



Land Law 2017/2018-001

The Shawanaga First Nation Land Laws Register

**Enacted under section 7 and subsection 9.2 of the
*Shawanaga First Nation Land Code***

PART 1 Interpretation

DEFINITIONS

1. The following definitions apply in this Land Law:

Act means the *First Nations Land Management Act*;

Council means the council of Shawanaga First Nation, as duly elected from time to time;

electronic image means a single computer readable image file in Adobe Acrobat (.pdf) format or tagged image file (tif) format, or a Microsoft Word document (.doc or .docx), locked to prevent editing, capable of being printed or displayed with a resolution of at least 200 dots per inch;

holiday means a holiday mandated by federal legislation for federally regulated employees;

Land Code enactment includes the Land Code itself and any Land Law, resolution, revision, rule, regulation, standard, code, policy and other instrument or amendment enacted by Council pursuant to the Shawanaga First Nation Land Code;

Protected Information means any information in any form in which a person has privacy rights protected by applicable privacy legislation or in respect of which Shawanaga or any body, person or authority controlled by Shawanaga, is bound by a duty of confidentiality, and includes any reference to the existence of such information.



PART 2 The Shawanaga First Nation Land Laws Register

LAND LAWS REGISTER

2. Forthwith upon the coming into force of this Land Law, Council shall establish and maintain the Shawanaga Land Laws Register which shall include the following books of record:
 - a. an indexed Land Law Archive containing:
 - i. original signed paper copies of all Land Code enactments accepted for registration, together with any supporting documentation required by the Land Code or included by reference in the enactment, endorsed by the Registrar with the time and date of registration thereof; and
 - ii. electronic images of all registered Land Code enactments; and
 - b. a Land Laws Abstract Index containing an abstract of each registered Land Code enactment.

ALL LAND CODE ENACTMENTS TO BE SUBMITTED FOR REGISTRATION

3. Council shall submit to the Registrar an original copy of every Land Code enactment, signed by a majority of a quorum of Council, or by a person appointed by Council to certify its enactments, for registration.

REGISTRATION

4. Upon receipt of a Land Code enactment in proper form, the Registrar shall register the enactment by endorsing the original enactment with a Land Law Registry number, the Registrar's seal and a certificate of the time and date of registration.

REGISTRATION, CONT'D

5. Upon registering a Land Code enactment, the Registrar shall:
 - a. store the original enactment and an electronic image of the registered enactment in the Land Law Archive;
 - b. abstract from the registered enactment its title, date of enactment, type of enactment, date of registration, Land Law Registry number, brief subject matter; in force date and any other information which the Registrar deems relevant, and add that information to the Land Laws Abstract Index.

GROUND FOR REFUSING REGISTRATION

6. The Registrar shall not register a Land Code enactment document if:
 - a. the document is not dated;
 - b. any material part of the document is not legible or any schedule or other attachment referred to in the document is not attached;
 - c. the document does not bear the original signatures of a majority of a quorum of Council, or the original certificate of a person appointed by Council to certify Land Code enactments.

SPENT AND REPEALED ENACTMENTS

7. Upon notice from Council that a registered Land Code enactment is spent or has been amended or repealed, the Registrar shall add an endorsement of that change to the original enactment, the stored image of the enactment and the Land Laws Abstract Index, under the Registrar's seal.



ACCESS TO THE LAND LAWS REGISTER

8. Subject to subsection 15, any person may attend at the Shawanaga Registry during normal business hours and may view or obtain a copy of an electronic image of any registered Land Code enactment or the Land Laws Abstract Index.

PART 3 Administration

APPROPRIATIONS

9. Council shall appropriate to the Shawanaga Registry an annual budget for its staffing, training and operations and extraordinary funds as may be required for special projects from time to time.

TERMS OF APPOINTMENT

10. Council shall appoint and fix the qualifications and terms of engagement of the Registrar of Land Laws and at least one Deputy Registrar, both of whom shall serve at the pleasure of Council, by resolution.

SEAL OF OFFICE

11. The Registrar shall have a Seal of Office and shall affix the seal to all Land Code enactments accepted for registration in the Land Laws Register, and to all certified copies of documents or abstracts.

DELEGATION

12. The Registrar may delegate any or all of the Registrar's duties pursuant to this Land Law to the Deputy Registrar.

VACANCY IN OFFICE OF REGISTRAR

13. Where the office of Registrar becomes vacant, the Deputy Registrar may exercise the power and shall perform the duties of the Registrar until a Registrar is appointed.

REGISTRY OPEN HOURS

14. The Shawanaga Registry shall be open from Monday to Thursday from 9:00 a.m. to 4:00 p.m. and on Friday from 9:00 a.m. to noon, EST or EDST, as applicable, except on holidays.

REDACTION OF PRIVATE AND CONFIDENTIAL INFORMATION

15. Prior to providing copies or allowing access to or inspection of any record, the Registrar shall ensure that any Protected Information is completely and effectively redacted, except:

- a. where the application is made by the authority which enacted the record;
- b. where the applicant produces releases signed by all parties having a protected interest in the Protected information or
- c. pursuant to an order of a court of competent jurisdiction.



ADMINISTRATIVE FEES

16. Council may from time to time by resolution prescribe reasonable fees for the review of documents submitted for registration or recording, for searches or viewings of abstracts and documents, for certification of abstracts or documents and other administrative services provided by the Shawanaga Registry.

PART 4 Coming Into Force and Amendment

COMING INTO FORCE DATE

17. This Land Law shall come into force immediately upon enactment by Council.

AMENDMENT

18. This Land Law may be amended with Community input pursuant to section 13 of the Land Code.