

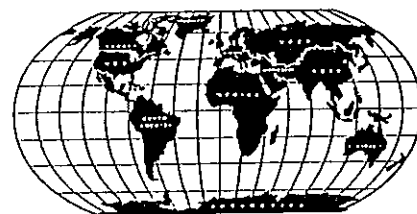
CUSTOMER INFORMATION BULLETIN



No. 51 - September 18, 1992

IN THIS ISSUE

- A. Foreign Ownership Register
- B. Caveats over Crown Land Records



A. FOREIGN OWNERSHIP REGISTER - UPDATE

Work is proceeding within the Land Titles Division, DOLA on the form re-design requirements to create a Foreign Ownership Register. Of course all the work being done is subject to revision should the current Bill before Parliament be amended by that body.

At this stage it is also possible that the implementation date may still be October 1, 1992. However, the implementation date is subject to Parliamentary Approval and Assent by the Governor.

To comply with the current Bill all transfers, survivorship and transmission application forms will be required to carry a declaration confirming or negating the fact of Foreign Ownership.

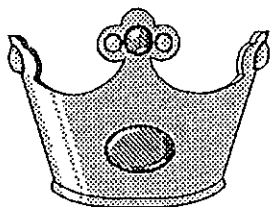
The current Bill provides that documents lodged within 60 days of the start of the Act do not have to contain that declaration.

The Land Titles Division proposes to minimise adjustment to the current forms by showing only a declaration negating Foreign Ownership on the current green forms. A new series of similar forms containing a positive declaration as to Foreign Ownership will be printed in shades of blue. These will be available from Client Services Branch, DOLA on the occasions when a Foreign Ownership is involved. In addition to these forms a series of Foreign Ownership notices forms will also be prepared and available from Client Services Branch.

Brochures containing information to assist in the completion of the forms are being prepared.

Land Titles Division will monitor closely any problems in the use of the form and will be receptive to suggestions by Clients to facilitate introduction of and processing of the requirements of the Foreign Ownership Register.

It must be restated that all of these proposals are subject to any amendments to the Bill before Parliament.



B. CAVEATS OVER CROWN LAND RECORDS

Customer Information Bulletin No. 50 of August 27, 1992, gave information about Crown Land Records, a title document for Crown Land.

Caveats have been accepted for registration in Land Titles Division, DOLA, to protect interests in Crown Land such as leases or Mortgage agreements. The Caveat forms have required modification as they are registered under the provisions of Land Act rather than the Transfer of Land Act (the provisions of Caveats in the Land Act are very similar to those in the Transfer of Land Act). A new Caveat form for registration under the Land Act has been created and is available from Client Services Branch, DOLA.

Persons wishing to lodge Caveats to claim an interest in Crown Land should use the new forms.

The major difference between a Transfer of Land Act and a Land Act Caveat, from a customer point of view, will be the choice of detail shown in the registered proprietor panel.

Caveats showing either the Crown, or the person or entity in which management of the Land is vested will be accepted. In most cases the management of Crown Land will be vested in the Local Authority and it is possibly more appropriate to show that in the registered proprietor panel. This will have the benefit of insuring that notice of the Caveat will go to the management authority (the Vestee) giving them notice of the Caveators claim. Where it is desired to claim an interest in Crown Land, where a Crown Land Record does not yet exist, the Caveat should still be lodged. Lodgement of the Caveat (or indeed any other dealing) will trigger practices inside DOLA to create the Crown Land Record, which will then enable endorsement of the Caveat.



Geoff Sach
Acting Director
Land Titles Division