



Lac La Ronge Indian Band

Lands Survey Policy

October 15, 2021

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WHEREAS:

- A.** Chief and Council of the Lac La Ronge Indian Band is the elected government of Lac La Ronge Indian Band.
- B.** The function of Chief and Council is to provide good government for LLRIB including making laws, by-laws, and policies, strategic planning, and fiscal management.
- C.** To assist Chief and Council in the process of good governance in relation to lands management and development under the *Lac La Ronge Indian Band Land Code*, Lac La Ronge Indian Band wishes to make a policy confirming the authority and process to cause surveys to be made in relation to Lac La Ronge Indian Band Land, and to confirm the express reliance on supporting laws in relation to surveying.
- D.** The Land & Resources Department is limited in their powers by the authority delegated to them in this policy by Chief and Council.

Now Therefore Chief and Council of the Lac La Ronge Indian Band hereby enact the following policy:

PART 1 PRELIMINARY MATTERS

1. Name

- 1.1 This policy is called the *Lac La Ronge Indian Band Lands Survey Policy*.

2. Definitions

- 2.1 Unless otherwise defined in this policy or required by the context, words and expressions used in this policy have the same meaning as they have been given in the Land Code.

- 2.2 In this policy:

"First Nation Land Register" means the register within the First Nations Land Registry System (FNLRS), set up by section 25(1) of the *First Nations Land Management Act*, which records instruments relating to reserve lands administered under the *First Nations Land Management Act*;

"Lands & Resources Department" means that office which provides, among other duties, administrative support to the Land Code Advisory Committee and the Traditional Lands and Resources Advisory Committee and is responsible for managing Lac La Ronge Indian Band Lands under the *Land Code*; for the purposes of this policy, any delegate of the Lands & Resources Department must be a staff member, such as the Reserve Lands Manager;

"Person" means any natural person, but for the purposes of this policy, also includes any corporate or government entity;

"Survey" or **"Surveys"** include, but are not limited to, a resurvey, a special survey, an official plan, an administrative plan, and a registration plan, and it to be interpreted broadly;

"Surveyor" means a Canada Lands Surveyor, within the meaning of section 2 of the *Canada Lands Surveyors Act*; and

"Surveyor General" means a person who is a Canada Lands Surveyor and is appointed as Surveyor General in the manner authorized by law or a person authorized by the Minister to carry out the duties of the Surveyor General.

3. General Interpretation

- 3.1 In this policy:

- (1) Headings and subheadings are for convenience only, do not form part of this policy, and in no way define, limit, alter, or enlarge the scope or meaning of any provision of this policy;

- (2) Unless the context requires otherwise, the use of the singular is to be construed as including the plural and vice versa;
 - (3) Unless the context requires otherwise, a reference to one gender includes reference to all other genders;
 - (4) "Must" is to be construed as imperative;
 - (5) The words "include", "includes", "including", "exclude", "excludes", and "excluding" are to be read as if they are followed by the phrase "without limitation"; and
 - (6) A reference to an enactment includes every amendment to it, every subordinate enactment—including laws, by-laws, and regulations—made under it, and any replacement enactment.
- 3.2 If there is an inconsistency or conflict between this policy and the Land Code, the Land Code prevails to the extent of the inconsistency or conflict.
- 3.3 This policy must be interpreted in a fair, large, and liberal manner and in accordance with the Land Code.

4. Severability

- 4.1 If any provision of this policy is determined by a court of competent jurisdiction to be illegal or unenforceable, that invalid provision will be considered separate and severable, and the legality or enforceability of the remaining provisions will not be affected by that determination.

5. Application

- 5.1 This policy applies to the whole area of Lac La Ronge Indian Band Land.
- 5.2 Where any other enactment, including a law, by-law or regulation, of Canada or Lac La Ronge Indian Band applies to any matter covered by this policy, compliance with this policy does not relieve any person from also needing to comply with the provisions of other applicable enactments.

