

chapter C-1

CADASTRE ACT

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REPEAL SCHEDULE

DIVISION I

PREPARATION OF CADASTRAL PLAN

1985, c. 22, s. 38.

1. The Minister of Natural Resources and Wildlife shall cause to be prepared, under his superintendence, a cadastral plan for the first immatriculation of an immovable situated in a registration division.

R. S. 1964, c. 320, s. 1; 1979, c. 81, s. 20; 1985, c. 22, s. 39; 1993, c. 52, s. 1; 1994, c. 13, s. 15; 2003, c. 8, s. 6; 2006, c. 3, s. 35.

2. A cadastral plan shall mention the name of the cadastre and of the registration division in which the lots are situated, and the name of the local municipality in the territory of which they are included.

The plan shall be established in accordance with the instructions of the Minister, who may take any steps he considers appropriate to ensure the correctness of the plan.

R. S. 1964, c. 320, s. 2; 1985, c. 22, s. 40; 1993, c. 52, s. 2.

3. The original of the cadastral plans and books of reference, dated and signed by the Minister, shall be kept in his records.

The Minister shall also keep in his records the duplicate of the Schedules made under The Seigniorial Amendment Act of 1859 (Statutes of Canada, 22 Victoria, chapter 48) and the other plans, maps and documents of a similar nature.

R. S. 1964, c. 320, s. 3; 1979, c. 81, s. 20; 1985, c. 22, s. 41; 1993, c. 52, s. 3.

4. For the preparation of plans relating to townships, the Minister shall refer to the maps and surveys already made or cause new surveys to be made, whichever seems to him better adapted to ensure the correctness of the plan.

R. S. 1964, c. 320, s. 4; 1985, c. 22, s. 42.

4.1. The Minister may correct a plan or a book of reference where he believes that the cadastral designation, including the numbering entered on the plan, in the book of reference or in the land register is erroneous or is a source of error or confusion.

The Minister shall certify the correction on the plan or in the book of reference in which the correction is made.

1985, c. 22, s. 42; 1993, c. 52, s. 4.

4.2. The Minister may regularize a plan or a book of reference deposited before 14 May 1985 which, according to him, has been prepared irregularly.

The Minister shall regularize the plan or the book of reference by means of a certificate he shall affix to it.

1985, c. 22, s. 42.

4.3. The Minister may declare that a plan or a book of reference deposited before 14 May 1985 is in force which, according to him, has not been put into force.

The Minister shall make the declaration by means of a certificate he shall affix to the plan or book of reference being the object of the declaration.

1985, c. 22, s. 42.

4.4. The Minister shall deposit, in the registry office a copy, certified by him, of the plan or book of reference bearing a certificate of correction, regularization or putting into force accompanied with a notice indicating the nature of the correction and, as the case may be, the concordance between the former cadastral designation and the new one, the regularization effected or the fact that they have been put into force.

The registrar shall enter the notice in the land register and indicate therein, as the case may be, the nature of the correction or the regularization that has been made.

1985, c. 22, s. 42; 1993, c. 52, s. 5; 2000, c. 42, s. 121.

4.5. The Minister shall publish the notice accompanying the plan or book of reference bearing a certificate of correction, of regularization or of putting into force in a newspaper circulated in the territory contemplated by the plan or book of reference, not later than 15 days after the date of the deposit in the registry office.

If no newspaper is circulated in the territory, the notice shall be posted up in a public place determined by the Minister.

Where the notice pertains to a correction that changes the number of a lot, the Minister shall send the notice to the last known address of the owner and to each holder of a right who has caused his address to be registered in the land register.

1985, c. 22, s. 42; 1993, c. 52, s. 6; 2000, c. 42, s. 122.

