



Ontario

Ministry of
Consumer and
Commercial
Relations

Property
Rights
Division

Legal
and
Survey
Standards
Branch

BULLETIN NO. 84019

DATE: May 11, 1984

TO:
ALL LAND REGISTRARS

REGISTRATION AND NUMBERING
PROCEDURES

LAND TITLES ACT
AND REGISTRY ACT

It has come to our attention that certain Land Registry Offices are timing instruments when they are accepted for registration, but are not assigning registration numbers to them until later in the day, when time permits.

Subsection §1(5) of the Land Titles Act provides:-

"... instruments registered in respect of or affecting the same estate or interest in the same parcel of registered land as between themselves rank according to the order in which they are entered in the register and not according to the order in which they were created, and notwithstanding any express, implied or constructive notice are entitled to priority according to the time of registration".

Subsections 44(1) and 44(4) of the Registry Act provide:

- "(1) Except as provided by subsection (5), all instruments shall be numbered consecutively in order of time of being registered;"
- "(4) For the purpose of section 66, priorities shall, subject to subsection (5), be determined in accordance with the respective registration numbers."

Accordingly, Land Registrars are advised that instruments must be timed and numbered immediately upon being accepted for registration by the registration clerk.

REP:kk

Richard E. Priddle
Director