

REGISTRY OF NISGA'A LAWS: NISGA'A LISIMS GOVERNMENT

NISGA'A LANDHOLDING TRANSITION REGULATION

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**NISGA'A LISIMS GOVERNMENT**

**NISGA'A LISIMS GOVERNMENT EXECUTIVE**

**NISGA'A LANDHOLDING TRANSITION  
REGULATION**

The Nisga'a Lisims Government Executive enacted this Regulation on

\_\_\_\_\_.

Signed \_\_\_\_\_  
Brian Tait, Chairperson

REGISTRY OF NISGA’A LAWS: NISGA’A LISIMS GOVERNMENT

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## PART 1 – INTERPRETATION

### Definitions

1. In this Regulation:

“**Act**” means the *Nisga'a Landholding Transition Act*;

“**Schedule 2 form**” means a form set out in Schedule 2.

## **PART 2 – FEES**

### **Payment of fees**

2. The fees set out in Schedule 1 are prescribed for the purposes of the Act.

### PART 3 – FORMS

#### Forms

3. (1) The forms set out in Schedule 2 are prescribed for the purposes of the Act and must be used if applicable.
- (2) A Schedule 2 form
  - (a) must be on durable paper 8 ½" x 11" in size,
  - (b) must be printed or typed
    - (i) in legible characters not smaller than 12 point, and
    - (ii) in black or dark ink that is compatible with the electronic scanning, optical character recognition or micrographic technology of the kind used in the Nisga'a land title office, and
  - (c) must contain a blank space not less than 1 ½" deep and 6" wide in the top right corner of the first page, for use by the Nisga'a land title office.
- (3) The vertical lines separating the year, month and day columns in the execution segment of the form of fee simple transfer included in Forms 9 and 10 of Schedule 2 are not mandatory.
- (4) The name, address and professional capacity of the officer witnessing the signature of a transferor or other party on the form of fee simple transfer included in Forms 9 and 10 of Schedule 2 must be typed or printed below the signature of the officer.

#### Expansion of forms

4. Subject to section 7, the space provided for the completion of any item in a Schedule 2 form may be expanded and signature blocks may be added as the circumstances require.

#### Use of seal

5. If a Schedule 2 form is executed under seal, the seal must be affixed in a way that does not render any part of the form illegible.

### **Abbreviations**

6. Without limiting section 7, an abbreviation of any word on a Schedule 2 form must not be used if in the registrar's opinion the abbreviation would obscure the meaning, intent or legal effect of the form.

### **Registrar to be satisfied**

7. A Schedule 2 form must be completed and executed to the satisfaction of the registrar.

**SCHEDULE 1 – FEES**

<b>Item</b>	<b>Matter</b>	<b>Fee</b>
<b>1</b>	<b>Acceptance of Fee Simple Offer by Entitlement Holder</b> To register the fee simple ownership of an entitlement holder, on the submission of Form 5 under section 7(1)(a) of the Act	Nil
<b>2</b>	<b>Transfer of Fee Simple Estate to Nisga'a Citizen</b> To register the transfer of a fee simple estate to a Nisga'a citizen, on the submission of Form 11 under section 13(1) of the Act.	\$80.00 for each indefeasible title registered

**SCHEDULE 2 - FORMS**

**List of Forms**

Form 1	Resolution by Nisga'a Village Government of Offer to Nisga'a Citizen(s)
Form 2	Resolution by Nisga'a Village Government of Offer to Nisga'a Nation
Form 3	Request by Nisga'a Citizen(s) for Offer from Nisga'a Village Government
Form 4	Request by Executive for Offer from Nisga'a Village Government
Form 5	Acceptance by Nisga'a Citizen(s) of Offer from Nisga'a Village Government
Form 6	Decline by Nisga'a Citizen(s) of Offer from Nisga'a Village Government
Form 7	Acceptance by Executive of Offer from Nisga'a Village Government
Form 8	Decline by Executive of Offer from Nisga'a Village Government
Form 9	Resolution by Nisga'a Village Government of Transfer to Nisga'a Citizen(s)
Form 10	Resolution by Nisga'a Village Government of Transfer to Nisga'a Nation
Form 11	Application by Nisga'a Citizen(s) to Register Transfer from Nisga'a Village
Form 12	Application by Executive to Register Transfer from Nisga'a Village



