



TSAWWASSEN FIRST NATION
s'cəwaθən məsteyəx^w

Land Act

LAND DISPOSITION FORMS REGULATION

Date Enacted: 11 August 2010

Order Number: O.043-2010

Last Amended: 2 February 2011

This version of the Regulation is not the official version, and is for informational purposes only. Persons who need to rely on the text of the Regulation for legal or other purposes may access the official version held in the TFN Laws Registry by contacting the TFN Administration Office at (604) 943-2112.

Table of Regulation Changes

Section(s) Amended	Date	Order number
s.6(1) and 6(2) added	12/01/2011	O.004-2011
"general instrument" added to definitions s.7(1), 7(2), 7(3) added	02/02/2011	O.007-2011

Contents

1. Authority	2
2. Definitions.....	2
3. Form and content of an application for an interest, other than a Tsawwassen Fee Simple Interest, in Tsawwassen Public Lands or Other Tsawwassen Lands	2
4. Form and content of an application for a Tsawwassen Fee Simple Interest.....	2
5. Approval of an application.....	2
6. Conveyance of a disposition of a Tsawwassen Fee Simple Interest.....	2
7. Schedule 1 – Application Form for an interest in land other than a TFSI	4
8. Schedule 2 – Application Form for a TFSI.....	6

Authority

1 This regulation is made under the Land Act.

Definitions

2 (1) In this regulation,

“**Act**” means the Land Act;

“**general instrument**” means an instrument to be used for the conveying of an interest in Tsawwassen Public Lands other than a Tsawwassen Fee Simple Interest.

[Amended by order number 007-2011]

(2) Unless specifically provided otherwise in these regulations, the terms used have the same meaning as defined in the Act.

Form and content of an application for an interest, other than a Tsawwassen Fee Simple Interest, in Tsawwassen Public Lands or Other Tsawwassen Lands

3 A person eligible under section 18 of the *Act* may apply for an interest in

- (a) Tsawwassen Public Lands, or
- (b) Other Tsawwassen Lands

by submitting the application form set out in Schedule A to the director of lands provided that interests in those lands have been made available for disposition.

Form and content of an application for a Tsawwassen Fee Simple Interest

4 A person eligible under section 16 of the *Act* may apply for a Tsawwassen Fee Simple Interest in Tsawwassen Public Lands by submitting the application form set out in Schedule B to the director of lands provided that Tsawwassen Fee Simple Interests in those lands have been made available for disposition.

Approval of an application

5 Upon review of an application made under section 3 or section 4, the director of lands may

- (a) reject an application if the Executive Council has not made the land available for a disposition,
- (b) return an incomplete application to the applicant, or
- (c) make a recommendation to approve of or reject of a completed application for approval by Executive Council.

Conveyance of a disposition of a Tsawwassen Fee Simple Interest

6 (1) If an application for a Tsawwassen Fee Simple Interest is approved pursuant to section 5, then, the Executive Council must grant to the applicant the Tsawwassen Fee Simple Interest that is the subject of the application.

(2) A conveyance of a Tsawwassen Fee Simple Interest granted pursuant to subsection (1) will be in the form and have the content of the form for the transfer of a freehold estate for the purposes of section 185 (1) of the *Land Title Act* (British Columbia), or any successor form established pursuant to provincial law for the transfer of a freehold estate.


[Amended by Order number O.004-2011]

- 7
- (1) If an application for an interest in Tsawwassen Public Lands other than a Tsawwassen Fee Simple Interest is approved, then, the Executive Council must grant to the applicant the interest that is the subject of the application.
 - (2) A disposition of an interest in land granted pursuant to subsection (1) will be in the form of a general instrument used for the purposes of section 233 of the Land Title Act (British Columbia), or any successor form established pursuant to provincial law for the transfer of a general interest.
 - (3) The content of an interest in land granted pursuant to subsection (1) will be appended to the form for the transfer of a general interest, and must be approved by Executive Council by way of an order-in-council on the granting of that interest.

[Amended by Order number O.007-2011]

Schedule 1 – Application Form for an interest in land other than a TFSI

Some of the information required on this form is personal information within the meaning of the *Freedom of Information and Protection of Privacy Act*. This information is required only for the purposes of assisting the Tsawwassen Government to ensure that all laws, regulations and policies governing land allocations are being complied with. All of the information collected herein will be protected in accordance with the *Freedom of Information and Protection of Privacy Act*.

