	yes
15A	<ul style="list-style-type: none"> • to give notice as required under Section 63 of the Act, requiring a registrar to cancel the recording of a recorded interest or judgment that is recorded in a parcel register, and • to provide proof of service of the notice to the holder of the interest or judgment 	yes
16	to renew the recording of a judgment in accordance with subsection 66(5) of the Act	no
19	to record a certificate of <i>lis pendens</i> against a parcel registered under the Act in accordance with Section 58 of the Act	no
20	to update the name or address of a judgment debtor or creditor in accordance with subsection 26(3)	no
21	<ul style="list-style-type: none"> • in accordance with Section 22 of the Act, to register a change of name of an owner of an interest in a parcel register, • to remove a deceased joint tenant as owner of a parcel registered under the Act in accordance with Section 27 of the Act, or • to correct the misspelling of the name of an owner of an interest in a parcel register 	yes- to correct misspellings
22	to change the mailing address in a parcel register for <ul style="list-style-type: none"> • a registered owner or recorded interest holder, or • occupier of lands owned by the Nova Scotia Farm Loan Board 	no
24	to change a registered interest and appurtenant interests or other interests and information in a parcel register, in accordance with Sections 29 to 32 and 37A of the Act	yes
26	<ul style="list-style-type: none"> • to record an interest in a parcel register, in accordance with Section 47 of the Act • to record a power of attorney or revocation of a power of attorney 	yes
26L	to enable a lender, or a lender's authorized agent, to record a mortgage or mortgage-related document, to which the lender, or a predecessor organization, is a party	no
26N	to file a Form 9 and written directives in a parcel register under Section 10	no
27	to request cancellation of a recorded interest	yes

Form No.	Purpose of Form	Certificate of Legal Effect Included
27L	to enable a lender, or a lender's authorized agent, to record a release of a mortgage or mortgage-related document, to which the lender, or a predecessor organization, is a party	no
28	to record any of the following relating to a parcel registered under the Act: <ul style="list-style-type: none"> • a plan, boundary line agreement, statutory declaration for a deemed consolidation under Section 268A of the <i>Municipal Government Act</i> or to evidence the basis of an exemption to a subdivision requirement • an instrument of subdivision or repeal of subdivision • a condominium declaration, condominium plan, initial condominium bylaws, or termination of condominium 	no
45	to add, confirm, delete and correct the interests, textual qualifications or parcel access type that are either not shown in the parcel register or have been placed in, or removed from, a parcel register on subdivision or registration of a condominium declaration, in accordance with subsection 13(5) of the Act and Section 9	yes
46	to record a certificate of judgment in the judgment roll	no
47	to record a certificate of satisfaction relating to a judgment in the judgment roll	no
48	to record in the judgment roll , a full or partial release of a judgment signed by the judgment creditor in the judgment roll and/or to cancel the recording of a judgment in a parcel register	no/ yes
48A	to cancel the recording of a judgment or a judgment-related document in a parcel register with a document other than a discharge of judgment	yes
48B	to record a judgment-related document in the judgment roll and in a parcel register	no
49	to correct an error in a request to record or request to cancel a recorded interest, which was previously submitted without a certificate of legal effect	yes
50	to update a parcel register to transfer an unregistered tenant in common interest in accordance with subsection 25(3)	no

Subsection 4(1) amended: N.S. Reg. 189/2010.

- (2) To the extent permitted by Property Online, electronic forms in Property Online that correspond to the forms prescribed in this Section are prescribed for the same purposes and in substantially the same form, but an electronic form is not required to contain all the options and datafields available on the corresponding non-electronic form.

- (3) A form that includes a certificate of legal effect may be submitted only by an authorized lawyer, and must be signed by the authorized lawyer who submits the form.
- (4) Directions and explanations included in a form prescribed in this Section are binding but may be deleted when the form is submitted for filing, registering or recording at a land registration office.
- (5) The place of execution or a jurat in a form prescribed in this Section may be altered when the form is executed.
- (6) Any reference to location or place of residence in the Province contained in a form prescribed in this Section may be altered when the form is executed.
- (7) For a parcel that is owned by more than 1 person, any of the following may sign and submit a form, other than Form 5 as provided in subsection (8), that is required to be signed by the owner or registered owner of the parcel:
 - (a) any registered owner;
 - (b) any person who is entitled to be registered as an owner of a registrable interest in the parcel.
- (8) Except as provided in subsection 10(7), Form 5 must be signed by every owner of a registered interest in the parcel that is described in the form.

Document submission requirements

- 5** (1) A document that is submitted for registration or recording must be submitted together with the form prescribed for that purpose in Section 4, with all required fields completed, and the fee prescribed under the *Land Registration General Regulations* made under the Act, if any.
- (2) The submitter is responsible for the accuracy of all of the information required under subsection (1) and a registrar is entitled to rely on the information submitted in processing a document for registration or recording.
 - (3) Subject to subsections (4) and (5), a document that is submitted non-electronically for registration or recording must be an original of the document or a copy of the document that is certified to be a true copy of the original by a court of competent jurisdiction or a registrar.
 - (4) A document attachment or plan that is submitted non-electronically for registration or recording that is larger than 11 in. x 17 in. must be an original of the document and be submitted together with 1 of the following:
 - (a) a duplicate original copy;
 - (b) a copy that is certified to be a true copy of the original by a person authorized under the Act to sign a certificate of execution.

- (5) A dual-purpose document that is submitted non-electronically for registration or recording must be an original of the document and be submitted together with a copy or copies, as applicable, that are certified to be true copies of the original by a person authorized under the Act to sign a certificate of execution.
- ~~(6) Documents that are submitted for registration under the Registry Act must be submitted separately from documents that are submitted for registration or recording under the Act, and payment of registration fees under the Registry Act must be made separately from payment of fees for registration or recording under the Act.~~
- (7) To record a plan of subdivision as exempt from the approval requirements under the *Municipal Government Act*, a submitter must provide all of the following, either on the face of the plan or in an attached affidavit:
- (a) a clear statement of the exemption relied upon and the facts that support the exemption;
 - (b) evidence of the consent of the registered owner.
- (8) A document that relates to a parcel registered under the Act must incorporate the legal description for the parcel by stating one of the following:
- (a) the full text of the legal description as set out in the parcel register;
 - (b) the short form legal description as set out in the parcel register;
 - (c) the PID for the registered parcel, as at the date of registration or recording.
- (9) A document that is submitted non-electronically for registration or recording must
- (a) be typewritten in an ink that is not green or red and that remains visible when photocopied or scanned; and
 - (b) remain legible when photocopied or scanned.
- (10) A document may not be registered or recorded unless any required affidavit or certificate of execution has been properly sworn or signed before or by a person authorized under the Act to take the affidavit or sign the certificate and the authorized person's name has been typed, stamped or printed legibly below their signature.

Submitting documents electronically

- 6 (1) To the extent permitted by Property Online, an authorized lawyer must submit a document electronically for registration or recording in a register or roll, that has been established under the Act.
- (2) Despite subsection (1), an authorized lawyer may submit a document non-electronically if the authorized lawyer meets all of the following criteria:

- (a) ~~they do not have access to high-speed Internet service; they are affected by ongoing technical issues which prevent electronic submission;~~
 - (b) they have obtained the prior written approval of the Registrar General, who may withhold approval or impose limitations or other requirements that the Registrar General considers appropriate in the circumstances.
- (3) To the extent permitted by Property Online, and in accordance with the Property Online authorized lender user agreement, an authorized lender may submit a mortgage or a release of mortgage electronically for recording in a parcel register.
- (4) Except where the Act or the regulations state otherwise, a document submitted electronically and in accordance with the Act and the regulations has the same effect for all purposes as a document that is submitted non-electronically and in accordance with the Act and the regulations.
- (5) Subject to Property Online availability, a document may be submitted electronically at any time in accordance with the regulations, but is processed during the hours ~~that the land registration officers are assigned to processing the documents. the land registration office is open to the public.~~
- (6) A document that is submitted electronically must be reviewed by a registrar before it is registered or recorded, and is subject to the registration and recording requirements of the Act and regulations.
- (7) Once a document that is submitted electronically is registered or recorded, the document is deemed to have been received and indexed by the registrar at the time of submission.
- (8) Electronic submission of a document is effected by submitting all of the following electronically:
- (a) the applicable form prescribed in Section 4, with all required fields completed;
 - (b) a scanned copy of the duly executed affidavit of value, if required under the *Municipal Government Act*;
 - (c) a scanned copy of the duly executed original document in portable document format, no larger than 4 megabytes (MB);
- (9) An authorized lawyer or authorized lender who submits a document electronically is responsible for the creation, quality and completeness of the electronic image of the document.
- (10) An authorized lawyer or authorized lender who submits a document electronically is required to retain either an original or true copy of the executed document and make it available for review by the Registrar General upon request and, if an authorized lawyer, for audit by the Nova Scotia Barristers' Society.

7 (1) Subject to subsection (3), a PDCA must be submitted electronically in Form 2.

Subsection 7(1) amended: N.S. Reg. 189/2010.

(2) A PDCA must be one of the following types:

- (a) an Initial PDCA—to submit the first PDCA for a parcel;
- (b) a Correcting PDCA—to correct errors or omissions in a PDCA which has been conditionally approved under subsection (14); or
- (c) an Amending PDCA—to amend any information in an approved PDCA.

Subsection 7(2) replaced: N.S. Reg. 189/2010.

(2A) All of the provisions of this Section that apply to a PDCA apply to an Amending PDCA only to the extent that they relate to the amendment.

Subsection 7(2A) added: N.S. Reg. 189/2010.

(3) If the length of a legal description exceeds the space available in Form 2,

- (a) the PDCA in Form 2 must be submitted electronically and the legal description must be sent to the land registration office as a text file attached to an e-mail;
- (b) a statement that the legal description is being submitted by e-mail must be inserted into the legal description field on the PDCA; and
- (c) the PDCA number provided by the system once the PDCA is successfully submitted must be stated in the e-mail to which the legal description is attached.

(4) Except as provided in subsection (5), a PDCA must be submitted by one of the following who is authorized in writing by the parcel owner, or another person permitted under subsection (6), or as required in Sections 14, 15, 16 and 18:

- (a) an authorized lawyer;
- (b) an authorized surveyor.

(5) If a person authorized in accordance with subsection (4) confirms the information contained in the statement of compliance on a PDCA, their staff may submit the PDCA on their behalf.