*Nisga’a Landholding Transition Act*  
**Form 1**  
(Section 2(1))

**RESOLUTION BY NISGA’A VILLAGE GOVERNMENT  
OF OFFER TO NISGA’A CITIZEN(S)**

**MOVED THAT** under section 2(1) of the *Nisga’a Landholding Transition Act* the Nisga’a Village Government of \_\_\_\_\_ [*name of Nisga’a Village*] offer the estate in fee simple to the following parcel of Nisga’a Lands to the following Nisga’a citizen(s), who currently hold(s) an entitlement to the parcel:

**Parcel Identification Number (PIN)**

**Legal Description of Parcel**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Nisga’a Citizen(s)**

\_\_\_\_\_

\_\_\_\_\_

*[Full name(s), Nisga’a citizenship number(s) and, if applicable, undivided fractional or joint tenancy interest(s)]*

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**VOTE:** Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Authorized Signatory of Resolution for  
Nisga’a Village Government**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
POSITION

NOTES TO FORM 1

*A separate form must be used for each parcel.*

*The parcel identification number (PIN), the legal description of the parcel, and the name of the Nisga’a citizen(s) holding the entitlement to the parcel, must be reproduced from the register of the Nisga’a land title office.*

*Nisga’a Landholding Transition Act*  
**Form 2**  
(Section 2(2))

**RESOLUTION BY NISGA’A VILLAGE GOVERNMENT  
OF OFFER TO NISGA’A NATION**

**MOVED THAT** under section 2(2) of the *Nisga’a Landholding Transition Act* the Nisga’a Village Government of \_\_\_\_\_ [*name of Nisga’a Village*] offer the estate in fee simple to the following parcel of Nisga’a Lands to the Nisga’a Nation, which currently holds an entitlement to the parcel:

**Parcel Identification Number (PIN)**

**Legal Description of Parcel**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**VOTE:** Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Authorized Signatory of Resolution for  
Nisga’a Village Government**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
POSITION

NOTES TO FORM 2

*A separate form must be used for each parcel.*

*The parcel identification number (PIN) and legal description of the parcel must be reproduced from the register of the Nisga’a land title office.*

*Nisga’a Landholding Transition Act*

**Form 3**

(Section 3(1))

**REQUEST BY NISGA’A CITIZEN(S)  
FOR OFFER FROM NISGA’A VILLAGE GOVERNMENT**

As the registered holder(s) of an entitlement to the following parcel of Nisga’a Lands, I (we), the Nisga’a citizen(s) named below, hereby request under section 3(1) of the *Nisga’a Landholding Transition Act* that the Nisga’a Village Government of \_\_\_\_\_ [name of Nisga’a village] offer me (us) the estate in fee simple to the parcel under section 2(1) of that Act:

**Parcel Identification Number (PIN)**

**Legal Description of Parcel**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Nisga’a Citizen(s)**

\_\_\_\_\_

\_\_\_\_\_

[Full name(s), Nisga’a citizenship number(s) and, if applicable, undivided fractional or joint tenancy interest(s)]

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

NOTES TO FORM 3

*A separate form must be used for each parcel.*

*The parcel identification number (PIN), the legal description of the parcel, and the name(s) of the Nisga’a citizen(s) holding the entitlement to the parcel, must be reproduced from the register of the Nisga’a land title office.*

*The form must be signed by each Nisga’a citizen.*

*Nisga'a Landholding Transition Act*  
**Form 4**  
(Section 3(2))

