

COMMISSIONER'S LAND ACT
R-019-2025
Registered with the Chief Legislative Counsel
2025-03-25

COMMISSIONER'S LAND REGULATIONS, amendment

The Commissioner, on the recommendation of the Minister, under section 12 of the *Commissioner's Land Act* and every enabling power, makes the attached amendments to the *Commissioner's Land Regulations*.

1. **These regulations amend the *Commissioner's Land Regulations*.**
2. **The definitions of "Act", "Deputy Minister" and "notification" in section 1 are repealed and the following definitions are added in alphabetical order:**

"Deputy Minister" means the Deputy Minister of the department responsible for the Act; (*sous-ministre*)

"notification" means a direction in a form prescribed under the *Territorial Lands Act* (Canada) to a Registrar of Land Titles appointed under the *Land Titles Act* to issue a certificate of title for Commissioner's land to the person named in the direction. (*notification*)

3. **Section 4 is amended by replacing "the Territories" with "Nunavut".**
4. **Subsection 5(2) is repealed and replaced by:**

(2) For greater certainty, no land agent has the authority to grant an interest in Commissioner's land.

5. **Section 6 is repealed and replaced by:**
6. An authorized agent is authorized, on behalf of the Commissioner,
 - (a) to execute leases and agreements for sale;
 - (b) to cancel agreements for sale and terminate leases;
 - (c) to give consent to assignments of leases and agreements for sale;
 - (d) to issue quarrying permits; and
 - (e) to issue permits providing for the occupation of lands in lieu of leasehold agreements for a period not exceeding two years, renewable for an additional period not exceeding one year.
6. **(1) The following provisions are amended by replacing "the Deputy Minister" with "an authorized agent" wherever it appears:**
 - (a) **section 9;**
 - (b) **section 14;**
 - (c) **section 15;**

- (d) subsection 18(2);
- (e) section 25;
- (f) paragraph 28(b);
- (g) subsections 31(1.4) and (2).

(2) Section 16 is amended by replacing "agreed by the Deputy Minister" with "agreed by an authorized agent".

(3) Subsection 22(4) is amended by

- (a) replacing "The Deputy Minister" with "An authorized agent"; and
- (b) replacing "the Deputy Minister's" with "the authorized agent's".

(4) Section 26 is repealed and replaced by:

26. If in the opinion of an authorized agent the lessee has complied with the terms of their quarrying lease and the regulations, the authorized agent may grant another lease for a term not exceeding 10 years subject to such terms and conditions as the authorized agent considers appropriate.

(5) Section 28.1 is repealed and replaced by:

28.1 Despite sections 9 and 28, if a person wishing to assign a lease or an agreement for sale owes rent, payments or taxes in respect of Commissioner's land and is unable to pay the outstanding rent, payments or taxes before an assignment of lease or agreement for sale is approved by an authorized agent, an authorized agent may approve the assignment of lease or agreement for sale if they have received, in a form acceptable to them, a lawyer's written undertaking to pay all outstanding rent, payments or taxes and any applicable interest in respect of the lease or agreement for sale within 15 days of the closing date of the transaction that gave rise to the assignment of lease or agreement for sale.

(6) Subsection 29(1) is amended by replacing "a person designated by him or her for the purpose" with "an authorized agent".

(7) Subsections 31(1), (1.1) and (1.2), 33(1) and 33.1(1) are amended by replacing "The Deputy Minister" with "An authorized agent" wherever it appears.

(8) Section 34 is amended by replacing "the Deputy Minister" with "the Deputy Minister or an authorized agent".

7. Subsection 12(2) is amended by replacing "the Medical Officer of Health" with "a medical health officer".

8. Subsection 20(2) is amended by replacing "(that are located on)" with "that are located on".

- 9. Subparagraph 28(b)(ii) and paragraph 31(2)(b) are amended by replacing "the Northwest Territories" with "Nunavut".**
- 10. Section 30 and the heading preceding it are repealed.**
- 11. Subsection 31(1) is amended by replacing "Form 8 of Schedule B" with "the quarrying permit form described in Schedule B".**
- 12. The English version of subsection 33(1) is amended by deleting "resident in the Territories".**
- 13. (1) Item 4 of Schedule A is repealed.**
(2) Subitems A, C and D of Item 9 are repealed.
- 14. Schedule B is repealed and replaced by Schedule B in the Schedule to these regulations.**
- 15. These regulations come into force on April 1, 2025.**

SCHEDULE

SCHEDULE B

(subsection 31(1))

QUARRYING PERMIT

1. The form of a quarrying permit may be approved by the Deputy Minister and must
 - (a) provide for the following information to be entered:
 - (i) the full name of the permittee,
 - (ii) the mailing address of the permittee,
 - (iii) the quantity and type of material authorized to be taken under the permit,
 - (iv) a description or sketch of the land subject to the permit,
 - (v) the date of expiry of the permit,
 - (vi) the date and place of issuance of the permit,
 - (vii) the signature of the authorized agent;
 - (b) include the following conditions:
 - (i) the permit expires on the earlier of its date of expiry and the day the quantity of materials specified in the permit has been quarried or removed,
 - (ii) the permit does not grant to the permittee any exclusive right or leasehold interest in the land,
 - (iii) the permit is not assignable and any assignment of it is of no effect,
 - (iv) if applicable, all quarrying under the permit must be carried out in accordance with the *Mine Health and Safety Act*,
 - (v) the permit is issued subject to the Act and these regulations and the conditions of the permit,
 - (vi) any additional conditions imposed by the authorized agent; and
 - (c) include a notice that failure to comply with the Act, these regulations or the conditions of the permit may result in cancellation of the permit without prior notice to the permittee.