Government of Saskatchewan

Ministry of Justice
Office of Public Registry Administration
1110 - 1874 Scarth Street
Regina, Canada S4P 4B3

AMENDED – DECEMBER 15, 2016

Registrar's Order

The Land Titles Act, 2000 and
The Operation of Public Registry Statutes Act.

Regarding Recommencement of Land Registry Services

Whereas subsection 15(1) of *The Operation of Public Registry Statutes Act* reads as follows:

> 15(1) Notwithstanding any other Act or law, if, in the opinion of a registry officer or the minister, the circumstances are such that it is not practical to provide one or more registry services or functions, a registry officer or the minister may, by order, suspend all or any registry services or functions for the period during which, in the opinion of the registry officer or the minister, those circumstances prevail.

Therefore I, Karen E. Banks, Registrar of Titles, do hereby determine that ISC must take the following actions during the recommencement of Land Registry services and functions:

a) **Protecting Priority in the Queue – packets made available to registry personnel for the purpose of evaluating and testing the system from 8:45 a.m. to 9:20 a.m. on Friday, December 9, 2016.**

On Friday, December 9, 2016, the Land Registry services and functions were partly restored to permit testing of the Land Registry services and functions, and a small number of packets were made available for examination and registration.

Prior to full recommencement of Land Registry services and functions, ISC must take the steps necessary to confirm whether judgments should attach as a result of these registrations and any affected titles must be immediately locked prior to Registry services and functions being made available to the public. In the event that judgments should attach, Registrar's corrections shall be performed to protect the rights of judgment creditors.

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b) **Protecting Priority in the Queue – packets in queue currently waiting to be processed.**

On recommencement of Land Registry services and functions to Land Registry personnel, ISC shall take outstanding packets (including suspended packets) in the queue for examination in the order in which they entered the queue.

PARAGRAPH (C) IS REPEALED AS OF DECEMBER 15, 2016:

c) **Protecting Priority in the Queue - submissions received between Wednesday, December 7 and Monday, December 12 and between Tuesday, December 13 and Friday, December 16**

On recommencement of Land Registry services and functions to the Land Registry personnel, ISC shall take action to protect priority of submissions through management of the queue. This recognizes that the Registry continued to receive submissions in non-electronic formats during the time that the Land Registry services and functions were suspended. Simultaneously with the time that the Land Registry begins receiving electronic submissions through the Online Submission Tool, the processing shall begin dealing with submissions received by email, paper or fax. These submissions shall be managed as follows:

Entry of non-OLS transactions into the Queue if Land Registry services and functions are recommenced on Tuesday, December 13:

Received Date	**Date to be Entered into the Queue**
Tuesday, December 6 and Wednesday, December 7	Wednesday, December 14
Thursday, December 8	Thursday, December 15
Friday, December 9	Friday, December 16
Monday, December 12 (including weekend of December 10,11)	Monday, December 19
Tuesday, December 13	Tuesday, December 20
Wednesday, December 14	Tuesday, December 20
Thursday, December 15	Tuesday, December 20

AND THE FOLLOWING NEW PARAGRAPH (C) SUBSTITUTED IN ITS PLACE:

c) **Protecting Priority in the Queue - submissions received between Wednesday, December 7 and Wednesday, December 14**

On recommencement of Land Registry services and functions to the Land Registry personnel, ISC shall take action to protect priority of submissions through management of the queue. This recognizes that the Registry continued to receive submissions in non-electronic formats during the time that the Land Registry services and functions were suspended. Simultaneously with the time that the Land Registry begins receiving electronic submissions through the Online Submission Tool, the processing shall begin dealing with submissions received by email, paper or fax. These submissions shall be managed as follows:

Entry of non-OLS transactions into the Queue if Land Registry services and functions are recommenced on Tuesday, December 13:

Received Date	**Date to be Entered into the Queue**
Tuesday, December 6 and Wednesday, December 7	Wednesday, December 14
Thursday, December 8 to Wednesday, December 14	Thursday, December 15
Thursday December 15	Return to standard process

Reason for amendment to order: The Land Registry has rapidly returned to currency in entering packets to the queue for examination; therefore special processes to manage the queue are no longer required. By the end of the day on Wednesday, December 14, 2016, examination was beginning on packets received on the morning of that day.

d) **Protection of the Rights of Interest Holders - where lapse procedure commenced under section 63 of *The Land Titles Act, 2000.***

With the service disruption, an interest holder may have lost opportunity to defend against a lapse process that has been commenced under section 63 due to the requirement that the interest holder take action within a 30 day time period in accordance with subsection 46(7) of *The Land Titles Regulations, 2001*.

Pursuant to subsection 46(6) of *The Land Titles Regulations, 2001*, the 30 day period will be automatically extended. The extension shall be applied at the time that an application for discharge of the interest sought to be lapsed is examined.

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Automatic extension periods will be calculated by extending the normal 30 day period to account for the disruption in service as follows:

Automatic Time Extensions to Permit Interest Holders to Defend Against a Lapse if Land Registry services and functions are recommenced on Tuesday, December 13:

Expiry	**Extended time to Defend Against the Lapse**
Wednesday, December 7	Monday, December 19
Thursday, December 8	Monday, December 19
Friday, December 9	Tuesday, December 20
Monday, December 12 (including weekend of December 10,11)	Wednesday, December 21
Tuesday, December 13	Thursday, December 22
Wednesday, December 14	Friday, December 23
Thursday, December 15	Wednesday, December 28

The Registrar may grant additional discretionary time extensions pursuant to section 46(6) of the Regulations. These requests must be referred to the Registrar of Titles.

e) Protecting the Rights of Interest Holders (other than Judgments) - interests registered with automatic expiry dates.

With the service disruption, an interest holder may have lost opportunity to extend an interest that was registered with an automatic expiry date where that expiry date could have been extended through an amendment to the interest registration in accordance with section 60 of the Act provided that the amendment was registered prior to that interest expiring.

In accordance with section 102 of the Act, the Registrar grants an extension of the automatic expiry date as follows:

Automatic Time Extensions for interests set to expire automatically, permit Interest Holders time to amend the interest to extend the life of the interest registration as follows if Land Registry services and functions are recommenced on Tuesday, December 13:

Expiry	Extended time to Amend the Interest Registration
Wednesday, December 7	Monday, December 19
Thursday, December 8	Monday, December 19
Friday, December 9	Tuesday, December 20
Monday, December 12 (including weekend of December 10,11)	Wednesday, December 21
Tuesday, December 13	Thursday, December 22
Wednesday, December 14	Friday, December 23
Thursday, December 15	Wednesday, December 28

Prior to full recommencement of Land Registry services and functions, ISC must take the steps necessary to confirm whether it is necessary to extend the expiry date of interests (other than judgments) that have automatic expiry dates and any affected titles must be immediately locked prior to Registry services and functions being made available to the public. In the event that such interests were discharged during the service interruption or will expire on or before December 15, 2016, Registrar's corrections shall be performed to protect the rights of the interest holders.

Notice of this order shall be published in the Gazette and be posted to www.isc.ca.

SASKATCHEWAN REGISTRAR OF TITLES

Karen E. Banks
Registrar of Titles

15 December 2016.
Date