

APPENDIX III

(Consolidated up to 354/2003)

ALBERTA REGULATION 207/99

Land Titles Act

NAME SEARCH REGULATION

Definitions

1 In this Regulation,

- (a) “Act” means the *Land Titles Act*;
- (b) “instrument” means an instrument as defined in the Act;
- (c) “name search” means, with respect to the name of a person, a search of the register under section 17 of the Act for the purpose of determining registered ownership interests, if any, in land of a person registered in the register;
- (d) “police officer” means a police officer as defined in the *Police Act* and includes a member of the Royal Canadian Mounted Police who is defined as a member under the *Royal Canadian Mounted Police Act (Canada)*.

AR 207/99 s1;251/2001

Criteria

2 A person requesting a name search must fulfil at least one of the following criteria before the Registrar may conduct the name search:

- (a) the person requesting the name search is the person whose name is to be searched;
- (b) the person requesting the name search has been given a written consent for the name search by the person whose name is to be searched;
- (c) the person requesting the name search has a registerable or registered instrument and is searching the name of the person
 - (i) who is specified in the instrument, and
 - (ii) whose interests in land the instrument is intended to be registered or is registered against or whose interests in land are entitled to be dealt with;
- (d) the person requesting the name search is a police officer carrying out duties as a police officer;
- (e) the person requesting the name search is authorized or otherwise entitled pursuant to an order of a court to have the name search conducted;
- (f) the person requesting the name search is doing so on behalf of the Crown or with respect to carrying out duties or functions on behalf of the Crown;
- (g) the person requesting the name search is doing so as the agent for or representative of a person who meets the criteria for requesting a name search under clause (b) or (c).
- (h) the person requesting the name search is doing so on behalf of the Real Estate Council of Alberta for the purpose of an investigation under section 38 of the *Real Estate Act*.

AR 207/99 s2;66/2014

AR 207/99 LAND TITLES – NAME SEARCH REGULATION

Expiry

3 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on June 1, 2020.

AR 207/99 s3;354/2003;73/2010