**REQUEST BY EXECUTIVE  
FOR OFFER FROM NISGA'A VILLAGE GOVERNMENT**

As the Nisga'a Nation is the registered holder of an entitlement to the following parcel of Nisga'a Lands, the Nisga'a Lisims Government Executive hereby requests under section 3(2) of the *Nisga'a Landholding Transition Act* that the Nisga'a Village Government of \_\_\_\_\_  
[name of Nisga'a Village] offer the Nisga'a Nation the estate in fee simple to the parcel under section 2(2) of that Act:

**Parcel Identification Number (PIN)**

**Legal Description of Parcel**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Authorized Signatory for Nisga'a Lisims  
Government Executive**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
POSITION

NOTES TO FORM 4

*A separate form must be used for each parcel.*

*The parcel identification number (PIN) and legal description of the parcel must be reproduced from the register of the Nisga'a land title office.*

*Nisga’a Landholding Transition Act*  
**Form 5**  
(Section 7(1)(a))

**ACCEPTANCE BY NISGA’A CITIZEN(S)  
OF OFFER FROM NISGA’A VILLAGE GOVERNMENT**

As the registered holder(s) of an entitlement to the parcel of Nisga’a Lands identified in the resolution of the Nisga’a Village Government of \_\_\_\_\_ *[name of Nisga’a Village]* in Form 1, a copy of which is attached to this Form 5, I (we), the Nisga’a citizen(s) named below, hereby accept, under section 7(1)(a) of the *Nisga’a Landholding Transition Act*, the offer of the estate in fee simple to that parcel made to me (us) by that resolution.

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
NISGA’A CITIZENSHIP NUMBER

\_\_\_\_\_  
NISGA’A CITIZENSHIP NUMBER

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER OR EMAIL  
ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER OR EMAIL  
ADDRESS

NOTES TO FORM 5

*A separate form must be used for each parcel.*

*The form must be signed by each Nisga’a citizen identified in the attached resolution of the Nisga’a Village Government,*

*Nisga’a Landholding Transition Act*  
**Form 6**  
(Section 7(1)(b))

**DECLINE BY NISGA’A CITIZEN(S)  
OF OFFER FROM NISGA’A VILLAGE GOVERNMENT**

As the registered holder(s) of an entitlement to the parcel of Nisga’a Lands identified in the resolution of the Nisga’a Village Government of \_\_\_\_\_ *[name of Nisga’a Village]* in Form 1, a copy of which is attached to this Form 6, I (we), the Nisga’a citizen(s) named below, hereby decline, under section 7(1)(b) of the *Nisga’a Landholding Transition Act*, the offer of the estate in fee simple to that parcel made to me (us) by that resolution.

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
NISGA’A CITIZENSHIP NUMBER

\_\_\_\_\_  
NISGA’A CITIZENSHIP NUMBER

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER OR EMAIL  
ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER OR EMAIL  
ADDRESS

*NOTES TO FORM 6*

*A separate form must be used for each parcel.*

*The form must be signed by each Nisga’a citizen identified in the attached resolution of the Nisga’a Village Government.*

*Nisga'a Landholding Transition Act*  
**Form 7**  
(Section 7(2)(a))

**ACCEPTANCE BY EXECUTIVE  
OF OFFER FROM NISGA'A VILLAGE GOVERNMENT**

On behalf of the Nisga'a Nation, the registered holder of an entitlement to the parcel of Nisga'a Lands identified in the resolution of the Nisga'a Village Government of \_\_\_\_\_  
*[name of Nisga'a Village]* in Form 2, a copy of which is attached to this Form 7, the Nisga'a Lisims Government Executive hereby accepts, under section 7(2)(a) of the *Nisga'a Landholding Transition Act*, the offer of the estate in fee simple to that parcel made to the Nisga'a Nation by that resolution.