(6) Submission of a PDCA may be authorized by a person other than the owner of a parcel if the authorizing person is one of the following:

- (a) a mortgagee of a parcel, and the owner of the parcel has refused to register title to the parcel; ~~or~~
- (b) a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has

authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act* ;

- (c) a non-owner who has permission from the owner to act in the place of the owner, and the document evidencing the permission has been recorded under the Act or registered under the *Registry Act*;
 - (d) a person who has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*; or
 - (e) a solicitor acting for a municipality on a pending tax sale of the property.
- (7) Subject to subsection (8), before an AFR in final form is submitted, the PDCA submitter must assist the parcel owner or authorizing person under subsection (6) in identifying the parcel's PID and take reasonable steps to identify the parcel, including all of the following:
- (a) reviewing the legal description;
 - (b) reviewing Provincial mapping of the parcel;
 - (c) placing a comment in the comments field if errors in the Provincial mapping of the parcel are identified .
- (7A)** If an authorizing person under subsection (6) is authorizing the submission of a PDCA, the submitter must provide sufficient evidence of reasonable attempts to obtain the information from the owner, a review of the records or a site visit.
- (8) Subsection (7) does not apply in respect to a parcel that is a condominium unit.
- (9) If a PID has not been assigned to a parcel in Provincial mapping, the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of a geographical representation of the parcel in Provincial mapping before submitting a PDCA.
- (10) Unless the description is for a unit as defined in the *Condominium Act*, every legal description submitted to a registrar must be accurate and complete and must contain
- (a) a description of the location, boundaries and extent of the parcel
 - (i) in full text, or
 - (ii) by reference to a unique identifier on either a plan of survey or subdivision, that has been
 - (A) registered with an instrument under the *Registry Act*,
 - (B) filed under the *Registry Act*, or

- (C) registered or recorded under the Act;
- (b) a description of all benefits, burdens and all parcels excepted out of the legal description
 - (i) in full text,
 - (ii) by reference to a unique identifier on either a plan of survey or subdivision, that has been
 - (A) registered with an instrument under the *Registry Act*,
 - (B) filed under the *Registry Act*, or
 - (C) registered or recorded under the Act, or
 - (iii) by reference to the registration or recording particulars of a document that has been registered or recorded under the *Registry Act* or the Act, if the document contains a description in full text;
- (c) all information pertinent to the use of easements
 - (i) in full text, or
 - (ii) by reference to the registration or recording particulars of a document that has been registered or recorded under the *Registry Act* or the Act, if the document contains the usage details in full text; and
- (d) a statement that the parcel was created by a subdivision that complies with, is exempt from, or is not subject to the subdivision provisions of Part IX of the *Municipal Government Act* and, as applicable,
 - (i) the registration and other relevant details of how the parcel complies,
 - (ii) the exemption relied upon and the facts supporting the exemption, or
 - (iii) an explanation of why the parcel is not subject to the subdivision provision.

Clause 7(1)(d) replaced: N.S. Reg. 189/2010.

Clause 7(1)(e) repealed: N.S. Reg. 189/2010.

- (10A)** If the portion of the legal description submitted in a PDCA that describes location, boundary and/or extent of the parcel is a new or amended description of the parcel, the PDCA submitter must provide
 - (i) a statement of the reason for the new or amended legal description,
 - (ii) the name and designation as “surveyor, lawyer or other” of the author of the new or amended legal description, and
 - (iii) the registration details of all of the registered documents in which the parcel or each portion of the parcel was most recently described.

Subsection 7(10A) added: N.S. Reg. 189/2010.

- (10B) A legal description submitted under subsection (10) must be set out in the following order:
- (a) the description of the location, boundaries extent as required in clause (10)(a);
 - (b) the description of all parcels excepted out of the legal description as required in clause (10)(b);
 - (c) the description of each benefit as required by clause (10)(b), immediately followed by the information pertinent to the use of the benefit as required in clause (10)(c);
 - (d) the description of each burden as required by clause (10)(b), immediately followed by the information pertinent to the use of the burden as required in clause (10)(c); and
 - (e) the statement required in clause (10)(d).
- (11) When the legal description submitted for PDCA approval relates to a unit as defined in the *Condominium Act*, the description must be accurate and complete but must contain only
- (a) the name of the County where the condominium corporation is situate, together with the condominium corporation number as assigned by the Registrar of Condominiums;
 - (b) the description for the unit as detailed in the condominium description on file with the Registrar of Condominiums;
 - (c) a benefit, using the following wording: “together with the common interest appurtenant thereto”; and
 - (d) a burden, using the following wording: “subject to the Declaration and By-Laws (*remove reference to By-Laws if none have been registered*) of (*insert condominium corporation name and number*)”.
- (12) If a legal description submitted in a PDCA makes reference to a plan of survey or approved plan of subdivision that is not registered or recorded in the land registration office, the PDCA submitter must
- (a) forward a copy of the referenced plan of survey or approved plan of subdivision to the registrar for recording in the parcel register once created; or
 - (b) include detailed reasons with the PDCA why the plan of survey or approved plan of subdivision cannot be located or obtained by the submitter.
- (13) If the legal description of a registered parcel must be amended as the result of the

creation of a plan of survey or the approval of a plan of subdivision affecting the parcel, the registered owner of the parcel, or a municipal development officer, as applicable,

- (a) must record the plan upon which the legal description is based in the parcel register; and
- (b) may use a short form legal description as the amended legal description.

(14) A registrar may conditionally approve a PDCA subject to a correction of an error or omission in the PDCA by the PDCA submitter.

Subsection 7(14) amended: N.S. Reg. 189/2010.

(15) An AFR of a parcel may not be submitted in final form in accordance with clause 10(2)(b) until the submitter has corrected an error or omission in the PDCA if required by the registrar.

Subsection 7(15) amended: N.S. Reg. 189/2010.

~~(16) Subject to subsection (17) and notwithstanding that watercourses are vested in the Crown by virtue of Section 103 of the Environment Act, a watercourse is deemed not to subdivide the parcel or parcels through which it flows.~~

~~(17) Except as provided in subsection (18), if after considering the nature and use of both a watercourse and the land through which it flows, a PDCA submitter or a registrar determines that the watercourse creates a natural boundary;~~

- ~~(a) the watercourse is deemed to subdivide the parcel or parcels through which it flows; and~~
- ~~(b) the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of an electronic geographical representation of the parcel before making a PDCA.~~

~~(18) A parcel for which subdivision approval has been granted under the Municipal Government Act, or the former Planning Act, may not be subdivided under subsection (17).~~

~~(19) If a registrar determines that a PDCA is accurate, complete and in compliance with the Act and the regulations, the registrar must approve the PDCA.~~

Section 7 heading replaced: N.S. Reg. 189/2010.

Creation of legal description on subdivision

- 8** (1) If a parcel registered under the Act is subsequently subdivided, a legal description must be created for each subdivided parcel and the remainder lands.
- (2) The registrar may
- (a) create a short form legal description for one or more of the subdivided parcels and the remainder lands if the details shown on the plan of survey or approved plan of subdivision for a parcel referred to in subsection (1) are sufficient; or
 - (b) require the registered owner of the parcel referred to in subsection (1) to submit the full text of the information required in subsection 7(10) by

submitting a PDCA under subsection 7(1) for each subdivided parcel and the remainder lands.

Amendment of PDCA and parcel register on subdivision or condominium unit creation

- 9 (1) On subdivision, the registrar shall remove the parcel access type from the parcel register of each parcel created on subdivision, including the remainder parcel.
- (2) On registration of a condominium declaration, the registrar shall place in the parcel register of each unit created by the condominium declaration, the interests, and textual qualifications that were in the parcel register of the parcel existing prior to the registration of the condominium declaration.
- (3) ~~Subject to subsection (5), the~~ registered owner of a parcel registered under the Act that is created on subdivision or registration of a condominium declaration ~~must file all of the following~~ **must do all of the following within 30 days of the creation of the parcel and** before submitting an request to change the registered owner of the parcel:
- (a) **create and record in all affected parcel registers all of the benefits and burdens indicated on the approved plan of survey or in the condominium declaration;**
 - (ab) **submit** a Form 45 adding, confirming, deleting or correcting, as necessary, the interests, textual qualifications and parcel access type that
 - (i) are not shown in the parcel register,
 - (ii) have been placed in the parcel register under subsection 13(5) of the Act or subsection (2), or
 - (iii) have been removed from the parcel register under subsection (1);
 - (bc) **submit** any consequential amendment of the PDCA for the parcel in Form 2 **which is needed to reflect the changes made under clauses (a) and (b).**
- (4) **A person authorized under subsection 7(6) is authorized to fulfill the requirements of subsection (3).**
- (5) **If it is necessary to facilitate a consolidation process, a consolidation deed accompanied by an approved consolidation plan may be recorded prior to the completion of the requirements in subsection (3).**

Clause 9(3)(b) amended: N.S. Reg. 189/2010.

Section 9 heading amended: N.S. Reg. 189/2010.

Application for registration (AFR)

- 10 (1) An AFR must be submitted by an authorized lawyer who is authorized to do so by the parcel owner or another person permitted under subsection (5).
- (2) An AFR must be submitted electronically in Form 6
- (a) in draft form for preliminary approval by the registrar; and

- (b) in final form, after receipt of the preliminary approval of the registrar.
- (3) An AFR submitted in final form under clause 2(b)
- (a) contains and satisfies the requirements under clause 37(4) (b), (ba), (f) and (g) of the Act;
 - (b) registers title to the parcel under the Act; and
 - (c) creates the parcel register for the parcel at the time the application is submitted.
- (4) A reference in the AFR to the book and page in the registry of deeds for the document that most recently conveyed the registrable interest will be accepted as evidence of compliance with Part V of the *Municipal Government Act* for the purposes of clause 37(4)(e) of the Act.
- (5) Submission of an AFR and any forms associated with the application, may be authorized by a person other than the owner of a parcel if the authorizing person **is one of the following:**
- (a) **is** the mortgagee of a parcel and the owner of the parcel has refused to register title to the parcel;
 - (b) **is** a non-owner who has permission from the owner to act in the place of the owner, and the document evidencing the permission has been recorded under the Act or registered under the *Registry Act*;
 - (c) **is** a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*; ~~or~~
 - (d) **is** a person who has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*; **or**.
 - (e) **a solicitor acting for a municipality on a pending tax sale of the property.**
- (6) An authorized lawyer who submits an AFR in final form under clause (2)(b) must complete, retain and make available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society, the original or a true copy of any of the following items:
- (a) written authorization to submit the PDCA and AFR, if the submitting lawyer does not have a solicitor-client relationship with the owner of the parcel being registered;
 - (b) an owner's declaration regarding occupation of the parcel and residency status

- in Form 5 and, if signed by the authorized lawyer or authorized surveyor, evidence of the information relied upon under subsection (7);
- (c) the notice of parcel registration, in Form 9, sent in accordance with this Section, together with proof of service in accordance with Section 30, and any written directions given by the Registrar General under this Section, if applicable;
 - (d) the Statement of Registered and Recorded Interests that was sent electronically to the submitting lawyer upon submission of the AFR in final form;
 - (e) the official report for the legal description from the parcel description database in *Property Online* at the time of submission of the AFR in final form;
 - (f) the abstract of title upon which the submitting lawyer's certified opinion of title is based showing the chain of ownership of the parcel; and
 - (g) evidence of compliance with the *Municipal Government Act*.
- (7) An owner's declaration in Form 5 may be executed by an authorized lawyer or authorized surveyor if the authorized lawyer or authorized surveyor is able to execute the declaration based on either of the following:
- (a) personal knowledge of the facts;
 - (b) information received from the current or previous owner.
- (8) If a person executing an owner's declaration in Form 5 is an authorizing person under subsection (5), the Form 5 may indicate that the person executing the Form 5 has no personal knowledge regarding occupancy of the parcel, **but must provide sufficient evidence of reasonable attempts to obtain information from the owner, a review of the records or a site visit.**
- (9) If a parcel owner's declaration regarding occupation in Form 5 discloses that the parcel is occupied without permission, **including the use of a travelled way across the parcel**, the authorized lawyer submitting the AFR must
- (a) **submit a textual qualification with the AFR which provides the details of the occupation and the notice given to the occupiers and a statement of the owner's position with regard to the occupation;**
 - (ab) **no later than 14 days prior to ~~immediately after~~ submitting the AFR in final form, provide a notice of parcel registration in Form 9 to the occupier indicating that an AFR is being submitted of the parcel has been made;** and
 - (bc) **submit a true copy of the notice sent to the occupier in Form 9 with the AFR, together with proof of service in accordance with Section 2930, using Form 26N.**
- (10) Except as provided in subsection (11), if an authorized lawyer who is certifying title

to a parcel whose ownership is registered in whole or in part on the basis of adverse possession, must

