



Remote Witnessing of Authorizations – *The Land Titles (Public Emergencies) Amendment Regulations, 2020*

Direction from the Registrar of Titles

March 26, 2020

On March 26, 2020, *The Land Titles (Public Emergencies) Amendment Regulations* came into force. These Regulations provide new options for lawyers witnessing documents for submission to the Land Registry in response to the COVID-19.

The Regulations provide the ability for lawyers licensed to practice in Saskatchewan to witness the signing of authorizations by title owners and interest holders remotely provided that certain conditions are met, and apply in either of the following circumstances:

- in person – where the parties are in the same location but are maintaining means of physical distancing, such as curb-side signatures where the lawyer or client are in a vehicle, or where the lawyer and client are in adjacent rooms separated by glass; or
- using audio-visual technology – where the parties are not in the same physical location.


The Regulations require that the witnessing and authorization actions occur within a single session where the lawyer can both see and hear the person authorizing the application.

The prescribed process for authorization and witnessing documents is contained in Section 27.2.

Pursuant to Section 27.3, lawyers must also comply with requirements set by the Law Society of Saskatchewan.

Finally, pursuant to Section 27.4, the lawyer must complete a special Certificate of Lawyer which must be included in the application to the Land Registry as part of the authorization for the application. The required Certificate of Lawyer is included in this Direction (and a completed sample) and is also available on the ISC website.

This regulation applies to authorizations completed by individual title owners and interest holders as well as corporations executing authorizations not under corporate seal.



Karen Banks
Registrar of Titles
Senior Crown Counsel

Certificate of Lawyer:

Documents Witnessed by a Lawyer during a Public Emergency Period

Clause 27.4 of *The Land Titles Regulations, 2001*

I, _____, being a lawyer in and for the Province of
(name of lawyer)

Saskatchewan certify that in witnessing the within authorization executed by

_____ on _____, 2020:
(name of person) (date)

I have complied with clause 27.1(b), 27.2 and 27.3 of *The Land Titles Regulations, 2001*, more particularly as follows:

That I witnessed the signature in a *single session* during which I was able at all times to *see and hear* the person signing the application:

_____ In person; or

_____ By any electronic means.
(check applicable option)

That:

a) The person:

- (i) who executed the application is personally known to me, or I am satisfied that the person named in the application is who the person purports to be;
- (ii) is the person named in the application and whose name is subscribed in the application; and
- (iii) is 18 years of age or more.

- b) I observed the person signing the application;
- c) I received from the person signing the application by immediate transmission by electronic means an image of the authorization signed by the person;
- d) I printed the signed authorization and signed the authorization as the witness;
- e) I identified under my signature my name and status as a lawyer in Saskatchewan.

That I have electronically transmitted a copy of the witnessed authorization to the registered owner or interest holder.

That I have complied with the requirements established by the Law Society of Saskatchewan with respect to this type of witnessing.

That I have maintained in my files, the signed authorization with my signature as witness, and I have requested that the registered owner or interest holder provide to me the authorization containing the owner's or interest holder's original signature.

Dated this _____ day of _____, 20__.

(Signature of lawyer)

(Print or type lawyer's name)

_____ I am a Lawyer in and for the Province of Saskatchewan
(check)



**Transfer Authorization
One Individual Signing**
Page 1 of 2

Authorization

I, Gerardo Jesus Salazar, authorize the transfer of Title Number(s):
(Name of Owner as appears on Title)

123456789

Or Application Sequence Number(s):

To Lauren Andrea Greenfield

27/03/2020

Date (day, month, year)

Catherine Kalyniuk
Witness Signature

Gerardo Jesus Salazar
Title Owner Signature



Check if Witness is Lawyer in and for the Province of Saskatchewan

Catherine Kalyniuk

Lawyer Name

Affidavit of Execution (if witness is not a Saskatchewan lawyer)

I, _____ of _____ in the Province of _____
Witness Name Place

make oath and say that:

1. I personally know _____ who is
(person whose signature was witnessed)

Or

I have satisfied myself that _____ is
(person whose signature was witnessed)

the individual named in this document and I was personally present when it was signed.



2. The individual whose signature I witnessed is in my belief the full age of eighteen years.

Sworn before me at

in the Province of _____

on

Date (day, month, year)

Witness Signature

A Commissioner for Oaths for Saskatchewan **OR**
Notary Public for the Province of _____

My commission/appointment expires

Date (day, month, year) **OR** Being a Solicitor

Certificate of Lawyer:

Documents Witnessed by a Lawyer during a Public Emergency Period

Clause 27.4 of *The Land Titles Regulations, 2001*

I, Catherine Kalyniuk, being a lawyer in and for the Province of
(name of lawyer)

Saskatchewan **certify** that in witnessing the within authorization executed by

Gerardo Jesus Salazar on March 27, 2020:
(name of person) (date)

I have complied with clause 27.1(b), 27.2 and 27.3 of *The Land Titles Regulations, 2001*, more particularly as follows:

That I witnessed the signature in a *single session* during which I was able at all times to *see and hear* the person signing the application:

 In person; *or*

 x By any electronic means.
(check applicable option)

That:

a) The person:

- (i) who executed the application is personally known to me, or I am satisfied that the person named in the application is who the person purports to be;
- (ii) is the person named in the application and whose name is subscribed in the application; and
- (iii) is 18 years of age or more.

- b) I observed the person signing the application;
- c) I received from the person signing the application by immediate transmission by electronic means an image of the authorization signed by the person;
- d) I printed the signed authorization and signed the authorization as the witness;
- e) I identified under my signature my name and status as a lawyer in Saskatchewan.

That I have electronically transmitted a copy of the witnessed authorization to the registered owner or interest holder.

That I have complied with the requirements established by the Law Society of Saskatchewan with respect to this type of witnessing.

That I have maintained in my files, the signed authorization with my signature as witness, and I have requested that the registered owner or interest holder provide to me the authorization containing the owner's or interest holder's original signature.

Dated this 27th day of March, 2020.

Catherine Kalyniuk
(Signature of lawyer)

Catherine Kalyniuk
(Print or type lawyer's name)

X I am a Lawyer in and for the Province of Saskatchewan
(check)