

## Policy and Procedure: Resurrecting Plans or Transform Approval Certificates through the Plan Index and Tracking System

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| <b>Number: GO-04/012</b>   |   | <b>Page 1 of 3</b>                       |
| <b>Owner</b><br>Ministry of Justice - Controller of Surveys  | <b>Manual</b><br>Surveys                    | <b>Last Revision</b><br>January 27, 2006 |
| <b>Policy Name</b><br>Resurrection of: <ul style="list-style-type: none"> <li>An unapproved plan that expired due to inactivity while in the PPS Queue or;</li> <li>A TAC (approved plan) not acted upon within one year of its creation</li> </ul>  | <b>Effective Date</b><br>September 14, 2004 | <b>Revised Date</b><br>January 24, 2007  |
| <p><b>Policy Statement:</b></p> <p>When a formal request has been submitted to ISC for the resurrection of an expired mineral, surface or feature plan or Transform Approval Certificate (TAC), the following criteria must be met:</p> <ul style="list-style-type: none"> <li>➤ <b>Resurrection of plans for which a TAC/FAC has never been created and which has had two years of inactivity in the PPS Queue. e.g.: Plan has been returned to client, waiting for corrections to the plan, valid support documents, etc.</b> <ul style="list-style-type: none"> <li>- The Planning Approval for surface plans must be valid at the time of the resurrection.</li> <li>- The request for resurrection must be in writing and submitted by the client who submitted the original submission request for the plan.</li> <li>- The resurrection request must be separate and take place prior to the re-submission of the plan.</li> <li>- Resurrection fees will apply.</li> </ul> </li> <li>➤ <b>Resurrection of mineral plans for which a TAC has never been created and has had two years of inactivity in the PPS Queue. e.g.: Plan has been returned to client.</b> <ul style="list-style-type: none"> <li>- Mineral subdivisions currently do not require support documents.</li> <li>- The request for resurrection must be in writing and submitted by the client who submitted the original submission request for the plan.</li> <li>- The resurrection request must be separate and take place prior to the re-submission of the plan.</li> <li>- Resurrection fees will apply.</li> </ul> </li> <li>➤ <b>Resurrection of a Surface/Mineral Transform Approval Certificate (TAC) prior to submission to the LAND REGISTRY Queue:</b> <ul style="list-style-type: none"> <li>- A TAC is valid for 1 year, after which, the TAC will expire. <ul style="list-style-type: none"> <li>- An expiration warning notice will be issued to the client one month prior to the expiration of the TAC.</li> <li>- Upon receiving the warning notice, the client will then have one month in which to act on the TAC and apply to Land Registry to have titles created.</li> <li>- If Land Registry does not receive the application prior to the expiry date, a document expiration notice will be issued indicating that the TAC is no longer valid for creating titles.</li> </ul> </li> </ul> </li> </ul> |   |  |

- A TAC may be resurrected up to a maximum of 1 year after the expiration date (See note on page 2). After which, a complete new submission will be required.
- The Planning Approval for surface plans must be valid at the time of the resurrection.
- The request for resurrection must be in writing and submitted by the client who submitted the original submission request of the plan.
- Resurrection fees will apply.
- **A TAC can only be resurrected once. After which, a complete new submission is required.**

**NOTE: Within the one-year period after the initial TAC has expired, other plans, affecting the same area, may be approved for TAC creation. If this happens, a resurrection of the original plan/TAC will not be allowed. The original plan will have to be amended to show the new information and a new plan submission will be necessary to have a new TAC created. All new plan submission fees will apply.**

➤ **Resurrection of a TAC that expires while in the LAND REGISTRY queue:**

If a Transform Approval Certificate (TAC) expires while in the LAND REGISTRY queue, a process has been established to resurrect the TAC to avoid packet rejection due to expiration. If a LAND REGISTRY worker is notified by the system that the TAC has expired, the following process is followed:

- LAND REGISTRY checks to see when TAC expired – if it expired before submission to ISC, LAND REGISTRY rejects the packet.
- If TAC expired while in the queue, LAND REGISTRY suspends the packet.
- LAND REGISTRY sends an e-mail request for resurrection of the TAC to PPS.
- PPS will:
  - Notify the client who would have received the expiry notice that the TAC is being resurrected internally because it expired while in ISC's control
  - Prepare the PPS resurrection packet and waive the fees.
  - Notify the LAND REGISTRY worker when the TAC is resurrected
  - LAND REGISTRY will then process the packet.