- (a) ~~no later than 14 days prior to submitting the AFR in final form, serves and a notice of proposed registration in Form 9 to the last known owner on record of the parcel, based on a title search of the records maintained under the *Registry Act*, prior to before the owner(s) whose possessory interest is being registered with the AFR, of the parcel as shown on the consolidated index that is maintained under the *Registry Act*; and~~
- (b) submit a true copy of the notice sent in Form 9 and any written directions from the Registrar General under subsection 31(2) using Form 26N, together with proof of service in accordance with Section 30, **immediately following submission of the AFR in final form.**

(11) Notice is not required to be sent under subsection (10) if

- (a) the Registrar General is satisfied that it would not be practicable to give notice in the circumstances and provides written directions to the authorized lawyer that no notice is required; and
- (b) the authorized lawyer submits a true copy of the Registrar General's written directions using Form 26N.

(12) If at any time after registration of title to a parcel, a registered owner becomes aware that the declaration required under clause (6)(b) was not accurate, they must do all of the following without delay:

- (a) complete a new Form 5;
- (b) provide notice in Form 9 to any occupier;
- (c) submit a true copy of the notice and proof of service, as required by subsection (9), using Form 26N-;
- (d) **add a textual qualification in the parcel register which provides the details of the occupation and the notice given to the occupiers and a statement of the owner's position with regard to the occupation.**

(13) An authorized lawyer who is certifying title to a parcel whose ownership is registered in whole or in part on the basis of adverse possession must ensure that all of the following are done with the necessary statutory declarations that provide evidence of the adverse possession interest being certified, in compliance with Nova Scotia Barristers' Society practice standards:

- (a) the declarations are filed in the Registry of Deeds before the parcel is registered under the Act;
- (b) the declarations are listed as enabling documents in the registered interest portion of the AFR for the parcel, noting the registered owner as the interest

holder for each of the statutory declarations.

- (14) Sections 14, 16, ~~and 17 and 18~~ apply, with necessary changes, to an AFR that includes the recording of a benefit or burden that affects another parcel in addition to the parcel being registered.

10A Parcel Access Types

- (1) When providing an opinion under clause 37(9)(a)(ii) of the Act concerning the direct or indirect right of access to the parcel, if any, from a public street, highway or navigable waterway, an authorized lawyer must do all of the following:
- (a) choose the appropriate access type from the following options, for the following circumstances:
 - (i) “no documented right of access”, if there is no documentation recorded at the registry of deeds sufficient to support an opinion that there is a right, which runs with the land, of uninterrupted access from the parcel to a public street or highway,
 - (ii) “public”, if the parcel abuts a public street or highway,
 - (iii) “private”, if there is a document(s) recorded at the registry of deeds sufficient to support an opinion that there is a right, which runs with the land, of uninterrupted non-public access to a public street or highway, which is created by grant, prescription, implication, or through operation of law,
 - (iv) “navigable waterway”, if the parcel abuts a navigable waterway;
 - (b) include a textual qualification setting out a description of the actual access to the parcel, including the details of any limitations or restrictions on the access, and any additional information necessary to describe the access, including the nature of the waterway, if applicable, in all of the following cases:
 - (i) if actual access to the parcel is not as indicated by the access type chosen,
 - (ii) if there are any limitations or restrictions on actual access to the parcel if relying on the access type chosen,
 - (iii) if the access to the parcel is not apparent from the documents in the parcel register,
 - (iv) if the access is based on an unrecorded interest or statutory provision,
 - (iv) if the access type chosen is “navigable waterway”.
- (2) An authorized lawyer acting on behalf of a registered owner is permitted to amend a parcel register at any time in accordance with this Section, by filing a Form 24, to update a an access type previously available in Property Online to an applicable access type in subsection (1).

Textual qualifications

11 (1) An authorized lawyer submitting an opinion on title in an AFR or a certificate of legal effect may include a textual qualification if the lawyer is of the opinion that the textual qualification is the only means to provide a complete statement of all the interests affecting the parcel.

(1A) An authorized lawyer submitting an opinion on title in an AFR or a certificate of legal effect must include a textual qualification in all of the following circumstances:

- (a) when registering a tenant in common interest, to indicate the percentage or fraction of interest held by each owner of a tenant in common interest in the parcel;
- (b) if the lawyer is aware about competing chains of title or claims of ownership affecting title or extent of title, to disclose the information;
- (c) wherever required by the Act or the regulations.

(2) A textual qualification must meet all of the following criteria:

- (a) it must include a clear statement of the certifying lawyer's opinion about its effect;
- (b) it must form part of the authorized lawyer's certificate of legal effect or opinion of title;
- (c) it must not limit, contradict or make ambiguous any other information in the parcel register, including the legal description.

Registration of condominium units

12 (1) An AFR for a unit as defined in the *Condominium Act* must include

- (a) a benefit, using the following wording: "together with the common interest appurtenant thereto";
- (b) a burden, using the following wording: "subject to the Declaration and By-Laws (*remove reference to By-Laws if none have been registered*) of (*insert county name or initial(s)*) CC No. (*insert condominium corporation number*)";
- (c) all other benefits and burdens that are not declarations, by-laws or amendments to declarations or by-laws, but are interests in the unit or the common interest appurtenant thereto, including those detailed in the condo declaration; and
- (d) all recorded interests in the unit or the common interest appurtenant thereto.

(2) The enabling instrument for the benefit and burden described in clauses (1)(a) and (b) must be the declaration for the condominium corporation.

- (3) Subject to the caution displayed in the Important Notice section of the Condo Common View, the relevant documents displayed in the Condo Common View, including in the linked screen views in the section entitled “Parcels as existing prior to the Condominium Declaration”, are deemed to be registered and recorded, as applicable, in the parcel register for each of the condominium corporation units, that is registered under the Act.
- (4) A document certifying the deregistration of a condominium corporation with units registered under the Act may not be recorded unless all the units in the condominium corporation have been registered under the Act.

Registration of interest under Section 41 of the Act

13 A person registering an interest in a parcel under Section 41 of the Act must first submit

- (a) a PDCA in accordance with Section 7; and
- (b) an AFR in accordance with Section 10.

Addition of a benefit or burden to a parcel registered under the Act

14 (1) An authorized lawyer may add any benefit or burden permitted under the Act to be added to a parcel register, if authorized by the registered owner of the parcel, by submitting a Form 24 together with the document that conveys or evidences the benefit or burden.

(2) If a benefit or burden added under subsection (1) affects another parcel registered under the Act, and the corresponding benefit or burden is not already included in the affected parcel register, an authorized lawyer submitting a Form 24 under subsection (1) **must do one of the following if the corresponding benefit or burden is not shown in the affected parcel register:**

- (a) **subject to subsection (5), ensure that the corresponding benefit or burden is added to the affected parcel register; or**
- (b) **add a textual qualification in the parcel register in which the Form 24 has been recorded indicating that the corresponding benefit or burden is not shown in the affected parcel register. ~~must also submit another Form 24 to add the corresponding benefit or burden to the affected parcel register.~~**

(3) **Subject to subsection (3A), if** a benefit or burden added under subsection (1) affects another parcel not registered under the Act, an authorized lawyer submitting a Form 24 under subsection (1) **must do both of the following:**

- (a) register a notice of the corresponding benefit or burden under the *Registry Act*, by filing ~~a Form 44 and one of~~ the following **documents:**
 - (ai) ~~a Form 44 and a Form 8A, and for all benefits or burdens other than as referred to in clause (b);~~
 - (bii) **each document evidencing the benefit or burden, if the document is a**

grant of easement or a statutory declaration, together with a Form 44 for each document filed ~~the document evidencing the benefit or burden, if it is a grant of easement.~~ and

- (b) add a textual qualification in the parcel register in which the Form 24 has been recorded indicating that the affected parcel, identified by the property address and owner named on the Form 8A, was not registered under the Act at the time that the benefit or burden was added, but that a Form 8A was filed under the *Registry Act*.

- (3A) If there is no assessment account associated with the affected parcel referred to in subsection (3) and the apparent owner of that parcel is shown on Property Online as unknown, owner unknown, unknown owner, local common, or road parcel owner undetermined, an authorized lawyer is exempt from the requirements of subsection (3) but must add a textual qualification in the parcel register to which the Form 24 was added under subsection (1) which states as follows:

“Under subsection 14(3A) of the *Land Registration Administration Regulations*, notice to the owner of PID (*PID of affected parcel*) shown in POL as (*ownership attribute*) was not provided concerning the addition of (*particulars of benefit/ burden*).”

- (4) An authorized lawyer who submits a Form 24 under subsection (1) must also apply to amend the legal description for each parcel registered under the Act to which a burden or benefit has been added.
- (5) An authorized lawyer who submits a Form 24 under subsection (1) ~~must serve notice, in Form 8, on the owner of the parcel to which the benefit or burden is being added under~~ must add the corresponding benefit or burden to the parcel register of an affected parcel noted in subsection (2), ~~unless the owner has if the owner of the affected parcel~~ executed the document that conveys or evidences the benefit and corresponding burden or has properly executed a written consent to the addition of the interest, which must be submitted as an attachment to the document.
- (6) ~~If notice is required to be served under subsection (5), an authorized lawyer who submits a Form 24 under subsection (1) must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers’ Society.~~
- (7) ~~The Form 8A A document~~ filed under ~~subsection 3 clause 3(a) or (b)~~ must reference the owner of the parcel not registered under the Act as shown on the consolidated index maintained under the *Registry Act*, unless
 - (a) an assessment account is associated with the parcel in Property Online, in which case the document may instead reference the owner of the parcel as shown in Property Online; or
 - (b) the Registrar General is satisfied that it would not be practicable to identify the owner on the consolidated index and the Registrar General does one or both of

the following:

- (i) provides written directions to the authorized lawyer about how the owner must be referenced;
 - (ii) issues a written directive about how an owner may be referenced in the applicable circumstances.
- (8) An authorized lawyer must retain a true copy of any written directions received under subsection (7) and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

~~Addition of a benefit or burden to a parcel not registered under the Act~~

~~15 (1) A person who registers a document that creates or evidences a benefit or burden on a parcel not registered under the Act, which also affects a parcel registered under the Act, must also cause an authorized lawyer to submit a Form 24 to add the corresponding benefit or burden to the affected parcel register together with a true copy of the document that conveys or evidences the benefit and the corresponding burden, which has been certified to be a true copy of the original by a person authorized under the Act to sign a certificate of execution.~~

~~(2) The authorized lawyer who has submitted the Form 24 under subsection (1), must also make application to amend the legal description of the parcel registered under the Act to which a benefit or burden has been added under subsection (1).~~

~~(3) The authorized lawyer who has submitted the Form 24 under subsection (1) must serve notice, in Form 8, on the owner of the parcel registered under the Act to which a benefit or burden has been added under subsection (1), unless the owner has executed the document that conveys the benefit and the corresponding burden.~~

~~(4) Where notice is required to be served under subsection (3), the authorized lawyer who has submitted the Form 24 under subsection (1), must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.~~

Addition of burdens and restrictive covenants which do not require identification or addition of benefit

16 (1) Despite Sections 14 and 15, an authorized lawyer is not required to identify or add a corresponding benefit to other affected parcels when adding

- (a) a burden in favour of a public utility, an unidentified utility, or a municipality, or
- (b) restrictive covenants,

to a parcel registered under the Act.