PART 2 SURVEYS

6. Authority to instruct Surveys to be made

- 6.1 Lac La Ronge Indian Band Council may cause or allow Surveys to be made of Lac La Ronge Indian Band Land.
- 6.2 Lac La Ronge Indian Band Council expressly appoints the Lands & Resources

Department or its delegate to administer portions of this policy.

- 6.3 For clarity, all surveys must be made and registered in accordance with the *Canada Lands Surveys Act*, the *Canada Lands Surveyors Act*, and the *First Nation Land Registry Regulations*.

7. Council delegates authority

- 7.1 Specifically, the Lands & Resources Department or its delegate has authority to and:

- (1) Must receive and review all applications under section 9.1 from any Person seeking a Survey to be made;
- (2) May request or arrange for a Survey to be made on behalf of Lac La Ronge Indian Band;
- (3) Must determine the necessity for a Survey and, where applicable, the type of Survey required in any situation;
- (4) Must determine and document any requirements for registration of the Survey plan as outlined in the *First Nations Land Registry Regulations*;
- (5) Must prepare any required documents and checks;
- (6) May hire a Surveyor;
- (7) May negotiate and enter into funding agreements for Surveys to be made of Lac La Ronge Indian Band Land on behalf of Lac La Ronge Indian Band;
- (8) Must report regularly to Council on all decisions made by the Lands & Resources Department to allow or deny an application for a Survey to be made under section 9.1;
- (9) Must provide any Surveyor with confirmation for entry to Lac La Ronge Indian Band Lands in the prescribed format, as set out in Schedule B to this policy;
- (10) Must review any preliminary or other Survey plan and compare it to the Survey instructions; and
- (11) May provide recommendations to Council or the Land Code Advisory Committee on whether to approve a Survey plan;
- (12) May register Survey plans in the First Nation Land Register; and
- (13) May provide other administrative support as required to support this policy.

8. Authority to approve forms

8.1 Council may establish or approve mandatory standards, criteria, forms, and resolutions in relation to this policy, and expressly prescribes the following forms:

- (1) Survey Application, as prescribed in the form at Schedule A;
- (2) Confirmation of entry to Lac La Ronge Indian Band Lands to a Surveyor, as prescribed in the form at Schedule B;
- (3) Land status report, as prescribed in the form at Schedule C;
- (4) Written approval of Survey plans; and
- (5) Any procedures necessary to give effect to this policy.

9. Applications

9.1 Any Person who is the holder of or interested in obtaining an Interest in Lac La Ronge Indian Band Land, or otherwise wishes to have a Survey be made of any part of Lac La Ronge Indian Band Land, must first apply in the prescribed form set out in Appendix "A" to the Lands & Resources Department.

9.2 For certainty, section 9.1 applies to Members and Non-Members.

10. Administrative fees

Council may establish administrative fees

10.1 Council may establish administrative fees in relation to this policy, so to offset the administrative costs for necessary or, if relevant, further requested work by the Lands & Resources Department to process requests made under section 9.1 (i.e., facilitating the hiring of a Surveyor if requested, ensuring the type of Survey is appropriate and meets minimum standards, doing an encumbrance check).

Fee applies to non-Members only

10.2 An administrative fee of \$150 per hour or part thereof is payable by any Person applying for a Survey to be made under section 9.1 who is not a Member of Lac La Ronge Indian Band.

Fee is a debt payable to LLRIB

10.3 The administrative fee is a debt to be invoiced directly to the Person applying for a Survey to be made under section 9.1.

- 10.4 The administrative fee invoiced to the Person must be paid in full to Lac La Ronge Indian Band prior to any issuance of permission for a Surveyor to enter Lac La Ronge Indian Band Land or decision being granted by the Lands & Resources Department or its delegate for a Survey to proceed.
- 10.5 No Person may request a Survey to be made under section 9.1 if they have debt outstanding to Lac La Ronge Indian Band under this policy, and do not have an existing agreement to repay that debt to Lac La Ronge Indian Band.

11. Costs of Survey

Costs borne by applicant

- 11.1 Any Person who applies for a Survey to be made under section 9.1 must pay all applicable costs of having the Survey be made, directly to the Surveyor.
- 11.2 For certainty, Lac La Ronge Indian Band is not liable for costs incurred for any Survey made pursuant to applications under section 9.1.

