



Tla'amin Nation Certificate Regulation

Enacted under the *Land Law*

TNR 18/2016

Enacted on April 25, 2016

Hegus Clint Williams

Deposited in the Tla'amin Registry

April 29, 2016

Signature of Law Clerk

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Authority

1. This Regulation is made pursuant to section 14 of the *Land Law*.

Definitions

2. (1) In this Regulation,

“Citizenship Registrar” has the same meaning given to that term in the *Citizenship and Enrolment Law*;

“Law” means the Tla'amin *Land Law*; and

“Land” refers to the Tla'amin Citizen Land Title lands to which the Tla'amin Nation Certificate will refer.

- (2) Unless otherwise expressly provided in this Regulation, all terms used in this Regulation have the same meanings as in the Law or the *Interpretation Law*.
- (3) Only those defined terms that are capitalized in section 2(1) of this Regulation, section 2 of the Law, or in the *Interpretation Law* are presented capitalized in the text of this Regulation, and all other defined terms are presented in lower case.

Requirements for a Tla'amin Nation Certificate

3. For the purposes of sections 14, 18 and 19 of the Law, a person who wishes to acquire a Tla'amin Citizen Land Title or register a transfer of a Tla'amin Citizen Land Title in the provincial Land Title Office must be named in a Tla'amin Nation Certificate as a permitted transferee of that interest.
4. A person who wishes to acquire a Tla'amin Citizen Land Title or register a transfer of a Tla'amin Citizen Land Title may make a request, in the prescribed form set out in Schedule 'A', to the Director of Lands and Resources for a Tla'amin Nation Certificate.
5. Before the Chief Administrative Officer, the Director of Lands and Resources or another person authorized under section 14(2)(c) of the Law issues a Tla'amin Nation Certificate, the Tla'amin representative issuing the Tla'amin Nation Certificate must confirm the following:
 - (1) confirmation
 - (a) from the Citizenship Registrar that the person seeking the Tla'amin Nation Certificate is a Tla'amin Citizen of the age of 19 or over;
 - (b) that the person seeking the Tla'amin Nation Certificate is an individual identified in Part 1 of Appendix F-1 of the Final Agreement;
 - (c) that the Person seeking the Tla'amin Nation Certificate is an authorized representative of an entity referred to in section 19(1)(b) of the Law; or
 - (d) that the Person seeking the Tla'amin Nation Certificate is an individual described in section 22(1)(c), (d) or (g) of the Law;

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- (2) confirmation that the Land which is the subject of the Tla'amin Nation Certificate, has been surveyed and that there is a legal description of the Land; and
 - (3) confirmation that a search has been completed and that:
 - (a) there are no legal encumbrances on the Land; or
 - (b) any encumbrance holders who may be adversely affected have provided written consent.
6. If the requirements set out in the Law and in section 5 of this Regulation are met, then a Tla'amin Nation Certificate shall be issued, in the prescribed form set out in Schedule 'B', to the person who is eligible to receive the Tla'amin Nation Certificate.

Term of a Tla'amin Nation Certificate

7. A Tla'amin Nation Certificate shall be valid for a term of not more than three (3) months from the date of its issue.

Commencement

8. This Regulation comes into force on April 25, 2016.

THIS REGULATION IS DULY ENACTED by the Tla'amin Executive Council on the 25th day of April, 2016, at Powell River, in the Province of British Columbia.

Application
Number: _____

TLA'AMIN NATION CERTIFICATE APPLICATION FORM



SCHEDULE 'A'

Land Law

1. Applicant Information:

Last Name: _____	Given Name: _____
Nickname (if relevant): _____	
Citizenship #: _____	Status Card #: _____
Address: _____ _____	Date of Birth: _____ Phone: _____
	Email Address: _____
Age 19 or over: ☐ Yes ☐ No	Tla'amin Citizen: ☐ Yes ☐ No
Are you an individual identified in Part 1 of Appendix F-1 of the Final Agreement? ☐ Yes ☐ No	

2. Agent or Authorized Representative:

Are you a person acting as a trustee or in another official capacity for a Tla'amin Citizen who is under the age of 19 years or incapable of managing his or her affairs?	☐ Yes ☐ No
If yes, who is the Citizen for whom you are acting: _____ Citizenship Number: _____	

Are you a person acting as an official administrator, executor or personal representative of the estate of a deceased Tla'amin Citizen or of a deceased individual identified in Part 1 of Appendix F-1 of the Final Agreement?	☐ Yes ☐ No
If yes, who is the deceased individual: _____ Citizenship Number: _____	

Are you an agent submitting this application on behalf of your client?	☐ Yes ☐ No	Letter of Agency attached?	☐ Yes ☐ No
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Are you an authorized representative of an entity referred to in section 22(1)(b) of the Law, namely a Tla'amin Public Institution or a Corporation the shares of which are wholly owned by the Tla'amin Nation?	☐ Yes ☐ No
Name of the Corporation or Public Institution: _____	
Number of the Corporation: _____	

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3. Land:

Has the Land that is the subject of this application been surveyed? ☐ Yes ☐ No If the land has been surveyed, what is the legal description: _____

Are there any encumbrances (easements, mortgages, leases, etc.) on the Land? ☐ Yes ☐ No If yes, please specify: _____ Do you have written consent from encumbrance holders? _____

4. Signature

I hereby certify that the information provided by me in this application is true and I acknowledge that I will follow the laws, regulations, protocols, documents, directions and conditions referred to in this Regulation and application.

Print Name

Signature of Applicant

Date of Application (DD/MM/YY)

FOR OFFICE USE ONLY		
Date Application Received:	Approved:	Y / N
Date Issued or Refused: _____	Expiry Date: _____	
Name of Tla'amin Processing Official: _____		
Signature of Tla'amin Official: _____		

TLA'AMIN NATION CERTIFICATE APPLICATION FORM



Further Conditions or
Special Circumstances:

If Application is Refused:

Reason for Refusal:



SCHEDULE 'B'

Tla'amin Nation Certificate of Transfer

[on Tla'amin Nation letterhead]

To: Registrar
New Westminster Land Title Office

Re: Certificate under section 28(1) of Schedule 1 of the *Land Title Act*, R.S.B.C.
1996, c. 250

And re: *[Insert Legal Description of the Land]* ("the Land")

Tla'amin Nation certifies that:

1. This certificate is issued in accordance with the *Land Law* (Tla'amin Nation) and the Tla'amin Final Agreement.
2. *[Insert name or names of the transferee or transferees of the Land]* is a permitted transferee *[or are permitted transferees]* of the Land, under that Law.
3. For the purposes of section 28 of Schedule 1 - Application of Act to Treaty Lands of the *Land Title Act* (British Columbia), this certificate of transfer ceases to be valid on *[Insert the date that is three (3) months after the date of its issue]*.

Dated as of *[insert the date of issue of this certificate]*.

TLA'AMIN NATION

by its authorized signatory

[Name and title of authorized signatory, i.e. the Chief Administrative Officer, the Director of Lands and Resources or a representative of the Tla'amin Government designated by name or position by the Chief Administrative Officer or the Director of Lands and Resources]