(2) The authorized lawyer who makes an application to add an interest in clause (1)(a) or (b) to a parcel registered under the Act must

- (a) submit a request and certificate of legal effect, in Form 24, to revise the parcel register of the parcel to which the interest is being added; and
- (b) make application to amend the legal description of the parcel to which the interest is being added; and
- (c) if not acting on behalf of the registered owner, ~~serve notice, in Form 8, on the owner of the parcel to which the interest is being added,~~ attach to the document that conveys or evidences the interest, the properly executed written consent of the owner to the addition of the interest, unless the owner has executed the document that conveys or evidences the interest.

~~(3) If notice is required to be served under clause (2)(c), the authorized lawyer who makes application to add the interest in clause (1)(a) or (b) to a parcel registered under the Act, must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.~~

Exemption from requirement to identify or add corresponding benefit or burden

17 (1) Despite Sections 14 ~~and 15~~, an authorized lawyer who is adding a benefit or burden to a parcel that is registered under the Act, ~~may be is~~ exempted from the requirement to identify or add a corresponding benefit or burden to other affected parcels ~~if a registrar is satisfied that it would not be practicable to do so.~~ in any of the following circumstances:

- (a) the location or extent of the affected parcels is uncertain;
- (b) the benefit or burden is intended to be added to future lots created in a subdivision;
- (c) a significant administrative burden would be created due to the excessive number of affected parcels;
- (d) the affected parcels are units in a condominium corporation.

~~(2) To obtain an exemption under subsection (1), an authorized lawyer must apply in writing to a registrar, providing the reasons for the request and any additional information requested by the registrar.~~

~~(3) An authorized lawyer must retain a true copy of an exemption obtained under subsection (1) and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.~~

(2) An authorized lawyer who is exempt under subsection (1) must add both of the following to the parcel register in which the benefit or burden has been added:

- (a) a reference to “various PIDs” or “various owners” in relation to the benefit or burden;

- (b) a textual qualification setting out all of the following:
 - (i) the basis of the exemption claimed under this Section,
 - (ii) any available information regarding the location and identification of the affected parcels and the source of that information,
 - (iii) a statement that the affected parcels may not reflect the corresponding benefit or burden.
- (3) The Registrar General may add a textual qualification to a parcel register which had a “various PID” or “various owners” reference added regarding a benefit or burden prior to the requirement in subsection (2), which states that the affected parcel may not reflect the corresponding benefit or burden.

~~Notice of overriding interest in a registered parcel~~

~~18 Any person recording an overriding interest in a parcel registered under the Act must notify the registered owner in Form 8 and, if adding a benefit or burden to a parcel, comply with the requirements in Sections 14, 16 and 17.~~

Registrar General’s correction of error or omission

- 19 (1)** Except as provided in Section 20 for correcting a registrar’s error or omission, the Registrar General may correct an error or omission in a parcel register in accordance with this Section.
- (2)** The Registrar General must provide notice in writing of the details of any identified error or omission and the proposed correction to all of the following:
- (a) any registered owner of the affected parcel;
 - (b) any interest holder shown in the parcel register who may be affected by the error or omission;
 - (c) the authorized lawyer who certified the information being corrected.
- (3)** Any registered owners and any interest holders notified under subsection (2) must be given 15 days from the date of the notice to consent or object to the Registrar General’s proposed correction.
- (4)** If a notified registered owner or interest holder objects to a proposed correction within 15 days from the date of the notice under subsection (2), the Registrar General must make any necessary further inquiries and notify any registered owners and any interest holders who received the original notice that
- (a) the Registrar General has abandoned the proposed correction; or
 - (b) the proposed correction will take effect 30 days after the date of the notice under this subsection unless they have commenced a proceeding in the Supreme Court of Nova Scotia and submitted a certificate of *lis pendens* in

Form 19 for recording.

- (5) If all notified registered owners and interest holders consent or do not object to the Registrar General's correction proposal, the Registrar General may direct a registrar to correct the error or omission as proposed.
- (6) Nothing in this Section affects the Registrar General's powers under Section 56 of the Act.

Correction of registrar's errors

- 20** (1) The Registrar General may direct a registrar to correct a registrar's error in a parcel register caused by an error in processing, indexing or accepting a document.
- (2) All of the following must be done to complete the correction of a registrar's error under this Section:
- (a) the registrar must ensure that a written record of the correction is placed in the parcel register;
 - (b) notice is provided in accordance with Section 19, unless the Registrar General is satisfied that no registered owner or interest holder could be adversely affected by the correction.

Request for correction of errors in recorded interests previously submitted without a certificate of legal effect

- 21** (1) An authorized lawyer who is acting on behalf of a registered owner of an affected parcel or any other interest holder affected by an error in a request to record, or request to cancel the recording of, a recorded interest previously submitted on a Form 26, 26L, 27 or 27L that does not contain a certificate of legal effect may request correction of the error by submitting a request to a registrar in Form ~~6A 49~~; if the lawyer has done one of the following:
- (a) they have notified and obtained the consent, in writing, of the registered owner of the affected parcel and any other interest holder shown in the parcel register who may be affected by the error;
 - (b) they have obtained the prior written approval of the Registrar General, who may withhold approval or impose such notice or other requirements as the Registrar General considers appropriate in the circumstances.
- (2) An authorized lawyer must retain a true copy of all documentation or information that supports their requested correction and any approvals and consents obtained under this Section and make them available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

Correction of errors or omissions in registration, recording or other information certified by certificate of legal effect

- 22** (1) In this Section, "certificate of legal effect" includes an opinion of title on an AFR.
- (2) An authorized lawyer who is aware that there is an error or omission in a

registration or recording or other information in a parcel register certified by a certificate of legal effect that the authorized lawyer previously submitted as required under these regulations must, without delay, request a correction of the particulars certified by the certificate of legal effect in Form 6A and do one of the following:

- (a) notify and obtain the consent, in writing, of the registered owner of the affected parcel and any other interest holder shown in the parcel register, who may be affected by the error or omission; or
 - (b) obtain the prior written approval of the Registrar General, who may withhold approval or impose any notice or other requirements the Registrar General considers appropriate in the circumstances.
- (3) An authorized lawyer who is acting on behalf of a registered owner of an affected parcel or any other interest holder affected by an error or omission may submit a correction of the error or omission in a registration or recording or other information in a parcel register certified by a certificate of legal effect previously submitted by another authorized lawyer, if the lawyer complies with the requirements in subsection (2) and has one of the following:
- (a) the agreement, in writing, of the authorized lawyer who previously submitted the certificate of legal effect;
 - (b) the written approval of the Registrar General, who may withhold approval or impose any notice or other requirements the Registrar General considers appropriate in the circumstances.
- (4) An authorized lawyer must retain a true copy of all documentation or information that supports their correction and any approvals and consents obtained under this Section and make them available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

Content of parcel register

23 (1) A parcel register must contain all of the following:

- (a) the PID assigned to the parcel;
- (b) a legal description for the parcel that complies with subsection 7(10);
- (c) the name and mailing address, ~~if known~~, of each registered owner of the registered interest in the parcel described in clauses 17(1)(a), (b) and (c) of the Act, **current as of the date of registration or revision, or as subsequently amended by the owner**;
- (d) the names and mailing addresses, ~~if known~~, of all holders of a recorded interest in the parcel, **current as of the date of recording in the parcel register, or as subsequently amended by the interest holder or the owner, unless a satisfactory explanation is provided as to why there is no ability to provide a mailing address**;

- (e) the submission particulars or full text of every document by which the title to the parcel is affected, as registered or recorded under the Act or the *Registry Act*, or a textual qualification with sufficient description, if based on an unrecorded interest or a statutory provision;
 - (f) a reference to the instrument type assigned to any registered or recorded interest, which information is provided for convenience only and is not part of the registered or recorded interest;
 - (g) a reference to the interest- holder type assigned to any registered or recorded interest;
 - (h) a reference to any judgment and any associated renewals, assignments or postponements of judgment, recorded within the registration district which is, or may be, a charge upon the registered interests of the registered owner and any predecessor in title at the time of registration or revision of the registered ownership of the parcel;
 - (i) a reference to any statement made under Section 38 of the Act as to whether any of the owners of the interest is a non-resident;
 - (j) the manner of tenure for the registered interest in the parcel;
 - (k) any textual qualification added under these regulations ~~Section 11~~;
 - (l) parcel access type as required by clause 37(9)(a)(ii) of the Act and Section 10A;
- ~~(2) A parcel register is deemed to be a complete statement of all judgments recorded in the registration district which are, or may be, a charge upon the registered interests of the registered owner and any predecessor in title at the time of registration or, if subsequently revised, at the time of the last revision of the registered ownership of the parcel.~~
- (3) An archive register is not part of a parcel register.
 - (4) A reference to an enabling instrument in a parcel register can be used to enable all benefits and burdens referred to in that instrument, which are between the same parties.

Prescribed contracts

- 24 (1)** Option agreements, ~~and~~ rights of first refusal and licenses are prescribed contracts for the purposes of the definition of “interest” in clause 3(1)(g) of the Act.
- (2) A prescribed contract may be recorded in a parcel register and, if recorded, is subject to the Act’s recording and cancellation of recording provisions.

Tenants in common

- 25 (1)** An application for registration of a tenant in common interest in a parcel which has not been registered under the Act must be made in accordance with the provisions of

Section 10 and must clearly state the percentage or share of each interest being registered.