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Authorized Signatory for Nisga'a Lisims  
Government Executive**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
POSITION

NOTES TO FORM 7

*A separate form must be used for each parcel.*

*Nisga'a Landholding Transition Act*  
**Form 8**  
(Section 7(2)(b))

**DECLINE BY EXECUTIVE  
OF OFFER FROM NISGA'A VILLAGE GOVERNMENT**

On behalf of the Nisga'a Nation, the registered holder of an entitlement to the parcel of Nisga'a Lands identified in the resolution of the Nisga'a Village Government of \_\_\_\_\_  
*[name of Nisga'a Village]* in Form 2, a copy of which is attached to this Form 8, the Nisga'a Lisims Government Executive hereby declines, under section 7(2)(b) of the *Nisga'a Landholding Transition Act*, the offer of the estate in fee simple to that parcel made to the Nisga'a Nation by that resolution.

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Authorized Signatory for Nisga'a Lisims  
Government Executive**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
POSITION

NOTES TO FORM 8

*A separate form must be used for each parcel.*



*Nisga'a Landholding Transition Act*  
**Form 9**  
(Section 10(1))

**RESOLUTION BY NISGA'A VILLAGE GOVERNMENT  
OF TRANSFER TO NISGA'A CITIZEN(S)**

**MOVED THAT** under section 10(1) of the *Nisga'a Landholding Transition Act* the Nisga'a Village Government of \_\_\_\_\_ [*name of Nisga'a Village*]

- (1) transfer the estate in fee simple to the parcel of Nisga'a Lands identified in the form of fee simple transfer attached to this resolution to the Nisga'a citizen(s) identified as the transferee(s) in that form, and
- (2) to evidence this transfer, authorize \_\_\_\_\_ [*full name of authorized signatory*], on behalf of the Nisga'a Village Government, to
  - (a) execute the form of fee simple transfer attached to this resolution, and
  - (b) deliver an originally executed copy of this resolution and the attached form of fee simple transfer to the Nisga'a citizen(s) identified as the transferee(s) in that form.

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**VOTE:** Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Authorized Signatory of Resolution for  
Nisga'a Village Government**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
POSITION

---

**FEE SIMPLE TRANSFER**

**1. LAND**

**(a) Parcel identification number (PIN)** \_\_\_\_\_

**(b) Legal description** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. CONSIDERATION**

\_\_\_\_\_ *[consideration paid for transfer]*

**3. TRANSFEROR**

Nisga'a Village of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[name, mailing address and Nisga'a land title office identification number of Nisga'a Village]*

**4. TRANSFEREE(S)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[full name(s), mailing address(es), Nisga'a citizenship number(s), and, if applicable, undivided fractional or joint tenancy interest(s)]*

**5. EXECUTION**

The transferor accepts the above consideration and understands that this instrument operates to transfer the estate in fee simple in the land described above to the transferee(s).

Officer Signature	Execution Date			Transferor Signature
_____	Y	M	D	_____

**Officer Certification:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act* (British Columbia) to take affidavits for use in British Columbia and certifies the matters set out in Part Four of the *Nisga'a Land Title Act* as they pertain to the execution of this instrument.

NOTES TO FORM 9

*A separate form must be used for each parcel.*

*The parcel identification number (PIN) and legal description of the parcel must be reproduced from the register of the Nisga'a land title office.*

*Nisga'a Landholding Transition Act*  
**Form 10**  
(Section 10(2))

**RESOLUTION BY NISGA'A VILLAGE GOVERNMENT  
OF TRANSFER TO NISGA'A NATION**

**MOVED THAT** under section 10(2) of the *Nisga'a Landholding Transition Act* the Nisga'a Village Government of \_\_\_\_\_ [*name of Nisga'a Village*]

- (1) transfer the estate in fee simple to the parcel of Nisga'a Lands identified in the form of fee simple transfer attached to this resolution to the Nisga'a Nation, and
- (2) to evidence this transfer, authorize \_\_\_\_\_ [*full name of authorized signatory*], on behalf of the Nisga'a Village Government, to
  - (a) execute the form of fee simple transfer attached to this resolution, and
  - (b) deliver an originally executed copy of this resolution and the attached form of fee simple transfer to the Nisga'a Nation.

