

**LAND TITLE AND SURVEY AUTHORITY
LAND TITLE DIVISION**

PRACTICE BULLETIN NO. 0404

SUBJECT: Filing Executed Paper copies of Electronic Forms

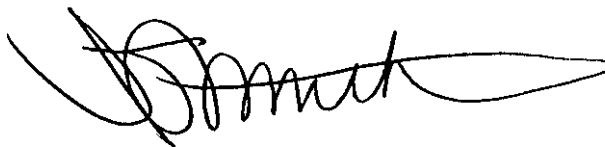
ISSUANCE: Director of Land Titles

IMPLEMENTATION: All Land Title Offices

AUTHORITY: Land Title Act

**RELATIONSHIP TO
PREVIOUS PRACTICE:** Version 1.1

EXECUTIVE APPROVAL:



EFFECTIVE DATE: September 9, 2005 BULLETIN NO: 0404 FILE NO: LAND TITLE ACT

Change Record

Version	Date	Page	Description
1.0	June 30, 2004	All	Initial Statement
1.1	September 9, 2005	1 3	updated LTSA, version 1.1 added PTT information

1. ISSUE:

There is a requirement to permit the filing of a "True Copy" of an Electronic Filing System (EFS) Acrobat form as an original paper document at the Land Title Office.

2. DISCUSSION

The Section 28 (1) of the Interpretation Act reads as follows:

Use of forms and words

28 (1) If a form is prescribed by or under an enactment, deviations from it not affecting the substance or calculated to mislead, do not invalidate the form used.

This section provides the Registrar with authority to accept a document, where the deviation from the prescribed form is not affecting the substance or is not done to mislead. The forms used for filing through EFS have been modified from the prescribed form only to include the digital signature certification statement and signing block, and the STC request fields.

3. PRACTICE:

The Registrar is prepared to accept paper filings of an electronic document (known as a "true copy") in any situation.

When the true copy of an EFS document is submitted in paper form:

- The true copy must contain original signatures and must be executed in accordance with Part 5 of the Land Title Act or in accordance with the statute governing that form (e.g. Builder's Lien Act)
- The Submitter will strike out the Digital Signature declaration above item one and the request for STC in item 2 and then initial these amendments.
- Include the signed (with ink signatures) paper copy of the EFS Property Transfer Tax Return attached to a blank Property Transfer Tax Return and any other supporting documents, e.g. Form F Strata Property Act.

Please refer problems related to acceptance of a manually submitted EFS document to a Deputy Registrar, e.g. applicant has failed to strike out the digital declaration or STC request fields.