- (2) In order to register an unregistered tenant in common interest in a parcel which has been registered under the Act, an authorized lawyer must complete and submit a request and certificate of legal effect in Form 24 and complete, retain and make available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society, the following items:
 - (a) an owner's declaration regarding occupation of parcel and residency status in Form 5;
 - (b) a copy of the abstract of title upon which the submitting lawyer's opinion in Form 24 is based; and
 - (c) a copy of the notice of registration in Form 9, together with proof of service in accordance with Section 30, if applicable.
- ~~(3) If an unregistered tenant in common interest in a parcel which has been registered under the Act is transferred for no value as disclosed in the affidavit filed under the Municipal Government Act, the owner of the unregistered tenant in common interest must apply to have the parcel register updated using Form 50.~~

Judgment information

- 26** (1) For the purposes of recording a judgment in accordance with subsections 67(1) and (4) of the Act or requesting confirmation of a debtor's identity in accordance with Section 68 of the Act, information that tends to distinguish a person from another person of the same or similar name includes a date of birth.
- (2) For the purposes of clause 66A(2)(a) of the Act,
 - (a) surnames that begin with "Mc" are identical to surnames that begin with "Mac" and *vice versa*;
 - (b) surnames that include apostrophes, accents, spaces or a mixture of upper and lower case letters are identical to names of the same spelling that do not include these features; and
 - (c) names of legal entities that include "the", "a" or "an" are identical to names of the same spelling that do not include these words.
 - (3) A judgment creditor who holds a judgment that is recorded in the judgment roll may update the name or address of the judgment debtor **or creditor** in the judgment roll and, if applicable, the parcel register, by recording a request in Form 20.
 - (4) An update of name or address under subsection (3) is effective from the date and time that the request was recorded.
 - (5) On the coming into force of the Act, statutory declarations respecting judgments must be recorded in the judgment roll.

- (6) An affidavit recorded under subsection 68(3) of the Act must be recorded in the judgment roll and must have attached as exhibits
- (a) a copy of the request for confirmation that was sent to the judgment creditor under subsection 68(1) of the Act;
 - (b) proof of delivery of the request for confirmation;
 - (c) any request for further information received from the judgment creditor; and
 - (d) a copy of the response to any request for further information together with proof of delivery of the response.

Deemed removal or request for cancellation of judgments

- 27 (1) A judgment is deemed to be removed from the judgment roll when any of the conditions of subsection 66(4) of the Act are met.
- (2) For a judgment recorded in the judgment roll or a parcel register,
- (a) a full or partial release signed by the judgment creditor under subsection 69(3) of the Act, and recorded using a request in Form 48; or
 - (b) a certificate of satisfaction or certificate of discharge from the court that is recorded using a request in Form 47,

is deemed to be evidence of a request by the holder of the interest to cancel the recording of the interest under clause 57(1)(b) of the Act, and may be recorded by the debtor or debtor's agent.

Security interest holder compliance with subsection 51(4) of the Act

- 28 (1) Subsection 51(4) of the Act does not apply to a security interest that is intended to remain in place to secure future advances.
- (2) Except as provided in subsection (3), a security interest holder is not in compliance with the requirement to record a release of a security interest in subsection 51(4) of the Act unless all necessary releases of a security interest and related documents are submitted for recording within a reasonably prompt time after the obligation secured by the security interest is paid in full.
- (3) A security interest holder is deemed to be in compliance with subsection 51(4) of the Act if, at an owner's request, the security interest holder sends a release of the security interest to the owner for recording **together with the completed and signed Form 27L** and the release is recorded.

Notice to cancel or amend a recorded interest

- 29 (1) A notice in Form 15 to a registrar to cancel or amend the recording of a security interest under subsection 60(2) of the Act must be submitted together with
- (a) a statutory declaration that outlines to the registrar's satisfaction the reasonable

and probable grounds that were used as a basis for the demand to cancel or amend the recording of the security interest; and

- (b) proof that the demand was served on the security interest holder in accordance with Section 31~~0~~.
- (2) A notice in Form 15A to a registrar to cancel the recording of a recorded interest or judgment under Section 63 of the Act must be submitted together with
- (a) an affidavit that complies with subsection 63(2) of the Act; and
 - (b) proof that the demand was served on the interest holder in accordance with Section 31.

Proof of service

30 The service of any document may be proved by an affidavit, which must state

- (a) by whom the document was served;
- (b) the day of the week and the date on which it was served;
- (c) where it was served; and
- (d) how service was effected,

and a copy of any document served must be attached as an exhibit to the affidavit.

Service of notice

31 (1) Unless otherwise provided in the Act or these regulations, all notices required by the Act or these regulations to be sent must be sent by any means that affords proof of delivery.

- (2) If the name or address of a person to whom a notice must be sent is not known, or if service under subsection (1) is not practicable, the Registrar General may provide directions for substituted service of any notice required by the Act or these regulations.

Appeals to Registrar General

32 (1) To appeal a decision of a registrar under Section 90 of the Act, a person must submit an appeal in writing to the Registrar General in paper format or electronically, **following the instructions in Property Online**, together with all of the following:

- (a) the fee prescribed under the *Land Registration General Regulations*, if any;
- (b) a copy of the registrar's decision that is being appealed;
- (c) a copy of the documents that are the subject matter of the appeal;
- (d) a clear statement of the reasons why the registrar's decision is incorrect and any other explanatory information.

- (2) An application for an appeal under this Section must state in bold in the subject line “Appeal of a Registrar’s Decision - PID(s) *(insert PIDs of affected parcel(s))-* County(ies) *(insert name(s) of County/ies where affected parcel(s) are located)*”.

Form 1

Purpose: To request a PID assignment

Registration district: _____
Submitter's user number: _____
Submitter's name: _____

Land Registration Office use only

PID assigned _____
Property Mapper _____
Date: _____

(Select one)

- This parcel is not mapped.
- This parcel is a portion of existing PID _____.
- This parcel is not mapped and is being subdivided by deed out of existing PID _____.
- This parcel is for the purpose assigning PID for LR Deemed Consolidation (under s 268A of the MGA)

Land Registration Office use only

PID assigned to consolidated lot: _____

Assessment account: _____ External file number: _____

Parcel location: Civic # _____ Street name: _____ Lot # _____

Community: _____

Additional location information: _____

Reference for latest conveyance document that contains a legal description (*include the description number if there are multiple parcels in the legal description*):

Book		Page	
Document Number		Year	
Description Number (if applicable)			

Is the request for parcel description certification related to a pending property transaction?

Yes No

Note: *The form must include sufficient information concerning the size and location of the parcel as will permit the registrar to assign the parcel identification number for the parcel and create a geographical representation of the parcel in Provincial mapping, showing it in relation to neighbouring parcels with reasonable accuracy.*

Additional comments:

Statement of Applicant

1. I have reviewed the mapping and confirm that the parcel described in the attached legal description is not graphically represented on the Provincial map.
2. I have attached information that is intended to enable the property mapper to locate and graphically represent the parcel.

Dated at _____, in the County of _____, Province of Nova Scotia,

_____, 2 _____.

Signature of Applicant

Name: _____

Address: _____

Phone: _____

E-mail: _____

Form 5

Purpose: Owner's declaration on occupation of parcel and residency status

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

This form is a statement required when an owner, or other authorized person, is registering a property under the *Land Registration Act*. The statement concerns the properties known by the following Property Identification Numbers (PIDs), being registered in the name of *(name of owner)*:

(Expand box for additional PIDs.)

I/We *(insert name(s))* _____, of _____ in the County of _____, solemnly declare *(select all statements that apply)*:

Statement of ownership/relationship to properties:

- I am/We are/the corporation is the owner(s) of the parcel identified as the above-noted PID.
- Her Majesty the Queen in Right of Canada/the Province of Nova Scotia is the owner(s) of the parcel identified as the above-noted PID.
- I am/the corporation is a non-owner of the parcel who is authorized under the *Land Registration Administration Regulations* to execute this declaration.

Statement of non-residency status:

- I am/we are/the corporation is a non-resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.

Statement regarding occupation of the properties. Note: In this form, occupation includes use of a travelled way:

- To my/our knowledge neither the parcel nor a portion of the parcel is occupied without permission.
- To my/our knowledge the whole or a portion of the above-noted parcel is occupied without permission.

The occupation commenced on or about _____.

The name and address of the person in occupation is *(if unknown, state "unknown")*
_____.

Other details relating to the occupation without permission are as follows:

Statement regarding property use by permission and property disputes.

Details known about any boundary disputes, any use of the property with permission (eg. Letters of permission granted), knowledge of any competing claims to the title of the parcel or part of the parcel are as follows:

I am/we are/the corporation is submitting this declaration in support of an application for registration under Section 37 of the *Land Registration Act*.

If at any time after the registration, I/we the corporation become(s) aware that this declaration is not accurate, a new Form 5 will be completed and notice provided to any occupier in accordance with the *Land Registration Administration Regulations*.

I make/we make this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared at _____,)
in the)
County of _____,)
Province of Nova Scotia, on _____)
_____, 2 ___ before me,)
)
)
A Commissioner/Barrister of the Supreme)
Court of Nova Scotia)

(Type name of deponent(s) below line.)

Form 6A

Purpose: to correct error(s) or omission(s) in information which was previously submitted with a Certificate of Legal Effect

(Instrument type: 855)

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

For Office Use

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form.)

I confirm that I have read the requirements for submission of this form, as set out in Section 21 and 22 of the *Land Registration Administration Regulations* and have obtained any required consents and complied with any notice requirements and directions.

I am submitting this form to correct error(s) or omission(s) made in the submission of the following *(select appropriate box)*:

- Document Number _____
- Application for Registration

The reason(s) for the correction is/are as follows *(this field must be completed)*:

Additional Information *(check appropriate boxes, if applicable)*

- This Form 6A is adding a benefit or burden where the corresponding interests are identified in the affected land registration parcel register.
- This Form 6A is adding a benefit or burden where the corresponding interests are not identified in the affected land registration parcel and a TQ is being added.

- This Form 6A is adding a benefit or burden where the corresponding affected parcel is non-land registration and either; *(select one of the following)*
 - a Form 8A is being recorded and a TQ is being added to provide notice of the recording
- OR**
- a TQ is being added to explain why a Form 8A wasn't recorded

Power of attorney *(Note: completion of this section is mandatory if a document is attached)*

- The attached document is signed by an attorney for a person under a power of attorney, and the power of attorney is either recorded in the attorney roll, parcel register or is incorporated in the document.
- OR**
- No power of attorney applies to this document

The interests or information in the parcel register are to be changed as follows *(leave the field blank if not applicable)*:

(Note: An amending PDCA is required if changes are being made to benefits or burdens that are not currently reflected in the description in the parcel register).

