



**DIRECTIVE
Land Registry**

SECTION:
Applications for First Registration

NUMBER: 3900-012

SUBJECT: AFRs – Enabling instrument for ownership

PURPOSE

This directive outlines the type of instrument to be utilized to enable ownership in the Application for First Registration - AFR Submission.

REFERENCE

Subsection 11(2) of the - Land Titles Act

Forms 1 & 2 of Regulation 83-130 – Land Titles Act

DIRECTIVE

Subsection 11(2) of the Land Titles Act states that an AFR shall be submitted in the prescribed form (Form 1).

Footnote 2, on the bottom of Form 1 in the regulation, states that the owner shall be specified as shown on the instrument by which that owner acquired that interest.

Clause 3 of Form 2, signed by the owner to support the information on Form 1, states that person signing Form 1 is the owner by virtue of the instrument specified, and in the manner of tenure specified.

The instrument is the title instrument, in which the manner of tenure will be specified.

A plan never conveys ownership, and never specifies a manner of tenure. Therefore, the enabling instrument on the AFR for an owner has to be a document of title.

DATE EFFECTIVE: 2018-08-02

DATE ISSUED: 2018-07-26

DATE REVISED:

Page 1 of 1