



BILL NO. 74

Government Bill

*2nd Session, 61st General Assembly
Nova Scotia
59 Elizabeth II, 2010*

An Act to Amend Chapter 250 of the Revised Statutes, 1989, the Land Titles Clarification Act

CHAPTER 55
ACTS OF 2010

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
DECEMBER 10, 2010**

The Honourable John MacDonell
Minister of Natural Resources

*Halifax, Nova Scotia
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**An Act to Amend Chapter 250
of the Revised Statutes, 1989,
the Land Titles Clarification Act**

Be it enacted by the Governor and Assembly as follows:

1 Section 8 of Chapter 250 of the Revised Statutes, 1989, the *Land Titles Clarification Act*, is repealed and the following Section substituted:

8 (1) A person who claims to have been adversely affected by the effect of subsection 7(5) may apply to the Minister for compensation.

(2) The Minister shall make or cause to be made such independent investigation as is required in the opinion of the Minister to determine whether or not the applicant has been adversely affected.

(3) Where the independent investigation determines that the applicant has been adversely affected, the Minister may, with the approval of the Governor in Council and subject to subsection (4), pay to the applicant such compensation as the Minister considers fair in the circumstances.

(4) The compensation must not exceed the value of the land at the time the certificate of title was filed.

2 Subsection 13(2) of Chapter 250 is repealed and the following subsection substituted:

(2) In determining whether it is desirable to reconcile the Crown's interest pursuant to this Section, the Minister shall consider

(a) the nature and extent of the current and historical usage of the land;
and

(b) any other information the Crown determines necessary to be satisfied that title has been extinguished.

3 Section 14 of Chapter 250 is repealed and the following subsection substituted:

14 No certificate of release may be issued with respect to acknowledged Crown land or land that exhibits no current or historical usage.
