



IDENTIFICATION

Department	Position Title	
Justice	Registrar, Property Registries	
Position Number(s)	Community	Division/Region(s)
82-0446	Yellowknife	Legal Registries/HQ

PURPOSE OF THE POSITION

The Registrar, Property Registries is an experienced lawyer responsible for the management and administration of the Land Titles Office in accordance with the *Land Titles Act* and the *Condominium Act*, and the Personal Property Registry in accordance with the *Personal Property Security Act*. The Registrar holds statutory appointments as Registrar under the *Land Titles Act* and the *Personal Property Security Act*.

The Registrar's primary role is the act as a quasi-judicial official to ensure only documents that comply with the law are accepted for registration. In addition to managing staff and priorities within the registries, the Registrar works with other jurisdictions to develop harmonized legislation and registration systems, directs enforcement of legislation, recommends, develops and implements changes in legislation, policies, manual, and electronic systems/procedures.

SCOPE

The Registrar reports to the Director, Legal Registries in Yellowknife and directly supervises 3 legal staff and indirectly supervises 7 staff, as well as additional casual staff and summer law students. The Registrar is responsible for the registry of ownership and other interests in all surveyed, privately-held land in the Northwest Territories, and the registry of all financial/security interests in personal property.

The Land Titles Office is responsible for the review and approval for registration of all ownership and other property interests in privately owned land in the Northwest Territories, which includes land owned by municipal and Indigenous governments under land claims agreements. Under the *Personal Property Security Act*, the Personal Property Registry supports a legal system where financiers of personal property protect their interest in the

property collateral by filing notice of their interest in order to establish legal priority against other creditors or subsequent purchasers of the property.

In addition to direct responsibility for the administration of three statutes (*Land Titles Act, Condominium Act, Personal Property Security Act*), the Registrar is responsible for interpreting and ensuring accurate application of numerous federal and territorial statutes affecting real property law including Acts respecting surveying and conveying of Crown lands, municipal legislation, family law statutes, land claims settlement legislation and statutes relating to minors, individuals who lack capacity, deceased persons and dissolved corporations.

The Registrar is responsible for the accurate and timely review and acceptance or refusal of documents submitted for registration. The powers and duties are broadly defined in the three main Acts, and the Registrar exercises quasi-judicial authority in that the decision of the Registrar can only be appealed to the Supreme Court. In addition, the Registrar is responsible for establishing policies and manual or electronic systems to fulfill the Registrar's mandate. This is critical to ensure real estate transactions (residential, commercial and those pursuant to land claims agreements) are not negatively impacted, resulting in delayed closings, which can lead to significant expense to the parties and/or litigation.

Land Titles Office:

Section Budget	\$900,000
Section Revenue	\$900,000
Section Activity (Annual):	
Land Titles Registrations	5,000
Certificates of Title Issued in Land Titles	2,000
Searches conducted in Land Titles	7,500

Personal Property Registry:

Section Budget	\$150,000
Section Revenue	\$260,000
Section Activity (Annual):	
Personal Properties Registrations	7,500
Personal Property Public Searches	6,500

The Registrar works independently on matters of recognized legal complexity at a similar level of knowledge and experience as an equivalent highly seasoned or specialized Legal Counsel, and provides advice to public clients, other legal counsel in private practice and government, government departments, and municipal and aboriginal governments.

RESPONSIBILITIES

- 1. Recognized expert with respect to property law, the registration of interests in land and personal property, conducts legal research and analysis, provides legal and technical advice to lawyers and governments, and decides registration issues through the exercise of quasi-judicial statutory authority.**

- Supervises, researches, analyzes, negotiates and finalizes settlement of complex legal matters relating to real property law and personal property law.
- Resolves matters of recognized complexity which require originality and constructive effort in a specialized area of the law.
- Is the Government of the Northwest Territories' legal expert with respect to Land Registration and the registration of interests affecting Personal Property.
- Provides advice to territorial, federal and Indigenous government officials involved in the negotiation of land claims agreements, including legal counsel.
- Provides advice to lands staff in various departments with respect to land registration related matters.
- Works directly with public clients and their legal counsel in the conduct and conclusion of issues.
- Provides direction and advice to solicitors in private practice.
- Exercises quasi-judicial role in land registration decisions pursuant to statutory appointment, which decisions can only be appealed to the Supreme Court of the Northwest Territories.
- Communicates with the public and the Bar, including holding legal education seminars for the Bar, financial institutions, government staff, and directs the preparation of education materials.
- Provides advice and recommendations on the development of new legislation and legislative amendments in the area of real property and secured transactions law.
- Conducts legal research in response to an issue that has arisen, in areas in which the law is changing, or in anticipation of an issue arising.