Instrument Type or Code	
-------------------------	--

Name/Interest Holder to Remove	Interest Holder Type	Document Reference

Name/Interest Holder to Add	Interest Holder Type	Document Reference

Mailing Address	
-----------------	--

Name to be Changed to "Interest Assigned" (used for an assignment of an interest)	Interest Holder Type	Document Reference

Other Information and Related Changes

Non-resident (Yes or No)	Manner of Tenure to be Changed to:	Parcel Access to be Changed to:

TQ on title to be REMOVED	TQ on title to be ADDED
Reason for addition or change to TQ (required only when no document is attached)	

- I have searched the judgment roll with respect to the registration or revision of the registered interest and have determined that it is appropriate to add the following judgment(s) or judgment-related documents to the parcel register, in accordance with the *Land Registration Act* and *Land Registration Administration Regulations*:

Instrument Type or Code		
Name to Add	Interest Holder Type	Judgment Roll Reference
Mailing Address		

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of Nova Scotia,

_____, 2 _____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

Form 8A

Purpose: to give notice to a land owner under the Registry Act

(Note: Form 8A must be attached to a Form 44)

(Instrument code: 407)

Registration district: _____
Submitter's user number: _____
Submitter's name: _____

For Office Use

Name of owner(s) of lands as shown in the records under the *Registry Act*:

(Select appropriate option)

BURDEN on Land Registration Parcel:

- Lands owned by the above-noted person(s) appear to benefit from the addition of a burden to the following parcel(s) that are registered under the *Land Registration Act*:

Parcel Identification Number (PID)

(expand box for additional PIDs)

Interest Holder Name Added	Interest Holder Type

-or-

BENEFIT on Land Registration Parcel:

- Lands owned by the above-noted person(s) appear to be burdened by the addition of a benefit to the following parcel(s) that are registered under the *Land Registration Act*:

Parcel Identification Number (PID)

(expand box for additional PIDs)

Interest Holder Name Added	Interest Holder Type

Dated at _____, in the County of _____, Province of Nova Scotia,

_____, 2 ____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

Form 9

Purpose: to give notice of parcel registration to interested parties

To: *Name*

Address

You are receiving this notice because your property interests may be affected by a registration of a property at the Land Registry, in particular *(state reason clearly in layman’s terms)*

The particulars of the registration:

registered owner: _____

date of registration: _____

property location: *(civic address)* _____

known as *(insert PID(s))* _____

A copy of the legal description and parcel graphics from *Property Online* for the registered parcel(s) are attached to this notice *(attach legal description and POL graphics for parcel(s))*.

(Delete the following paragraph, if not applicable)

If you believe that you have an interest in the this property you may have to take legal action within ten years of the date of registration of the property, in order to preserve your rights *(Land Registration Act, subsection 74(2))*.

Dated at _____, in the County of _____, Province of

Nova Scotia, _____, 2_____.

Signature of authorized lawyer

Name: _____

Name of

Law Firm: _____

Phone: _____

Email: _____

Form 10

Purpose: To give notice of crystallization of debenture

(Instrument code: 809)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PID. Maximum 9 PIDs per form.)

(Select one)

- Floating charge debenture is recorded in the parcel register(s) as:
document number _____ book/page _____ year _____.
- Floating charge debenture is not recorded in the parcel register and particulars are as follows.

Floating Charge Debenture particulars *(use only if second box was selected above)*

Instrument Type	Floating Charge Debenture		
Name to Add	Interest Holder Type	Document Reference <i>(of debenture recorded under the Registry Act)</i>	
Mailing Address			

Crystallization particulars *(required whether debenture is recorded in the parcel register or not)*

Instrument Type or Code	Notice of Crystallization of Debenture		
Name to Add	Interest Holder Type	Document Reference <i>(of debenture being crystallized)</i>	
Mailing Address			

Notice is hereby given that the floating charge contained in the specified debenture has been crystallized.

Dated at _____, in the County of _____, Province of
Nova Scotia, _____, 2_____.

Signature of interest holder/agent

Name:

Address:

Phone:

E-mail:

Form 15

Purpose: to give notice to the registrar to cancel the recording of a security interest

(Instrument code: 831)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PID. Maximum 9 PIDs per form.)

I certify that *(select one)*

- the debtor named in the security interest, particulars of which are set out on this form ("the security interest")
- a person who has or had a registered interest in the above-noted PID(s) to which the security interest purportedly relates

has served notice on the holder(s) of the security interest to discharge or amend the interest insofar as it relates to the above-noted PID(s).

The following documentation is attached to this form:

- (a) a statutory declaration that outlines the reasonable and probable grounds that were used as a basis for the demand to amend or cancel the recording of the security interest;
- (b) a copy of the written demand on the holder(s) of the security interest which clearly sets out the obligations under Section 60 of the *Land Registration Act* requiring the interest holder(s) to take action to continue the recording of the interest;
- (c) proof of service of the demand in accordance with Section 60 of the *Land Registration Act*.

30 days have passed since the service of the demand upon the holder(s) of the security interest and there has been no compliance with the demand.

Therefore, the undersigned requires the registrar to cancel the security interest as instructed on this form:

Instrument Type or Code		
Name to Remove	Interest Holder Type	Document Reference

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of Nova Scotia,

_____, 2 _____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

Form 15A

Purpose: to give the registrar notice to cancel a recorded interest or judgment

(Instrument code: 841)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form.)

I certify that:

The registered owner(s) of the above-noted PID(s) request(s) the Registrar General to cancel the recording of the recorded interest or judgment, particulars of which are set out below, in accordance with Section 63 of the *Land Registration Act*.

The following documentation is attached to this form:

- (a) an affidavit outlining the basis for the owner's objection to the recorded interest or judgment and the reason why the recorded interest or judgment should be cancelled;
- (b) a copy of the notice requiring cancellation of the recorded interest or judgment which clearly sets out the obligations under Section 63 of the *Land Registration Act* requiring the interest holder(s) to take action to substantiate the interest;
- (c) proof of service of the notice on all parties as required in Section 63 of the *Land Registration Act*.

Sixty days has expired after the service of the notice on the holder of the interest and, where the interest is a servitude, on the owner of every parcel identified in the recorded document as land to which the benefit of the servitude is annexed; and

No certificate of *lis pendens* has been recorded by any person certifying that proceedings in court have been commenced to substantiate the recorded interest; and

The person who caused the notice to be served is the registered owner of the parcel against which the recording to be cancelled was recorded.

Instrument Type or Code			
Name to Remove	Interest Holder Type	Document Reference	

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2 _____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

Form 16

Purpose: to renew the recording of a judgment

Note: Renewal must be recorded prior to the expiration of five years from the date of the judgment or the date of the recording of the most recent renewal of the judgment.

- (Instrument code: 715 - First renewal)**
- (Instrument code: 716 - Second renewal)**
- (Instrument code: 717 - Third renewal)**

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Name of the judgment debtor *(insert name as stated on judgment including any name changes resulting from a recorded change of name document or a name updated with a Form 20);*

_____;

Name of the judgment creditor *(insert name as stated on judgment including any name changes resulting from a recorded change of name document or a name updated with a Form 20);*

_____;

Current Mailing Address of the judgment creditor:

_____;

If the judgment has been assigned;

Name of the assignee *(insert assignee name as stated on the assignment including any name changes resulting from a recorded change of name document or a name updated with a Form 20);*

_____;

Current Mailing Address of the assignee:

_____;

This is a request to renew the judgment as follows (select one):

First Renewal

Judgment recorded as document number: _____

Assignment of Judgment, if applicable, recorded as document number: _____

Second Renewal

Judgment recorded as document number _____

First Renewal recorded as document number: _____

Assignment of Judgment, if applicable, recorded as document number: _____

Third Renewal

Judgment recorded as document number: _____

Second Renewal recorded as document number: _____

Assignment of Judgment, if applicable, recorded as document number: _____

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

Witness (*Barrister/Commissioner*)

Authorized signature of judgment creditor/agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly below signature)

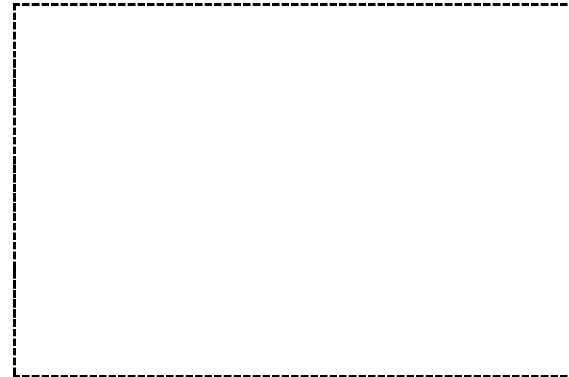
Form 19

Purpose: to record a Certificate of Lis Pendens against a parcel registered under the Land Registration Act

(Instrument code: 826)

For Office Use

Registration district: _____
Submitter's user number: _____
Submitter's name: _____



Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum of 9 PIDs per form.)

Name of registered owner _____:

An action was commenced in the Supreme Court of Nova Scotia on _____, 2____, between:

Plaintiff: _____

-and-

Defendant: _____

Court file no.: _____

Claim of builders' lien for \$ _____

(For use when the pending action is with respect to a builders' lien) to enforce against the above-noted PIDs

Name to Add		Interest Holder Type
Mailing Address		

Dated at _____, in the County of _____, Province of

Nova Scotia, _____, 2_____.

Signature of Prothonotary

Form 20

Purpose: to update the name and/or address of a judgment debtor or creditor

(Instrument code: 713)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Parcel Identification Number (PID), (if applicable)

Name of judgment debtor: _____;

Name of judgment creditor: _____;

Document being updated in the judgment roll, (select all that apply):

- Certificate of Judgment, document number: _____
- Renewal of Judgment, document number: _____
- Assignment of judgment, document number: _____

This is a request to make the following updates, (select all that apply):

- Update judgment debtor's name to _____.
- Update judgment debtor's address to _____.
- Update judgment creditor's name to _____.
- Update judgment creditor's address to _____.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2____.

Signature of judgment creditor/agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

Form 21

Purpose: to record an interest holder's change of name or correction of misspelling of name; or to remove a deceased joint tenant as owner

- (Instrument code: 109 - change of name)**
- (Instrument code: 126 - correction of misspelling of name)**
- (Instrument code: 127 - removal of deceased JT)**

For Office Use

Registration district: _____
 Submitter's user number: _____
 Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PID. Maximum 9 PIDs per form)

To the registrar *(select applicable box):*

Death of Joint Tenant

- A joint tenant in the above-noted parcel register(s) is deceased and proof of death is attached. I hereby request that his/her name be removed as an owner of the above-noted PID.
- Change manner of tenure to _____ *(if applicable).*

Name Change

- The name of a registered interest holder has changed.
- The name of a recorded interest holder has changed.

As a result, I request that the parcel register information be updated for the following registered or recorded instruments: *(Optional - insert document number/book and page number of current enabling instrument(s) that appears in the parcel register).*

The parcel register must be revised to change the name from:

_____ to _____

(for an individual, include any 'otherwise known as names' that must be added and include the qualifier).

An affidavit outlining the particulars of the name change, and also, if applicable, the Order, certificate or document effecting the change of name is attached.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of registered owner/interest holder/agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

or

Correction of a Misspelling of Name (*Note: This section must be completed and signed by an authorized lawyer*)

The name of a registered interest holder was misspelled as currently shown in the parcel register.

The name of a recorded interest holder was misspelled as currently shown in the parcel register.

As a result, I request that the parcel register information be corrected for the following registered or recorded instruments: (*insert document number/book and page number of current enabling instrument(s) that appears in the parcel register*).

The parcel register must be revised to correct the spelling of the name from:

_____ to _____

An affidavit outlining the particulars of the misspelling and the proposed correction is attached.

Certificate of Legal Effect

I certify that, in my professional opinion, it is appropriate to make the corrections to the misspelling of the name in the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of

Nova Scotia, _____, 2_____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

Form 22
Purpose: Change of Address form

(Instrument code: 449)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PIDs.)

