

## LAND TITLES AMENDMENT ACT, 2006

### Chapter 21

(Assented to May 24, 2006)

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

Amends RSA 2000 cL-4

1 The *Land Titles Act* is amended by this Act.

2 Section 1(u) is repealed and the following is substituted:

(u) “Registrar” means the Registrar of Titles and includes a Deputy Registrar and an Assistant Deputy Registrar;

3 Section 3 is repealed.

4 Section 5 is repealed and the following is substituted:

Deputy Registrar

5 The Deputy Registrar may do and perform all the duties required by this Act to be done or performed by the Registrar.

5 Section 6 is amended by striking out “The Inspector of Land Titles Offices, the Assistant Inspector of Land Titles Offices, the Registrars” and substituting “The Registrar”.

6 Section 7 is amended by striking out “The Inspector of Land Titles Offices, the Assistant Inspector of Land Titles Offices and every Registrar, Deputy Registrar” and substituting “The Registrar and every Deputy Registrar”.

7 Section 9 is amended by striking out “The Inspector of Land Titles Offices, the Assistant Inspector of Land Titles Offices or any Registrar or Deputy Registrar” and substituting “The Registrar or any Deputy Registrar”.

8 Section 10 is amended by striking out “The Inspector of Land Titles Offices, the Assistant Inspector of Land Titles Offices and any Registrar, Deputy Registrar” and substituting “The Registrar or any Deputy Registrar”.

9 Section 11 is amended

(a) by striking out “The Inspector of Land Titles Offices, the Assistant Inspector of Land Titles Offices and any Registrar, Deputy Registrar” and substituting “The Registrar or any Deputy Registrar”;

(b) by striking out “Inspector, Assistant Inspector,”.

10 Section 23(1) is amended by striking out “A Registrar” and substituting “The Registrar”.

11 Section 29(3) is amended by striking out “a Registrar” and substituting “the Registrar”.

12 Section 35(2) is amended by striking out “produces” and substituting “produce”.

13 The following is added after section 43:

Proof of identity

43.1(1) In all cases of transfers, mortgages, encumbrances, caveats, leases or other instruments, the Registrar may require satisfactory proof of identity of any person whose name appears on the instrument, including, without limitation, photographic

identification, statutory declarations, documentation regarding a change of name, birth certificates, marriage certificates or death certificates.

(2) The Registrar may make a copy of any form of documentation submitted under subsection (1), or make a note of the information contained in the documentation, and may retain the copy or the note in a file regarding the transaction, but the copy or the note does not constitute information contained in the register for the purpose of a search under section 17.

(3) The types of identification and the number of identification documents that may be required for the purpose of this section may be specified by regulation.

14 The following is added after section 50:

Refusal to register

50.1(1) The Registrar may refuse to register a transfer, mortgage, encumbrance, caveat, lease or other instrument if for any reason it appears to the Registrar that the transaction may involve fraud.

(2) Without limiting subsection (1), the Registrar may refuse to register a transfer, mortgage, encumbrance, caveat, lease or other instrument if a person whose name appears on the instrument, or a person acting or purporting to act for a person whose name appears on the instrument, fails or refuses to produce identification documents in accordance with section 43.1 that in the opinion of the Registrar are sufficient to establish the identity of the person.

15 Section 158 is amended by striking out “A Registrar” and substituting “The Registrar”.

16 Section 166 is amended by striking out “A Registrar” and substituting “The Registrar”.

17 Section 168(a) is amended by striking out “a Registrar” and substituting “the Registrar”.

18 Section 181 is amended by striking out “or” at the end of clause (e), adding “or” at the end of clause (f) and adding the following after clause (f):

(g) by reason of a refusal of the Registrar under section 50.1 to register a transfer, caveat or other instrument.

19 Section 184(1) is amended by striking out “a Registrar” and substituting “the Registrar”.

20 Section 185 is amended by striking out “a Registrar” wherever it occurs and substituting “the Registrar”.

21 Section 192(1) is amended by striking out “a Registrar” and substituting “the Registrar”.

22 Section 194 is amended by striking out “the Inspector of Land Titles Offices, a Registrar” and substituting “the Registrar”.

23 Section 197 is amended by striking out “every Registrar” and substituting “the Registrar”.

24 Section 211 is amended

(a) by striking out “A Registrar” and substituting “The Registrar”;

(b) by striking out “a Registrar” and substituting “the Registrar”.

25 Section 213 is amended by adding the following after clause (c):

(d) respecting types of identification and the number of identification documents that may be required as proof of identity under section 43.1, including substitutes that may be accepted by the Registrar at the Registrar’s discretion for the purposes of that section;

(e) respecting the use of information furnished by the Registrar as a result of a search of the register under this Act.

26**(1)** The *Builders' Lien Act* is amended in section 1(m) by striking out “a Registrar” and substituting “the Registrar”.

**(2)** The *Freehold Mineral Rights Tax Act* is amended in section 1(j) by striking out “a Registrar” and substituting “the Registrar”.

**(3)** The *Health Insurance Premiums Act* is amended in section 19(4) by striking out “a Registrar” and substituting “the Registrar”.

**(4)** The *Interpretation Act* is amended in section 28(1)(zz) by striking out “a Registrar” and substituting “the Registrar”.

**(5)** The *Mines and Minerals Act* is amended in section 1(1)(x) by striking out “a Registrar” and substituting “the Registrar”.

**(6)** The *Public Lands Act* is amended in section 1(q) by striking out “a Registrar” and substituting “the Registrar”.

**(7)** The *Surveys Act* is amended in section 1(t)(ii) by striking out “a Registrar” and substituting “the Registrar”.

27 This Act comes into force on Proclamation.