2. Manages the Land Titles Office and Personal Property Registry section of the Legal Registries Division and acts as Director of Legal Registries as required.

- Allocates resources to ensure the efficient flow of documents and the effective provision of services within statutory timelines.
- Hires, motivates, supervises and trains staff.
- Mentors new staff and summer law students.
- Conducts statistical analysis of workflow.
- Identifies and oversees implementation of automated systems appropriate to NWT needs, co-coordinating development with other jurisdictions where possible.
- Exercises authority as Acting Director of Legal Registries in the absence of the Director.

3. Responsible for the operation of the Land Titles Office in accordance with the statutory requirements of the *Land Titles Act*.

- Responsible for the operation of the Land Titles Office for the Northwest Territories in keeping with the requirements and objectives of the *Land Titles Act*.
- Establishes policies and procedures to ensure that the discretion to accept or refuse documents submitted for registration is exercised by staff consistently and in accordance with the law as determined in legislation and judicial decisions.
- Establishes policies and procedures necessary to implement land claims agreements within the existing land registration system.

- Liaises with the Deputy Surveyor General, North and applicable Department of Lands staff to establish standards and procedures for the preparation and registration of survey plans.
- Represents the NWT on the Canadian Council of Land Titles Officials.
- Brings references under the *Land Titles Act* before the Supreme Court and instructs GNWT legal counsel in regard to any proceedings brought before the Court pursuant to the *Land Titles Act*.

4. Responsible for the operation of the Personal Property Registry in accordance with the statutory requirements of the *Personal Property Security Act*.

- Administers the Northwest Territories Personal Property Registry in keeping with the objectives of the *Personal Property Security Act* by establishing policies, procedures and systems necessary to operate the registry efficiently and in accordance with the legislation.
- Identifies system objectives and specific requirements, and provides instructions to the systems vendor contracted to operate the online Personal Property Registry.
- Serves as a member of a multi-jurisdictional committee that establishes standards and procedures for the ongoing operation of the Personal Property Registries across Canada.
- Represents the NWT on the Canadian Conference on Personal Property Security Law.

WORKING CONDITIONS

Physical Demands

No unusual demands.

Environmental Conditions

No unusual demands.

Sensory Demands

No unusual demands.

Mental Demands

Position is ultimately responsible for ensuring that the office meets prescribed 48 hour “turnaround time” for the processing of submissions to the office. Position encounters deadlines, frequent interruptions, changing priorities and extended periods requiring concentrated attention to detail and accuracy. Position is responsible for final decision regarding disagreements or the resolution of conflicts with submitters (both lawyers and members of the public who do not understand the law) who are questioning staff decisions. These decisions impact the timing and cost of high-value (hundreds of thousands to millions of dollars) transactions.

KNOWLEDGE, SKILLS AND ABILITIES

- Law Degree and membership in the NWT Bar.

- Specialized knowledge of real and personal property law, including land registration principles, and knowledge of the laws of Canada and the Northwest Territories.
- Excellent legal research skills and ability to interpret statutes and regulations.
- Excellent analytical and problem solving skills including problems in varying situations requiring analytical, interpretative and evaluative skills.
- Ability to clearly communicate both orally and in writing with the public and the legal profession.
- Ability to motivate, supervise and train staff.
- Ability to deal professionally, diplomatically, directly and firmly with clients, legal counsel and the public.
- Understanding of the real estate environment and corporate commercial business practices.
- Ability to work in a computerized office environment and identify technological needs of the registries.
- Ability to work with departmental Information Technology personnel and contractors and to oversee the development and implementation of suitable electronic systems.
- Experience supervising, training and mentoring staff.
- Education or work experience with computers and the development of computer applications.

Typically, the above qualifications would be attained by:

A Law degree with a minimum of seven years of experience, with specialized focus in the area of real property and commercial law and two years of supervisory experience in a similar workplace.

ADDITIONAL REQUIREMENTS

Position Security (check one)

- ☐ No criminal records check required
- ☒ Position of Trust – criminal records check required
- ☐ Highly sensitive position – requires verification of identity and a criminal records check

French language (check one if applicable)

- ☐ French required (must identify required level below)
 - Level required for this Designated Position is:
 - ORAL EXPRESSION AND COMPREHENSION
 - Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐
 - READING COMPREHENSION:
 - Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐
 - WRITING SKILLS:
 - Basic (B) ☐ Intermediate (I) ☐ Advanced (A) ☐
- ☐ French preferred

Indigenous language: Select language

- ☐ Required ☐ Preferred