Document number(s) of instruments affected: _____

Select one of the following;

Name of the registered owner/agent:

Name of the occupier of the PID(s), which are owned by the Nova Scotia Farm Loan Board:

Name of the recorded interest holder/agent.

I have reviewed the address information contained in Property Online and hereby request that my address be changed as follows *(please print or type)*:

New address:

This address change will apply to all tax notices and tax bills relating to the above noted PID(s);

Yes No

I understand that this address must be used to serve all notices and documents requiring service under the *Land Registration Act*.

Dated at _____, in the County of _____, Province of Nova Scotia,
_____, 2_____.

*Signature of owner/interest holder/agent/occupier of Nova
Scotia Farm Loan Board Parcel(s)*

Name: _____

Address: _____

Phone: _____

E-mail: _____

Form 24

Purpose: to change the registered interest, benefits or burdens

(Instrument code: 450)

(If change(s) requested relate(s) to one or more of the following and no other interests are being added or removed on this form: manner of tenure, description of manner of tenure, non-resident status, parcel access or NSFLB occupant).

(Instrument code: 451)

(Change to existing servient or dominant tenement PID number in a parcel register as a result of subdivision, consolidation, or changes not resulting from errors).

NOTE: This form cannot be used to correct an error in a parcel register

For Office Use

Registration district: _____
Submitter's user number: _____
Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form)

Additional information *(check appropriate boxes, if applicable)*:

- Additional Form 24(s) are being submitted simultaneously with this form and relate to the attached document.
- This Form 24 is adding a benefit or burden where the corresponding affected parcel is non-land registration and either; *(select one of the following)*
 - a Form 8A is being recorded and a TQ is being added to provide notice of the recording
- OR**
- a TQ is being added to explain why a Form 8A wasn't recorded .
- This Form 24 creates or is part of a subdivision or consolidation.
- This Form 24 is a municipal or provincial street or road transfer.
- This Form 24 is adding a corresponding benefit or burden as a result of an AFR of another parcel, in compliance with s 14 of the regulations.
- This Form 24 is adding a benefit or burden where the corresponding interests are identified in the affected land registration parcel register.
- This Form 24 is adding a benefit or burden where the corresponding interests are not identified in the affected land registration parcel and a TQ is being added.

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Power of attorney (*Note: completion of this section is mandatory if a document is attached*)

- The attached document is signed by an attorney for a person under a power of attorney, and the power of attorney is either recorded in the attorney roll, parcel register or is incorporated in the document.

OR

- No power of attorney applies to this document

This form is submitted to make the changes to the registered interests, benefits or burdens, and other related information, in the above-noted parcel register(s), as set out below (*leave the field blank if not applicable*);

REGISTERED INTERESTS to be changed as follows:

Instrument Type or Code		
Name to Remove	Interest Holder Type	Document Reference
Reason for removal of interest (<i>by operation of law and no document is attached</i>)		

Name to Add	Interest Holder Type	Document Reference
Mailing Address		

Other Information and Related Changes

Non-resident (Yes or No)	Manner of Tenure to be Changed to:	Parcel Access to be Changed to:

FARM LOAN BOARD OCCUPANTS to be changed as follows:

Name to Remove	Name and mailing address to Add

TENANTS IN COMMON NOT REGISTERED Pursuant to the Land Registration Act

The following tenant in common interests that appear in this section of the parcel register are being removed because these interests are being registered;

Name to Remove	Interest Holder Type
	Tenants in Common Not Registered Pursuant to LRA

BENEFITS to be changed as follows:

(Note: An amending PDCA is required if the changes being made to the benefit section are not currently reflected in the description in the parcel register).

Instrument Type or Code	

Interest Holder to Remove	Interest Holder Type	Document Reference
Reason for Removal of interest <i>(by operation of law or by Code 451)</i>		

Interest Holder to Add	Interest Holder Type	Document Reference
Reason for Addition of interest <i>(by code 451)</i>		

BURDENS to be changed as follows:

(Note: An amending PDCA is required if the changes being made to the benefit section are not currently reflected in the description in the parcel register).

Instrument Type or Code	

Name /Interest Holder to Remove	Interest Holder Type	Document Reference
Reason for Removal of interest <i>(by operation of law or by Code 451)</i>		

Name/Interest Holder to Add	Interest Holder Type	Document Reference
Mailing Address		

Reason for Addition of interest <i>(by code 451)</i>	
---	--

Name to be changed to “Interest Assigned” <i>(used for an assignment of a burden)</i>	Interest Holder Type	Document Reference

RECORDED INTERESTS to be changed as follows:

Instrument Type or Code	
--------------------------------	--

Name to Remove	Interest Holder Type	Document Reference
Reason for Removal of interest <i>(by operation of law)</i>		

Name to Add	Interest Holder Type	Document Reference
Mailing Address		

TEXTUAL QUALIFICATIONS to be changed as follows:

TQ on title to be REMOVED	TQ on title to be ADDED
Reason for addition or change to TQ <i>(required only when no document is attached)</i>	

JUDGMENT(S) to be added as follows:

I have searched the judgment roll with respect to this revision of the registered interest and have determined that it is appropriate to add the following judgment(s) or judgment-related documents to the parcel register, in accordance with the *Land Registration Act* and *Land Registration Administration Regulations*:

Instrument Type or Code		
Name to Add	Interest Holder Type	Judgment Roll Reference
Mailing Address		

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of Nova Scotia, on
_____, 2 _____.

Signature of authorized lawyer

Name: _____

Phone: _____

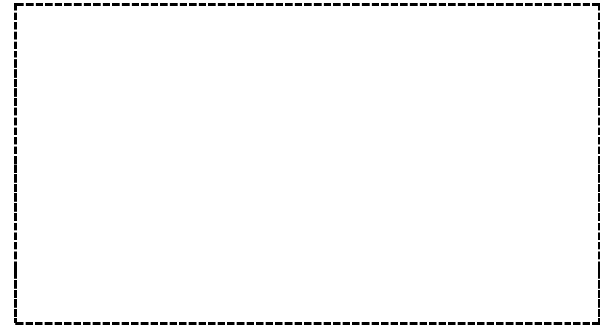
E-mail: _____

Form 26

*Purpose: to record an interest in a parcel; or
to record a power of attorney in the power of attorney roll*

For Office Use

Registration district: _____
Submitter's user number: _____
Submitter's name: _____



Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form.)

Power of attorney *(Note: completion of this section is mandatory)*

- The attached document is signed by an attorney for a person under a power of attorney, and the power of attorney is either recorded in the attorney roll, parcel register or is incorporated in the document.
- OR**
- No power of attorney applies to this document

This form is submitted to record the attached document *(select applicable box):*

- in the parcel register as a recorded interest and the following information relates to the interest being recorded:

Instrument Type or Code	
-------------------------	--

Name to Add	Interest Holder Type	Document Reference
Mailing Address		

Name to be Changed to "Interest Assigned" <i>(used for an assignment of an interest)</i>	Interest Holder Type	Document Reference

OR

- in the power of attorney roll
- in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

The following information relates to the interest being recorded:

Name of power of attorney donor to Add	Mailing Address

Name of power of attorney donee to Add	Mailing Address
Document Reference <i>(for power of attorney to be duplicated in the roll)</i>	

The textual qualifications in the above-noted parcel register(s) are to be changed as follows:

TQ on title to be REMOVED	TQ on title to be ADDED

- The interest holder recording the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.**

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of

Nova Scotia, _____, 2_____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 26L

Purpose: for lenders to record their interest in a parcel register or their power of attorney in the power of attorney roll

For Office Use

Registration district: _____
Submitter's user number: _____
Submitter's name: _____

Empty dashed box for office use.

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form.)

Power of attorney *(Note: completion of this section is mandatory)*

The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is either recorded in the attorney roll, parcel register or is incorporated in the document.

OR

No power of attorney applies to this document

This form is submitted to record the attached document *(select applicable box):*

in the parcel register as a recorded interest and the following information relates to the interest being recorded:

Instrument Type or Code	
-------------------------	--

Name to Add	Interest Holder Type	Document Reference

Mailing Address	
-----------------	--

Name to be Changed to "Interest Assigned" <i>(used for an assignment of an interest)</i>	Interest Holder Type	Document Reference

OR

in the power of attorney roll

in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

The following information relates to the interest being recorded:

Name of power of attorney donor to Add	Mailing Address

Name of power of attorney donee to Add	Mailing Address
Document Reference (for power of attorney to be duplicated in the roll)	

Priority of interest: (Note: completion of this section is mandatory, if the following applies);

If the security interest being recorded with this form is being submitted by a lender which currently has a security interest recorded in the parcel register of the above-noted PID(s), the lender must select one of the following boxes to indicate the intended priority of the attached security interest in relation to the lender's other security interests showing in the parcel register(s) at the time of recording:

- first charge
- second charge
- third charge
- other (specify priority) _____

The interest holder recording the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of lender or authorized agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 26N

Purpose: to record Form 9 and written directives in a parcel register

(Instrument Code: 858)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

The attached document(s) relate(s) to the following parcel(s)
registered under the *Land Registration Act*

Parcel Identification Number (PID)

(Expand box for additional PIDs.)

This form is submitted to record the following documents *(select all applicable boxes)* :

- Form 9
- proof of service
- written directives from the Registrar General
- other *(specify)* _____

Dated at _____, in the County of _____, Province of Nova

Scotia, _____, 2_____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

Form 27

Purpose: to request cancellation of a recorded interest

For Office Use

Registration district: _____
Submitter's user number: _____
Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form.)

Power of attorney *(Note: completion of this section is mandatory)*

The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is either recorded in the attorney roll, parcel register or is incorporated in the document.

OR

No power of attorney applies to this document

This form is submitted to record the attached document and to cancel the following recorded interests in the above-noted parcel register(s):

Instrument Type or Code		
Name to Remove	Interest Holder Type	Document Reference

The following textual qualifications in the above-noted parcel register(s) are to be changed as follows:

TQ on title to be REMOVED	TQ on title to be ADDED

The party releasing the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 27L

Purpose: for lenders to request a cancellation of their recorded interest in a parcel register or record a revocation of their power of attorney in the power of attorney roll

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form.)

Power of attorney *(Note: completion of this section is mandatory.)*

The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is either recorded in the attorney roll, parcel register or is incorporated in the document.

OR

No power of attorney applies to this document

This form is submitted to record the attached document and to cancel the following recorded interest in the above-noted parcel register(s):

Instrument Type or Code		
Name to Remove	Interest Holder Type	Document Reference

The party releasing the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2____.

Signature of lender or authorized agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

Form 28

Purpose: to record certain types of documents in the non-enabling section of a parcel register or the condo common view

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

The attached plan/document relates to the following parcels registered under the *Land Registration Act*

(Expand box for additional PIDs.)

Municipal file number or land registration file number *(insert file number used when PIDs were originally assigned during pre-approval):* _____

This form is submitted to record the following document in the above-noted parcel register(s), *(select one)*:

- plan
- boundary line agreement
- instrument of subdivision
- statutory declaration (not deemed consolidation)
- statutory declaration regarding deemed consolidation (s. 268A MGA)
- condominium declaration
- initial condominium bylaws
- condominium plan
- repeal of subdivision
- termination of condominium
- other *(specify)* _____

Name of registered owner _____

Note: An amending Parcel Description Certification Application may be required.