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**VOTE:** Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Authorized Signatory of Resolution for  
Nisga'a Village Government**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
POSITION

**FEE SIMPLE TRANSFER**

**1. LAND**

(a) Parcel identification number (PIN) \_\_\_\_\_

(b) Legal description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. CONSIDERATION**

\_\_\_\_\_ *[consideration paid for transfer]*

**3. TRANSFEROR**

Nisga'a Village of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[name, mailing address and Nisga'a land title office identification number of Nisga'a Village]*

**4. TRANSFEREE**

Nisga'a Nation, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[mailing address and Nisga'a land title office identification number of Nisga'a Nation]*

**5. EXECUTION**

The transferor accepts the above consideration and understands that this instrument operates to transfer the estate in fee simple in the land described above to the transferee.

Officer Signature	Execution Date			Transferor Signature
_____	<b>Y</b>	<b>M</b>	<b>D</b>	_____

**Officer Certification:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act* (British Columbia) to take affidavits for use in British Columbia and certifies the matters set out in Part Four of the *Nisga'a Land Title Act* as they pertain to the execution of this instrument.

NOTES TO FORM 10

*A separate form must be used for each parcel.*

*The parcel identification number (PIN) and legal description of the parcel must be reproduced from the register of the Nisga'a land title office.*

*Nisga’a Landholding Transition Act*  
**Form 11**  
(Section 13(1))

**APPLICATION BY NISGA’A CITIZEN(S)  
TO REGISTER TRANSFER FROM NISGA’A VILLAGE GOVERNMENT**

I (we), the Nisga’a citizen(s) named below, hereby apply, under section 13(1) of the *Nisga’a Landholding Transition Act* (“NLHTA”), to register the transfer to me (us) of the estate in fee simple to the parcel of Nisga’a Lands identified in the form of fee simple transfer attached to the resolution of the Nisga’a Village Government of \_\_\_\_\_ *[name of Nisga’a Village]* in NLHTA Form 9, an originally signed copy of which resolution and form of fee simple transfer is enclosed with this application.

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
FULL NAME

\_\_\_\_\_  
NISGA’A CITIZENSHIP NUMBER

\_\_\_\_\_  
NISGA’A CITIZENSHIP NUMBER

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER OR EMAIL  
ADDRESS

\_\_\_\_\_  
TELEPHONE NUMBER OR EMAIL  
ADDRESS

NOTES TO FORM 11

*A separate application must be made for each parcel.*

*This application must be signed by each Nisga’a citizen identified as a transferee in the enclosed form of fee simple transfer.*

*This application must be accompanied by an originally signed NLHTA Form 9 and the applicable fee.*

*Nisga’a Landholding Transition Act*  
**Form 12**  
(Section 13(2))

**APPLICATION BY EXECUTIVE  
TO REGISTER TRANSFER FROM NISGA’A VILLAGE GOVERNMENT**

The Nisga’a Lisims Government Executive hereby applies, under section 13(2) of the *Nisga’a Landholding Transition Act*, to register the transfer to the Nisga’a Nation of the estate in fee simple to the parcel of Nisga’a Lands identified in the form of fee simple transfer attached to the resolution of the Nisga’a Village Government of \_\_\_\_\_ *[name of Nisga’a Village]* in Form 10, an originally signed copy of which resolution and form of fee simple transfer is enclosed with this application.

**DATED** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**Authorized Signatory for Nisga’a Lisims  
Government Executive**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME

\_\_\_\_\_  
POSITION

NOTES TO FORM 12

*A separate application must be made for each parcel.*

*An originally signed Nisga’a Village Government resolution and attached form of fee simple transfer must be enclosed with the application.*



*Nisga'a Landholding Transition Act*, NLGSR 2009/02

In force October 25, 2012 [2012/06]

**Amendments**

	No amendments
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**Regulations**

2012/06	<i>Nisga'a Landholding Transition Act In Force Regulation</i>	Brings the <i>Nisga'a Landholding Transition Act</i> , 2009/02, into force	
2012/07	<i>Nisga'a Landholding Transition Regulation</i>		
2019/01	<i>Nisga'a Landholding Transition Amendment Regulation, 2019</i>	Repeals and replaces Schedule 2	