If there are reasons for rejection in addition to the expiration of the TAC, the TAC should still be resurrected, and the packet then rejected for the other reasons.

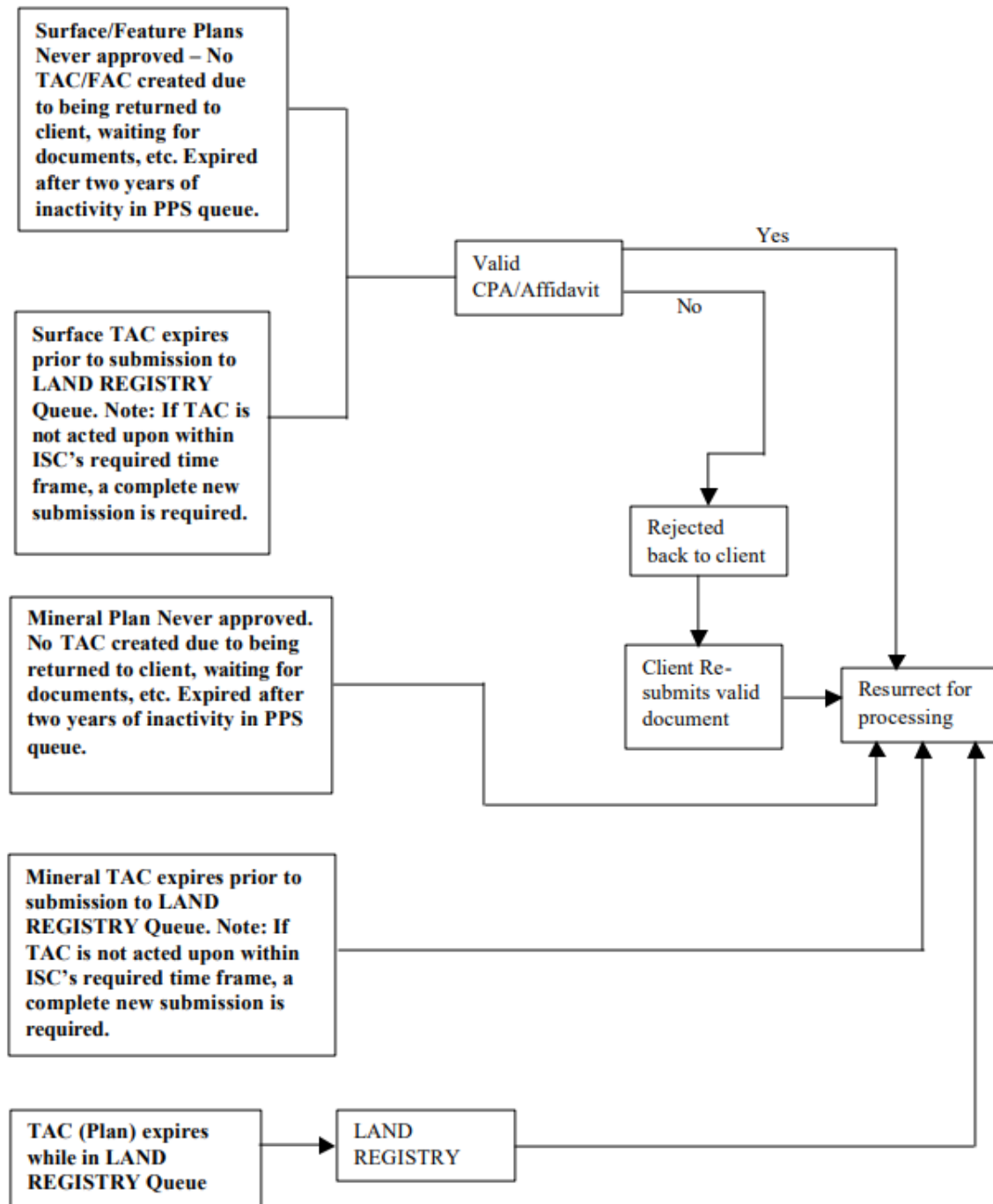
➤ **Resurrection of a Feature Approval Certificate (FAC):**

- Once a FAC is created it never expires and therefore a resurrection process is not required.

**Approved By: Controller of Surveys**

**Date: January 27, 2006**

## Flow Chart for Processing Plans and TACs that have expired prior to being titled



**Note:** Once a Feature Plan is approved and a FAC is created, neither the plan nor the FAC will expire and therefore a resurrection process is not required.