4.6. The registration, before the deposit in the registry office of the plan or book of reference bearing a certificate of correction, regularization or putting into force, of a document affecting a lot contemplated by the plan or the book of reference cannot be invalidated for the sole reason that, as the case may be, the document

- (1) contains the cadastral designation which is corrected;
- (2) affects a lot indicated on the plan or book of reference which is regularized;
- (3) affects a lot indicated on the plan or book of reference which is declared to be in force.

1985, c. 22, s. 42; 2000, c. 42, s. 123.

4.7. A plan or book of reference prepared under a plan or a book of reference corrected, regularized or put into force under sections 4.1, 4.2 or 4.3 cannot be invalidated for the sole reason that the plan or book of reference contains an erroneous cadastral designation, has been prepared in an irregular manner or has not been put into force, as the case may be.

Section 4.6 applies, adapted as required, to the registration of a right or of a document affecting a lot contemplated in a plan or a book of reference that cannot, under this section, be invalidated.

1985, c. 22, s. 42; 1993, c. 52, s. 8.

5. Every registrar shall assist *gratis* to the best of his ability, in any way in which the Minister may require his assistance, in the preparation and keeping of the plans and, as the case may be, of the books of reference to be made; and each local municipality shall furnish, free of charge, to the Minister in the form he requires, where it has it in its possession, the description and extent of the lots and parcels of lands included in its territory, and the names of the owners thereof, so far as the same can be ascertained from the assessment or valuation rolls or from any other documents in its possession.

R. S. 1964, c. 320, s. 5; 1985, c. 22, s. 43; 1993, c. 52, s. 9.

6. The Minister shall, forthwith, note any change in the boundaries or name of a registration division on the plans of the cadastres affected and on the copy of such plans deposited at the registry office. He shall send a copy of the plans to the registry office.

R. S. 1964, c. 320, s. 6; 1993, c. 52, s. 10; 2000, c. 42, s. 124.

7. *(Repealed).*

R. S. 1964, c. 320, s. 7; 1993, c. 52, s. 11.

DIVISION II

Repealed, 1993, c. 52, s. 11.

1993, c. 52, s. 11.

8. *(Repealed).*

R. S. 1964, c. 320, s. 8; 1993, c. 52, s. 11.

9. *(Repealed).*

R. S. 1964, c. 320, s. 9; 1979, c. 81, s. 20; 1993, c. 52, s. 11.

10. *(Repealed).*

R. S. 1964, c. 320, s. 10; 1992, c. 57, s. 448; 1993, c. 52, s. 11.

11. *(Repealed).*

R. S. 1964, c. 320, s. 11; 1993, c. 52, s. 11.

12. *(Repealed).*

R. S. 1964, c. 320, s. 12; 1992, c. 57, s. 449.

13. *(Repealed).*

R. S. 1964, c. 320, s. 13; 1993, c. 52, s. 11.

DIVISION III

IDENTIFICATION OF LOTS

1993, c. 52, s. 12.

14. *(Repealed).*

R. S. 1964, c. 320, s. 14; 1985, c. 22, s. 44; 1993, c. 52, s. 13.

15. *(Repealed).*

R. S. 1964, c. 320, s. 15; 1985, c. 22, s. 45; 1993, c. 52, s. 13.

16. *(Repealed).*

R. S. 1964, c. 320, s. 16; 1985, c. 22, s. 46.

17. *(Repealed).*

R. S. 1964, c. 320, s. 17; 1979, c. 81, s. 20; 1985, c. 22, s. 47; 1993, c. 52, s. 13.

18. *(Repealed).*

R. S. 1964, c. 320, s. 18; 1985, c. 22, s. 48; 1993, c. 52, s. 13.

19. In addition to territories that have been the subject of a cadastral renewal, the following lots are subject to the second paragraph of article 2996, the first paragraph of article 3030, the last paragraph of article 3043 and article 3054 of the Civil Code:

(1) any lot situated in a territory that has been the subject of a revised plan drawn up after 30 September 1985 under the Act respecting land titles in certain electoral districts (chapter T-11);

(2) any lot situated in part in a territory that has been the subject of a cadastral renewal or a revised plan drawn up after 30 September 1985 under the Act respecting land titles in certain electoral districts;

(3) any lot shown on a plan prepared pursuant to section 1 where the plan is certified to that effect by the Minister.

