

**AUTHORIZED SUBSCRIBER APPLICATION FORM**  
**SCHEDULE A – ORGANIZATION TERMS AND CONDITIONS**

**ARTICLE 1    DEFINITIONS**

1.1.    In this Application:

**Application** means this Authorized Subscriber Application and includes each of its Schedules;

**Authorized Subscriber Register** or **ASR** means the LTSA's register of Members;

**Candidate** means a person on whose behalf the Organization submits an Application for membership in the ASR;

**Director** means the Director of Land Titles appointed under section 9 of the *Land Title Act*;

**E-filing Directions** means directions issued by the Director that include directions for membership in the Authorized Subscriber Register as amended from time to time;

**Juricert** means Juricert Services Inc., a wholly owned subsidiary of the Law Society of British Columbia, which issues certificates;

**Land Title Act** means the *Land Title Act*, R.S.B.C. 1996, c. 250 as amended from time to time;

**Land Title Documents** means documents electronically signed by a Member for electronic submission to the land title office;

**LTSA** means the Land Title and Survey Authority of British Columbia;

**Member** means a person who is registered in the ASR and who is thereby authorized to apply to Juricert for a certificate to enable him or her to electronically sign Land Title Documents on behalf of the Organization in accordance with the Director's E-filing Directions;;

**Organization** means the entity on whose behalf the Member will be acting when electronically signing documents;

**Organization's Representative** means the person who submits an application for membership in the ASR on behalf of a candidate and who is authorized to accept the terms and conditions in this Schedule on behalf of the Organization.

**ARTICLE 2    RESPONSIBILITIES OF THE ORGANIZATION**

2.1.    Prior to submitting this Application, the Organization has:

(a) verified the identity of each Candidate using lawful, prudent and reliable practices and procedures for verifying personnel;

(b) verified that each Candidate meets the Director's E-filing Directions to be a Member;

(c) verified that the Application is submitted by a person authorized to submit it and agree to its terms and conditions on behalf of the Organization.

- 2.2. The Organization will administer the use of electronic signatures by its Members in accordance with applicable laws, the Director's E-filing Directions, and the requirements of Juricert and the certification authority.
- 2.3. The Organization will ensure, and will establish oversight processes to ensure, that each of its Members:
  - (a) complies with the Land Title Act and the Director's E-filing Directions in respect of his or her actions and responsibilities as a Member;
  - (b) acts within the scope of his or her authority as a Member;
  - (c) has a valid certificate and a valid membership in the ASR at the time of incorporating an electronic signature into any Land Title Document;
  - (d) undergoes ASR training before using their certificate for the first time;
  - (e) uses his or her membership in the ASR and the corresponding electronic signature exclusively for authorized and legal purposes, consistent with applicable laws and the Director's E-filing Directions;
  - (f) ceases to incorporate his or her electronic signature into Land Title Documents if
    - i. he or she ceases to be employed by the Organization;
    - ii. he or she ceases to work in the department originally approved by the Director;
    - iii. he or she is no longer authorized by the Organization to act as a Member on the Organization's behalf;
    - iv. his or her membership in the ASR is terminated by the Organization;
    - v. his or her membership in the ASR expires and is not renewed;
    - vi. his or her membership in the ASR is revoked by the Director.
- 2.4. The Organization will ensure that no person other than the Member will use the Member's certificate.
- 2.5. The Organization will apply to renew the membership of its Members upon or before expiry, in accordance with the Director's E-filing Directions.
- 2.6. The Organization will ensure that its Members apply to renew their certificates upon or before expiry, in accordance with the requirements of Juricert and the certification authority.
- 2.7. The Organization will notify the LTSA immediately and in writing if any of its Members fails to comply with the Director's E-filing Directions or otherwise becomes ineligible to be a Member.
- 2.8. The Organization is liable for any damages arising in consequence of the LTSA rejecting a Land Title Document as a result of
  - (a) the incorporation of an invalid, expired or revoked certificate, or
  - (b) an invalid, expired or revoked membership in the ASR.

### **ARTICLE 3 REPRESENTATIONS AND WARRANTIES OF THE ORGANIZATION**

- 3.1. The Organization warrants and represents that:
- (a) the information contained in the Application is true;
  - (b) the Application is submitted in accordance with the Director's E-filing Directions;
  - (c) each Candidate named in the Application has agreed to observe and comply with the Director's E-filing Directions;
  - (d) each Candidate named in the Application is eligible to be a Member under the Director's E-filing Directions.
- 3.2. The Director and the LTSA are entitled to rely on the representations and warranties referred to in article 3.1.

#### **ARTICLE 4 DELIVERY OF NOTICES**

- 4.1. Any notice contemplated in this Schedule, to be effective, must be in writing and delivered as follows:
- (a) if to the Organization, by attachment to an email message to the email address of the Organization's Representative specified in the Application as updated from time to time by the Organization; and
  - (b) if to the LTSA, by attachment to an email message to [asr@ltsa.ca](mailto:asr@ltsa.ca).