

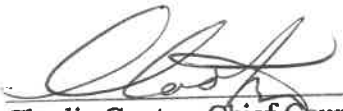
UCHUCKLESAHT TRIBE GOVERNMENT

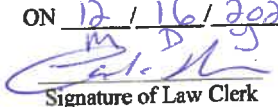
**LAND ACT (FEE SIMPLE TITLE)
AMENDMENT ACT**

UTS62/2020



This law enacted on December 16, 2020

Signed 
Charlie Cootes, Chief Councillor of the
Uchucklesaht Tribe

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS
ON 12 / 16 / 2020

Signature of Law Clerk

**UCHUCKLESAHT TRIBE GOVERNMENT
LAND ACT (FEE SIMPLE TITLE) AMENDMENT ACT UTS 62/2020**

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INTRODUCTORY PROVISIONS

Short title

- 1.1 This Act may be cited as the Land Act (Fee Simple Title) Amendment Act.

Executive oversight

- 1.2 The member of the Executive holding the lands and resources portfolio is responsible for the executive oversight of this Act.

Definitions

- 1.3 In this Act,
“Act” means the Land Act.

PART 2 - GENERAL PROVISIONS

Granting of Uchucklesaht titled lands

2.1 (a) Section 7.1 of the Act is repealed and the following substituted:

Fee simple grants

7.1 (a) The Executive may only grant or transfer an estate in fee simple to community lands in accordance with this section.

(b) The Executive may grant or transfer an estate in fee simple to Uchucklesaht titled lands to

(i) an eligible recipient,

(ii) a Uchucklesaht public corporation,

(iii) a Uchucklesaht public institution,

(iv) a Uchucklesaht corporation, or

(v) a prescribed person or category of persons, if the proposed grant is first publicized at two information meetings and approved by a referendum.

(c) For certainty, the registered owner of an indefeasible title to a parcel of Uchucklesaht titled lands may only transfer his or her estate in fee simple in accordance with section 4.24 and the Land Title Act (British Columbia).

(b) Section 4.24(f)(iv)(E) of the Act is amended by striking out “under section 7.1(a)(iii)” and substituting “under section 7.1(b)(v)”.

Residential interests repealed

2.2 (a) Part 5 and Part 6 of the Act are repealed.

(b) Subsection (a) in the definition of “community lands” in section 1.4 of the Act is repealed and each subsequent subsection in that definition is renumbered accordingly.

(c) The definition “Uchucklesaht residential interest” in section 1.4 of the Act is repealed.

(d) Section 4.3(b)(ii) of the Act is repealed.

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- (e) The phrase “, other than a Uchucklesaht residential interest” in section 4.8(a) of the Act is repealed.
- (f) The phrase “Uchucklesaht residential interest,” in section 4.18(b)(iii) of the Act is repealed.

Consequential amendments

- 2.3**
- (a) Subsection (a) in the definition of “owner” in section 1.4 of the Planning and Land Use Management Act UTS 13/2011 is repealed and each subsequent subsection in that definition is renumbered accordingly.
 - (b) Subsection (a) in the definition of “owner” in section 1.4 of the Building and Development Authorization Act UTS 29/2014 is repealed and each subsequent subsection in that definition is renumbered accordingly.
 - (c) The definition of “interest” and the definition of “residential interest” in section 1.4 of the Public Order, Peace and Safety Act UTS 33/2014 are repealed.
 - (d) Section 2.17(a) of the Zoning Act UTS 46/2015 is amended by striking out
 - (i) “the Uchucklesaht residential interest process” and substituting “the process to raise title to a parcel of Uchucklesaht lands”, and
 - (ii) “the subdivision” and substituting “that parcel”.

Commencement

- 2.4** This Act comes into force on the date it is enacted.