In the case of a lot referred to in subparagraph 3 of the first paragraph, the registrar shall, when establishing the land file, enter the certificate and its contents under the number of that lot.

R. S. 1964, c. 320, s. 19; 1985, c. 22, s. 49; 1988, c. 22, s. 11; 1993, c. 52, s. 14; 2000, c. 42, s. 125.

19.1. *(Repealed).*

1985, c. 22, s. 49; 1988, c. 22, s. 12; 1993, c. 52, s. 15.

19.2. *(Repealed).*

1985, c. 22, s. 49; 1988, c. 22, s. 13; 1993, c. 52, s. 15.

19.3. *(Repealed).*

1988, c. 22, s. 14; 1993, c. 52, s. 15.

20. *(Repealed).*

R. S. 1964, c. 320, s. 20; 1982, c. 63, s. 107.

DIVISION IV

Repealed, 1993, c. 52, s. 15.

1993, c. 52, s. 15.

21. *(Repealed).*

R. S. 1964, c. 320, s. 21; 1979, c. 81, s. 20; 1983, c. 38, s. 61; 1993, c. 52, s. 15.

DIVISION V

MISCELLANEOUS PROVISIONS

1985, c. 22, s. 50.

21.1. *(Repealed).*

1985, c. 22, s. 51; 1993, c. 52, s. 15.

21.2. *(Repealed).*

1985, c. 22, s. 51; 1993, c. 52, s. 15.

21.3. Every plan must be in computerized form.

A cadastral plan must be updated regularly by compiling all the data relating to a renewal plan, a revised plan, a plan showing a lot referred to in section 19, and any subsequent amendment to such a plan. The compilation is deemed to be a duplicate of all the plans concerned.

1985, c. 22, s. 51; 1993, c. 52, s. 16; 2010, c. 4, s. 1.

21.4. The Minister may replace or reconstitute all or part of any plan or book of reference forming part of his records in order to ensure its conservation and facilitate its consultation.

He shall determine the means to be used for the replacement or reconstitution of the plan or book of reference and the manner in which the replacement or reconstitution is to be carried out in order to ensure the authenticity of the new document.

Where the plan or book of reference is replaced, the Minister shall collate the reproduction with the original and certify in writing that it is true to the original.

Where the plan or book of reference is reconstituted, the Minister shall certify in writing that the reconstituted plan or book has the same force as the original.

Every plan or book of reference that has been so certified has the same authenticity, validity and effect as the plan or book of reference it replaces or reconstitutes.

1985, c. 22, s. 51; 1993, c. 52, s. 17.

21.5. *(Repealed).*

1985, c. 22, s. 51; 1993, c. 52, s. 18.

21.6. The Minister may, when a change is made to a plan or book of reference or when a plan is updated, transmit to the registry office a copy, certified by him, of the plan or book of reference or of the updated plan, to be substituted for the existing copy, which shall be destroyed.

1985, c. 22, s. 51; 1993, c. 52, s. 19.

21.6.1. The Government may, by regulation, fix the fees payable for the deposit of cadastral plans, the examination of plans not deposited and the provision of goods and services resulting from work, operations and technological developments related to the cadastre.

The collection of fees by the Minister for such purposes since 1 April 1982 is valid.

1992, c. 29, s. 10.

21.7. The Minister of Natural Resources and Wildlife is responsible for the administration of this Act.

1985, c. 22, s. 51; 1994, c. 13, s. 15; 2003, c. 8, s. 6; 2006, c. 3, s. 35.

22. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 320 of the Revised Statutes, 1964, in force on 31 December 1977, is repealed effective from the coming into force of chapter C-1 of the Revised Statutes.