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c 35 The Land Titles Amendment Act, 1970

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CHAPTER 35

An Act to amend The Land Titles Act

Assented to June 26th, 1970
Session Prorogued November 13th, 1970

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *k*, as re-enacted by section 1 of *The Land Titles Amendment Act, 1961-62*, and clause *l* of section 1 of *The Land Titles Act* are repealed and the following substituted therefor:

R.S.O. 1960,
c. 204, s. 1,
cl. *k*
(1961-62,
c. 70, s. 1),
re-enacted;
cl. *l*,
repealed

(*k*) "regulations" or "rules" means the regulations made under this Act.

2.—(1) Clause *n* of subsection 1 of section 2 of *The Land Titles Act*, as enacted by section 2 of *The Land Titles Amendment Act, 1968-69*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 204, s. 2,
subs. 1, cl. *n*
(1968-69,
c. 57, s. 2),
re-enacted

(*n*) the County of Hastings, including every local municipality in the county.

(2) Subsection 1 of the said section 2, as re-enacted by section 2 of *The Land Titles Amendment Act, 1961-62* and amended by section 2 of *The Land Titles Amendment Act, 1966* and section 2 of *The Land Titles Amendment Act, 1968-69*, is further amended by adding thereto the following clause:

R.S.O. 1960,
c. 204, s. 2
(1961-62,
c. 70, s. 2),
subs. 1,
amended

(*q*) the County of Peel, including every local municipality in the county.

3. Section 3*a* of *The Land Titles Act*, as enacted by section 1 of *The Land Titles Amendment Act, 1967*, is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 204, s. 3*a*
(1967, c. 44,
s. 1),
amended

(3) The Lieutenant Governor in Council may by regulation designate the names by which land titles divisions shall be known.

Names of
land titles
divisions

R.S.O. 1960,
c. 204, s. 7,
subs. 2
(1961-62,
c. 70, s. 4),
amended

4.—(1) Subsection 2 of section 7 of *The Land Titles Act*, as re-enacted by section 4 of *The Land Titles Amendment Act, 1961-62*, is amended by striking out “administered by the director of titles” in the ninth line, so that the subsection shall read as follows:

Deputy
director
of titles

(2) The Lieutenant Governor in Council may appoint a barrister or solicitor of not less than five years standing to be the deputy director of titles, and, in the absence of the director of titles or if the office of director of titles is vacant or if directed by the director of titles, the deputy director of titles has and may exercise and perform the powers and duties of the director of titles under this or any other Act.

R.S.O. 1960,
c. 204, s. 7,
subs. 3
(1961-62,
c. 70, s. 4),
amended

(2) Subsection 3 of the said section 7, as re-enacted by section 4 of *The Land Titles Amendment Act, 1961-62*, is amended by striking out “administered by the director of titles” in the fifth line, so that the subsection shall read as follows:

Assistant
deputy
directors of
titles

(3) The Lieutenant Governor in Council may appoint one or more assistant deputy directors of titles who shall exercise such powers and perform such duties of the director of titles under this or any other Act as the director of titles directs.

R.S.O. 1960,
c. 204, s. 19,
re-enacted

5. Section 19 of *The Land Titles Act* is repealed and the following substituted therefor:

Holiday
defined

19.—(1) In this section, “holiday” means,

R.S.O. 1960,
c. 191

(a) a holiday as defined in *The Interpretation Act*;

(b) Saturday;

(c) the day proclaimed as Civic Holiday in the municipality in which the land titles office is located;

(d) the 26th day of December in a year in which Christmas Day falls on a day other than Saturday, or the 27th day of December in a year in which Christmas Day falls on a Saturday.

Office hours

(2) Except on holidays when they shall be closed, every land titles office shall be kept open from 9.30 o'clock in the forenoon until 4.30 o'clock in the afternoon.

6. Section 50 of *The Land Titles Act*, as amended by section 10 of *The Land Titles Amendment Act, 1968-69*, is repealed. R.S.O. 1960, c. 204, s. 50, repealed

7. Subsection 5*d* of section 63 of *The Land Titles Act*, as enacted by section 17 of *The Land Titles Amendment Act, 1966*, is repealed. R.S.O. 1960, c. 204, s. 63, subs. 5*d* (1966, c. 77, s. 17), repealed

8. Subsection 2 of section 74*a* of *The Land Titles Act*, as enacted by section 21 of *The Land Titles Amendment Act, 1961-62*, is repealed and the following substituted therefor: R.S.O. 1960, c. 204, s. 74*a* (1961-62, c. 70, s. 21), subs. 2, re-enacted

(2) Subsection 1 does not apply to,

Exception

(a) an expropriation plan registered in accordance with *The Expropriations Act, 1968-69*; or 1968-69, c. 36

(b) a plan registered in accordance with *The Highway Improvement Act* in the Department of Highways register mentioned in subsection 2 of section 77 of this Act. R.S.O. 1960, c. 171

9. Section 154*a* of *The Land Titles Act*, as enacted by section 39 of *The Land Titles Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 204, s. 154*a* (1961-62, c. 70, s. 39), repealed

10. *The Land Titles Act* is amended by adding thereto the following section: R.S.O. 1960, c. 204, amended

155*a*. A master of titles may prepare an Index Plan to illustrate and redesignate separately described parcels of land and the Index Plan may be registered with the approval of the director of titles and the parcels shall thereafter be described in accordance with the Index Plan. Index Plan

11. Subsection 1*a*, as enacted by section 43 of *The Land Titles Amendment Act, 1961-62* and amended by subsection 1 of section 22 of *The Land Titles Amendment Act, 1966*, subsection 2 and subsection 3, as re-enacted by section 15 of *The Land Titles Amendment Act, 1968-69*, of section 162 of *The Land Titles Act* are repealed. R.S.O. 1960, c. 204, s. 162, subs. 1*a* (1961-62, c. 70, s. 43), subs. 2, subs. 3 (1968-69, c. 57, s. 15), repealed

12. Section 162*a* of *The Land Titles Act*, as enacted by section 23 of *The Land Titles Amendment Act, 1966*, is repealed. R.S.O. 1960, c. 204, s. 162*a* (1966, c. 77, s. 23), repealed

13. Subsection 1 of section 172 of *The Land Titles Act*, as amended by section 24 of *The Land Titles Amendment Act, 1966*, is further amended by striking out "or, subject to the approval of the Lieutenant Governor in Council, the Rules R.S.O. 1960, c. 204, s. 172, subs. 1, amended

Committee under the authority of section 111 of *The Judicature Act*, which is to be read as applying to this Act, may make rules in respect of" in the first, second, third, fourth and fifth lines and inserting in lieu thereof "may make regulations", so that the subsection, exclusive of the clauses, shall read as follows:

Regulations (1) The Lieutenant Governor in Council may make regulations,

.

R.S.O. 1960, c. 204, s. 177, repealed **14.** Section 177 of *The Land Titles Act*, as amended by section 18 of *The Land Titles Amendment Act, 1968-69*, is repealed.

Commencement **15.**—(1) This Act, except subsection 2 of section 2, comes into force on the day it receives Royal Assent.

Idem (2) Subsection 2 of section 2 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title **16.** This Act may be cited as *The Land Titles Amendment Act, 1970*.