Dated at _____, in the County of _____, Province of Nova

Scotia, _____, 2_____.

Signature of applicant/municipal official/owner/agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

Form 45

Purpose: to add, confirm, delete and correct the interests, textual qualifications or parcel access type in the parcel register(s)

Note: If there are inherited interest flags in the parcel register, a Form 45 is required to be recorded before the registered interest can be changed. The form must be completed, even if only to confirm that no changes are to be made.

(Instrument code: 836)

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

For Office Use

Changes are requested for:

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form)

I HEREBY CERTIFY TO THE FOLLOWING

1. The parcel access type for this parcel is:

- public
- no documented right of access
- private
- navigable waterway *(must include TQ)*

Textual Qualification, *(if required)*;

Textual Qualification on title to be Added

2. Remove the following interests or entries, including textual qualifications, from the parcel register(s):

Name/Interest Holder to Remove	Interest Holder Type	Document Reference

Textual Qualification on title to be Removed

3. All other interests or entries, including textual qualifications, are to remain in the parcel register(s).

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2____.

Signature of authorized lawyer
 Name: _____
 Phone: _____
 E-mail: _____

Note: An amending Parcel Description Certification Application is required if benefits or burdens are being removed.

Form 46

Purpose: To record a judgment or amendment of judgment in the judgment roll by recording a Certificate of Judgment executed by the prothonotary

(Instrument code: 707)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Court file #	
Name of court	

Empty dashed box for Office Use.

(Insert title of proceeding/style of cause)

Amendment of a Judgment previously recorded as document number:

Judgment creditor information

Name (must include first and last name; must include middle name or initial if available):

(first) _____ (middle) _____ (last) _____

-Or-

Company name: _____

Address (must include a complete mailing address where each judgment creditor can be served, and must include the civic address if available):

Mailing address: <input type="checkbox"/> Same as Civic Address	
<i>PO Box:</i>	<i>Street name & number:</i>
<i>Place Name:</i>	<i>Province/State:</i>
<i>Country:</i>	<i>Postal/Zip Code:</i>
Civic address: (if different from mailing address)	
<i>PO Box:</i>	<i>Street name & number:</i>
<i>Place Name:</i>	<i>Province/State:</i>
<i>Country:</i>	<i>Postal/Zip Code:</i>

Name of lawyer *(must be included if the creditor is/was represented):* _____

Other information (must include at least one other piece of information that tends to distinguish the judgment creditor from all others): _____

Judgment debtor information

Name (must include first and last name; must include middle name or initial if available):

(first) _____ (middle) _____ (last) _____

-Or-

Company name: _____

Address (must include a complete mailing address where each judgment debtor can be served, and must include the civic address if available):

Mailing address: <input type="checkbox"/> Same as Civic Address	
PO Box:	Street name & number:
Place Name:	Province/State:
Country:	Postal/Zip Code:
Civic address: (if different from mailing address)	
PO Box:	Street name & number:
Place Name:	Province/State:
Country:	Postal/Zip Code:

Name of lawyer (must be included if the debtor is/was represented):

Other information (must include at least one other piece of information that tends to distinguish the judgment debtor from all others): _____

Debt	
Interest	
Costs	
Judgment	

I hereby certify that judgment has been entered in the above-noted action for the (select one and insert name of judgment creditor) plaintiff/defendant _____, against the (select one and insert name of judgment debtor) plaintiff/defendant _____, for (insert amount of debt) \$ _____ and pre-judgment interest of \$ _____ and \$ _____ costs of suit; amounting in all to \$ _____.

I further certify that the foregoing is a true abstract of the original judgment in the above-noted action, entered in the records of the court at _____, which judgment was duly signed on _____, 2_____.

Given under seal of the Court at _____ on _____, 2_____.

Signature of (Deputy) Prothonotary or Court Official

(Insert name, address and contact information for lawyer/individual recording the judgment.)

Name: _____

Address: _____

Phone: _____

E-mail: _____

Fax: _____

Form 47

Purpose: To cancel the recording of a judgment in the judgment roll by recording a certificate of satisfaction executed by the prothonotary

(Instrument code: 709)

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

Name of the judgment debtor(s) _____;

Name of the judgment creditor _____;

Judgment recorded as:

Book & Page #	Document #	Registration Year	Other Information

Other judgment related documents recorded as:

Book & Page #	Document #	Registration Year	Other Information

The undersigned hereby requests that the registrar cancel the recording of the interest as identified in the attached certificate of satisfaction and as set out below:

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2_____.

Signature of interest holder/agent/ judgment debtor/ owner

Name: _____

Address: _____

Phone: _____

E-mail: _____

Court file # _____

Name of court: _____

(Insert title of proceeding/style of cause.)

Certificate of Satisfaction

I hereby certify that the judgment in the above action, signed on _____, 2 ____, for *(enter judgment amount)* _____, all inclusive of debts and costs, was fully satisfied by the judgment debtor on _____, 2_____.

Certified under the seal of the Court at _____, Nova Scotia, on _____, 2_____.

Signature of (Deputy) Prothonotary

Return to:

(Insert name and mailing address lawyer/individual requesting certificate.)

Name: _____

Address: _____

Phone: _____

E-mail: _____

Note: If judgment that is being removed also appears in a parcel register for any PID, it will automatically be removed from that PID's register by the system, by the next business day.

Form 48

Purpose: To record in the judgment roll, a full or partial release of judgment signed by the judgment creditor and/or to cancel the recording of a judgment in a parcel register with a certificate of legal effect.

For Office Use

Registration district: _____
Submitter's user number: _____
Submitter's name: _____

PART 1: TO RECORD A RELEASE IN THE JUDGMENT ROLL

(Instrument code: 709 – Full Release)

(Instrument code: 710- Partial release)

Judgment recorded as:

Book/page or document/year reference of judgment	
Name(s) of all judgment creditors	
Name(s) of all judgment debtors	

The attached document is (*check one*):

- a full release of the judgment by the creditor(s) against ALL judgment debtor(s); or
- a partial release of the judgment

Note: Partial Releases - if the effect of the partial release is to release properties from the effect of the judgment, then a Schedule "A" containing a full legal description of each property released, must be attached to this form. If a judgment has to be removed from a Land Registration parcel register, an authorized lawyer must ALSO complete Part 2 of this form.

The undersigned hereby requests that the registrar record the release/partial release in the judgment roll.

Dated at _____, in the County of _____, Province of
Nova Scotia, _____, 2_____.

Signature of interest holder/agent

Name: _____

Address: _____

Phone: _____

E-mail: _____

Prescribed Form of Release

Court File # _____

Name of Court: _____

(Insert title of proceeding/style of cause)

Select one of the following document types;

Partial Release of Judgment (against lands or some of the debtors)

The judgment creditor hereby releases (*select one of the following options*);

All of the lands described in Schedule 'A' annexed hereto

Or

The following judgment debtor(s): _____

from the judgment that was entered against the judgment debtor(s) on _____,
2____, and recorded at the Registry of Deeds Office/Land Registration Office in _____,
Nova Scotia, as document number/year or book/page _____.

OR

Full Release of Judgment (against ALL debtors)

The judgment creditor hereby releases

all of the judgment debtor(s) named in the judgment: _____,
from the judgment that was entered against the judgment debtor(s) on _____, 2____, and
recorded at the Registry of Deeds Office/Land Registration Office in _____, Nova
Scotia, as document number/year or book/page _____.

Dated at _____, in the County of _____, Province of Nova
Scotia, _____, 2_____.

Witness (Barrister/Commissioner)

*Signature of judgment creditor (or assignee) or
agent*

Certificate of Commissioner:

I certify that on _____, 2_____, the above-named individual executed the foregoing
instrument in my presence and I signed as a witness to the execution.

A Barrister/Commissioner of the Supreme Court of Nova Scotia
(Insert stamp of name or print name legibly.)

PART 2: TO REMOVE A JUDGMENT FROM A PARCEL REGISTER

(Instrument code: 710 – Partial release)

(Instrument code: 728 – for all other document types, except a full release)

*Note: If part 1 was completed for a full release; **do not complete this section** as the judgment will automatically be removed by the system from any applicable parcel registers.*

Parcel Identification Number (PID)

(Expand box for additional PIDs. Maximum 9 PIDs per form.)

This form is submitted to remove the following judgments or judgment-related documents from the above-noted parcel register(s), based on the effect of the attached document(s):

Name to Remove	Interest Holder Type	Document Reference

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

Dated at _____, in the County of _____, Province of Nova Scotia, _____, 2____.

Signature of authorized lawyer

Name: _____

Phone: _____

E-mail: _____

Notes:

- **Part 1 can be completed by a creditor or agent for a full or partial discharge of a judgment that is being recorded in the judgment roll.**
- **Part 2 must be completed by an authorized lawyer if a partial discharge or any other document (except a full release) is attached that, in the lawyer’s opinion, acts to remove a judgment from a parcel register.**
- **If a full release of judgment (code 709) is submitted, then the judgment will automatically be removed from the judgment roll and the applicable parcel register(s) by the Land Registration system, (Part 2 must not be completed for a full release).**

Form 48B

Purpose: To record a judgment-related document (documents other than judgments or partial or full discharges) in the judgment roll and parcel register, if applicable

For Office Use

Registration district: _____

Submitter's user number: _____

Submitter's name: _____

1. Recording in the judgment roll (selection of one box is mandatory):

I request that the document indicated below, which is attached to this form, be recorded in the judgment roll:

- statutory declaration respecting judgments;
- assignment of judgment;
- postponement of judgment;
- order to set aside judgment;
- assignment of bankruptcy;
- discharge of bankruptcy;
- disclaimer by bankruptcy trustee
- bankruptcy order
- certificate of filing of a consumer proposal;
- certificate of full performance of proposal;
- affidavit filed pursuant to S 68 (3) of the *Land Registration Act*;
- order filed pursuant to S 3 (3) of the *Land Registration Act*
Authorizing legislative provision: _____

Related judgment recorded as:

Book & Page #	Document #	Registration Year

2. Recording in parcel register (if applicable)

- only permitted for the following options, and only if the relevant judgment to be assigned or postponed currently appears in the parcel register(s):

I request that the document indicated below, which is attached to this form, be recorded in the parcel register(s), of the properties registered under the *Land Registration Act* indicated below:

- assignment of judgment;
- postponement of judgment;

Parcel Identification Number (PID)

(Expand box for additional PIDs. **Maximum 9 PIDs per form**)

(Following section must be completed if recording in the parcel register is requested:

Instrument Type or Code	
--------------------------------	--

Name to Add	Interest Holder Type	Document Reference
Mailing Address		

Name to be Changed to "Interest Assigned" (used for an assignment of judgment)	Interest Holder Type	Document Reference

Dated at _____, in the County of _____, Province of Nova

Scotia, _____, 2_____.

Signature of submitter

Name: _____

Address: _____

Phone: _____

E-mail: _____