 TSAWWASSEN FIRST NATION <small>s̓c̓awaθ̓ən məsteyəx™</small>	Application for an Interest in Tsawwassen Public Lands or Other Tsawwassen Lands (Other than Tsawwassen Fee Simple Interest)
All applications must include a completed application form, and may require a local detail map, appropriate fees and other attachments.	
Additional information regarding applications for an interest in Tsawwassen Public Lands or Other Tsawwassen Lands can be found at: http://www.tsawwassenfirstnation.com/tfnlaws/land_act.php	
Applicants for an Interest in Tsawwassen Public Lands or Other Tsawwassen Lands should refer to Part 3 Division 5 of the Land Act to ensure that they have satisfied all requirements under Tsawwassen Law	
PART 1. NAME(S) AND MAILING ADDRESSES	
Applicant Name: FULL LEGAL NAME of Applicant: _____ Contact Name for Applicants: _____ Applicant Mailing Address: _____ _____ _____ Postal Code _____ Applicant Contact Numbers: Phone: _____ Alternate Phone: _____ Fax: _____ Applicant Email Address: _____	Are you an Agent submitting this application on behalf of your client? Yes No Letter of Agency attached Yes No Agent Name & Mailing Address: _____ _____ _____ Postal Code _____ Agent Contact Numbers: Phone: _____ Fax: _____ Agent Email Address: _____
BC Inc. #, BC Registration # or Society #:	GST/HST Registration #:
Age: 19 or over Yes No	Canadian Citizen or Permanent Resident Yes No
Do you hold another interest in Tsawwassen Public Lands or Other Tsawwassen Lands? Yes No If yes, provide parcel identifier and state the nature of the interest:	

PART 2. PURPOSE, LOCATION, AREA

Proposed Interest/Tenure Type: (e.g. right of way, licence of occupation, leasehold):

Proposed Land Use: (e.g. powerline right-of-way, commercial lease, residential lease):

Period of Projected Use:

Two years or less Two to five years Five to ten years Ten to twenty-five years

More than twenty-five years

Give legal description: as provided by the New Westminster Land Title Office (e.g., Lot 2, District Lot 183, Group 2, New Westminster District, Plan 19032). A legal description is found in the Certificate of Title (Coft).

Has the area that is the subject of the application been surveyed: Yes No

If unsurveyed, please enter a description of the unsurveyed area and boundaries.

PART 3. CERTIFICATION OF APPLICATION

All applications must be complete. Incomplete applications will be returned to applicant.
All applications **must** include the payment of **fees** (if any, in the amount indicated in the regulation) to Tsawwassen First Nation (cheque or pay in person in cash).

For Office Use Only

Date received:

File #:


Date Approved:

Community Approval Requirements:

Notes:

Schedule 2 – Application Form for a TFSI

Some of the information required on this form is personal information within the meaning of the *Freedom of Information and Protection of Privacy Act*. This information is required only for the purposes of assisting the Tsawwassen Government to ensure that all laws, regulations and policies governing land allocations are being complied with. All of the information collected herein will be protected in accordance with the *Freedom of Information and Protection of Privacy Act*.

 TSAWWASSEN FIRST NATION <small>s̓c̓awəθən məsteyəx™</small>	Additional information regarding applications for a TFSI can be found at: http://www.tsawwassenfirstnation.com/tfnlaws/land_act.php	
<p>APPLICANT:</p> <p>Name: _____</p> <p>Date of Birth (dd/mm/yyyy): _____</p> <p>Mailing Address _____</p> <p>_____</p> <p>City: _____</p> <p>Province: _____ Postal Code: _____</p> <p>Home Phone Number: _____</p> <p>Cell Phone Number: _____</p> <p>Work Phone Number: _____</p> <p>E-mail Address: _____</p> <p>Other interests held in Tsawwassen Lands (CP/TFSI, Lease, etc.): _____</p> <p>_____</p> <p>Membership Number: _____</p>	<p>CO-APPLICANT:</p> <p>Name: _____</p> <p>Date of Birth (dd/mm/yyyy): _____</p> <p>Mailing Address _____</p> <p>_____</p> <p>City: _____</p> <p>Province: _____ Postal Code: _____</p> <p>Home Phone Number: _____</p> <p>Cell Phone Number: _____</p> <p>Work Phone Number: _____</p> <p>E-mail Address: _____</p> <p>Other interests held in Tsawwassen Lands (CP/TFSI, Lease, etc.): _____</p> <p>_____</p> <p>Membership Number: _____</p>	
For Office Use Only		
Date received:	File #:	Date Approved:
Notes:		

Please note that the Co-Applicant (if applicable) must also be a Tsawwassen Member under Tsawwassen Law.