

Ministry of Consumer and
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November 17, 1999

EM199910

TO: Land Registrars
Regional Managers
Electronic Registration Team

FROM: Kate Murray
Director of Titles

RE: **BULLETIN 98002**

I have received an enquiry as to when a Land Registrar may delete a notice of oil and gas lease and related documents from a parcel register.

Bulletin 98002 instructs the Land Registrar to delete such an entry from the parcel register on an application by the registered owner which is supported by an affidavit or statement signed by the solicitor for the applicant that the lease has expired and does not affect any interest in the lands.

Before giving effect to such an application, Land Registry office staff should ensure that there is no other document registered on title, such as a Commissioner's Order, Pooling Agreement, Unitization Agreement or any other document which may have extended the life of the original oil and gas lease. Where any or all of the above mentioned documents are registered on title, land registry office staff should not delete the original lease and related documents notwithstanding that the application is supported by a solicitor's statement or affidavit. In such a case, the lease and related documents should only be deleted by way of a court order supported by an affidavit from the solicitor that the order is in full force and effect.

This direction is consistent with the Ministry's general position for all statements or affidavits. Statements or affidavits are to be accepted on their face and only when there is an inconsistency on the face of the record should staff question the statement or affidavit. Staff are not to search behind the record to verify the accuracy of the statement or affidavit. This direction concerning oil and gas leases is consistent with this general policy.

Please advise your staff and file this memo with Bulletin 98002.

cc Ian Veitch
Regional Surveyors
Legal Services
Head Office Staff

A handwritten signature in black ink, appearing to read "K Murray", written over a horizontal line.