

Land Registration General Regulations

made under Section 93 and subsection 128(2) of the
Land Registration Act
S.N.S 2001, c. 6

O.I.C. 2012-41 (February 21, 2012), N.S. Reg. 45/2012
as amended to O.I.C. 2015-154 (May 28, 2015), N.S. Reg. 226/2015

Citation

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

Definitions

2 In these regulations,

“Act” means the Land Registration Act;

“designated county” means a county designated in Section 3 for the purposes of subsection 128(2) of the Act, which provides that Sections 2 to 64 and 70 to 95 of the Act apply only to a designated county;

“fee” means a fee prescribed in Section 12 for a service under the Act or the Land Registration Administration Regulations under the Act;

“half-day” means a consecutive 4-hour period between 8:30 a.m. and 4:30 p.m.;

“land registration officer” means a deputy registrar or an additional employee appointed under subsection 9(1) of the Act to perform duties at a land registration office.

Designation of counties

3 Each county in the Province is a designated county.

Establishment of registration districts

4 Each county in the Province is a registration district.

Registration regions

4A For the purposes of land registration office locations in Section 5, registration regions made up of registration districts are established as set out in the following table:

Registration Region

Registration Districts

North

Cumberland, Antigonish, Pictou and Colchester

South

Yarmouth, Queens, Shelburne, and Lunenburg

East

Cape Breton, Victoria, Richmond, Guysborough and Inverness

West

Digby, Annapolis, Kings and Hants

Central

Halifax

Section 4A added: O.I.C. 2015-154, N.S. Reg. 226/2015.

Location of land registration offices

5 (1) A land registration office must be located in each registration region.

(2) A registration region may have more than 1 land registration office located in the region.

Section 5 replaced: O.I.C. 2015-154, N.S. Reg. 226/2015.

Qualified lawyers performing duties and exercising powers of registrar

6 (1) Qualified lawyers are prescribed as a class of persons who, subject to subsection (2), may perform the duties and exercise the powers of a registrar to create a parcel register and register a parcel.

(2) A qualified lawyer may perform the duties and exercise the powers set out in subsection (1) if

(a) there is a valid agreement between the Nova Scotia Barristers' Society and the Minister under subsection 94(3) of the Act regarding the role of qualified lawyers in the land registration system; and

(b) the qualified lawyer

(i) maintains a level of liability insurance at least equal to the level required by the Nova Scotia Barristers' Society,

(ii) complies with any education requirements of the Nova Scotia Barristers' Society relating to the land registration system, and

(iii) is an authorized lawyer, as defined in the Land Registration Administration Regulations.

Land registration officers performing duties and exercising powers of registrar

7 Land registration officers are prescribed as a class of persons who may perform the duties and exercise the powers of a registrar imposed or conferred under the Act or the regulations.

Fee payment

8 A fee must be paid at the time of service, which for document registration or recording is the time the document is submitted.

Combined documents

9 For the purpose of calculating fees, if documents are combined or attached together, or if several instrument types are combined together in 1 document, each document or instrument type is considered to be a separate document, unless the document is attached as an exhibit or schedule or is not recordable as a separate document.

Document affecting multiple security interests or liens

10 For the purpose of calculating fees, if a document affects more than 1 security interest or lien, the document is considered to be a separate document for each security interest or lien affected.

Double-sided printing

11 For the purpose of calculating fees, a page of a document that has printing on both sides is considered to be 2 separate pages.

Fees

12 Except as provided in Section 13, the fees for services that are provided under the Act and its regulations are as follows:

(a) to register or record a document, other than a document
under the Condominium Act, by any means,
per document.....\$100.00

Clause 12(a) replaced: O.I.C. 2013-105, N.S. Reg. 118/2013.

(b) for documents under the Condominium Act that are registered or recorded under the Act, the fees set out in Schedule “B” to the Condominium Regulations made under the Condominium Act
Clause 12(b) replaced: O.I.C. 2015-96, N.S. Reg. 115/2015.

(c) for supplying a certified copy of a document that was registered or recorded under the Act per certification.....\$13.35
plus the fee per page prescribed in clauses (e) and (f)
Clause 12(c) replaced: O.I.C. 2015-96, N.S. Reg. 115/2015.

(d) to search any records at a land registration office,
per person, per half-day or any partial half-day.....\$6.60
Clause 12(d) replaced: O.I.C. 2015-96, N.S. Reg. 115/2015.

(e) for supplying a copy of a document or part of a document that was registered or recorded under the Act, or an extract from electronic data or images, that is reproduced by a photocopier or printer and is 11 x 17 in. (27.94 x 43.81 cm) or smaller, per page.....\$1.25
Clause 12(e) replaced: O.I.C. 2015-96, N.S. Reg. 115/2015.

(f) for supplying a copy of a document or part of a document that was registered or recorded under the Act, or an extract from electronic data or images, that is reproduced by a photocopier or printer and is

(i) larger than 11 x 17 in. (27.94 x 43.81 cm) but no larger than 24 x 36 in. (60.96 x 76.2 cm), per page.....\$9.30

(ii) larger than 24 x 36 in. (60.96 x 76.2 cm) but no larger than 36 x 42 in. (76.2 x 106.68 cm), per page.....\$13.40

(iii) larger than 36 x 42 in. (76.2 x 106.68 cm), per metre.....\$9.30
Clause 12(f) replaced: O.I.C. 2015-96, N.S. Reg. 115/2015.

(g) for a fee payment returned to the land registration office because of insufficient funds.....\$16.70
plus, if the fee payment remains outstanding 30 days after notice has been provided by a registrar, an additional.....\$16.70
Clause 12(g) replaced: O.I.C. 2015-96, N.S. Reg. 115/2015.

Fee exemptions

13 There is no fee

(a) to submit, register or record any of the following:

(i) a document for which a fee has already been paid to file enter or register under the Registry Act,

(ii) a duplicate or certified copy of a document which has been previously recorded or registered under the Act,

(iii) a boundary survey plan, other than a subdivision plan, certified by a Nova Scotia Land Surveyor,

(iv) a subdivision plan that is exempt from requiring subdivision approval under the Municipal Government Act or that was approved before August 6, 1984,

(v) a statutory declaration solely clarifying the identity of the deponent in relation to a judgment debtor who has a similar name, unless filed with a Form 48A,

(vi) a form prescribed under the Land Registration Administration Regulations, other than a Form 6, 10, 16, 19, 20, 46, 47 or 48,

Subclause 13(a)(vi) replaced: O.I.C. 2013-105, N.S. Reg. 118/2013.

(vii) a judgment for the amount ordered to be paid under a restitution order made under Sections 732.1, 738, 739 or 742.3 of the Criminal Code (Canada) to a victim, as defined in the Victims' Rights and Services Act; or

(b) for a service that is required as a result of a registrar's or land registration officer's error.