

# Practice Note 07-10

## Land Title and Survey Authority of BC Land Title Division

Effective January 1, 2011

### Amended Statement by Surveyor for Survey Plans over First Nation Treaty Lands

In accordance with s. 77.1, *Land Act*, the Surveyor General issues survey instructions to British Columbia land surveyors to define treaty lands:

*Land Act,*

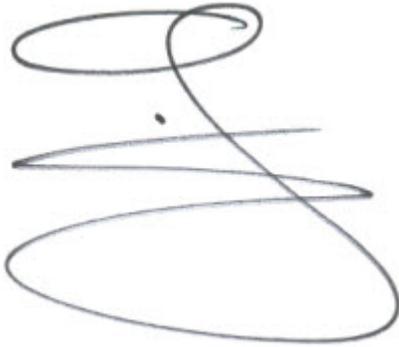
- s. 77.1 Despite this Part, for the purposes of a survey of treaty lands, the Surveyor General may issue instructions to a British Columbia land surveyor that
- (a) the Surveyor General considers necessary or advisable, and
  - (b) are consistent with the final agreement of the treaty first nation.

The Surveyor General has determined that certain plans defining first nation treaty lands may not, in some cases, be based on a full field survey, but on a combination of field survey and existing plans. The current Form 9, Statement by Surveyor, requires a full field survey. A new form of "Statement by Surveyor" is required to allow land surveyors to certify these new combination plans.

The Director of Land Titles has approved a new Form 9A Statement by Surveyor to be used by British Columbia Land Surveyors to certify the correctness of plans that have been prepared based on these combination plans. The new form is set out in the appendix attached to this document.

All survey plans submitted for deposit in a Land Title Office that are based on survey instructions issued by the Surveyor General to define a portion of first nation treaty lands that contain both field survey and explanatory plan boundaries, must include the prescribed form of certificate approved for this purpose.

These requirements are in addition to all other legislated and practice requirements that apply to the registration of survey plan.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above the name and title.

Craig D. Johnston  
Director of Land Titles

**APPENDIX**

*Land Title Act*

**Form 9A**

*(s.67 (t))*

**AMENDED STATEMENT BY SURVEYOR**

I, \_\_\_\_\_, a British Columbia land surveyor, certify that this plan was prepared in accordance with specific instructions issued by the Surveyor General of British Columbia, and that the survey and plan are correct. I was present at and personally superintended those portions of the survey represented by this plan that are based on field measurements, the survey of which was completed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

The plan was completed and checked, and the checklist filed under # \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

(SIGNATURE OF B.C.L.S.)