12. Approval of Surveys to proceed

- 12.1 The Land & Resources Department or its delegate may approve, deny, or request further information in support of a Survey application made under section 9.1 in the prescribed form, as set out in Appendix "A".
- 12.2 Approval under section 12.1 is to:
- (1) confirm that the proposed Survey is required;
 - (2) confirm that the proposed Survey type is necessary;
 - (3) confirm that all necessary checks have been done by the Lands & Resources Department or its delegate and the proposed Survey may proceed as requested; and
 - (4) confirm that access will be granted and communicated directly to the proposed Surveyor in the prescribed form.
- 12.3 Signature and written approval by the Lands & Resources Department or its delegate on the face of the prescribed form as set out in Appendix "A" constitutes approval under Part 12 of this policy.

13. Approval of Survey Plans

Deemed accuracy

- 13.1 All Surveys of Lac La Ronge Indian Band Land prepared by the Surveyor General, or the Surveyor that is that person's designate, are to be deemed for all purposes to accurately describe and identify the boundaries of the lands covered by such Survey.

Require Council approval

- 13.2 Council must review and consider for approval any Survey plan, and compare it to the Survey instructions, for any Survey used to create new parcels, including easements, rights-of-way and permit areas, prior to it being submitted to the Surveyor General, and approval is to be for:
- (1) the creation of any new parcels shown on the Survey plan;
 - (2) that the Survey plan is suitable for the intended transaction; and
 - (3) that the Survey plan meets with any planning or land use requirements of Lac La Ronge Indian Band.
- 13.3 Council approval of Survey plans under section 13.2 may be in any form but must include at a minimum the name(s) and title(s) of the individuals approving the Survey plan on behalf of Council.
- 13.4 Notwithstanding section 13.2, Council may request to review and approve other types of Surveys.

14. First Nation Land Register

- 14.1 All Surveys approved by Council under Part 13 must be registered or recorded in the First Nation Land Register.
- 14.2 The Lands & Resources Department must register all Surveys possible in the First Nation Land Register, even if not necessary under other enactments, to ensure fulsome records are kept.

PART 3 APPEALS

15. Appeals

- 15.1 A decision by Council not to approve a Survey reviewed by Council under section 13.2 may be appealed under the dispute resolution provisions of the Land Code at Part 8.

PART 4 OTHER MATTERS

16. Distribution of Policy

- 16.1 This policy may be distributed as necessary to Members and non-Members.
- 16.2 For certainty, this policy must be distributed to any Person making a request under section 9.1 in the prescribed form set out in Appendix "A".
- 16.3 This policy must be distributed to the Association of Canada Lands Surveyors, and any Surveyor who may or will enter Lac La Ronge Indian Band Land, to ensure understanding and compliance of Lac La Ronge Indian Band policy and prescribed forms.

17. Date Policy comes into force

- 17.1 This Policy shall come into force on the date that Chief and Council approve it at a duly convened meeting of Chief and Council.

BE IT KNOWN that this policy entitled Lac La Ronge Indian Band Lands Survey Policy is hereby enacted by a quorum of Council at a duly convened Council of the Lac La Ronge Indian Band held on Oct 15, 2021 and comes into force and effect on the 15 day of October, 2021.

Chief Tammy Miriam Cook-Searson

Councillor Michael James Bird

Councillor Jimmy Bryce Charles

Councillor Linda Ann Mary Charles

Councillor Gerald Robin McKenzie

Councillor Keith Robert Mirasty

Councillor Ann Rachel Ratt

Councillor Devin Daniel Bernatchez

Councillor Harry Sam Roberts

Councillor John Patrick Roberts

Councillor Norman Paul Ross



Councillor Dennis Bruce Sanderson

Councillor John Richard Halkett

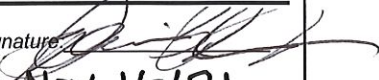
Quorum of Council is 7.

**SCHEDULE A:
SURVEY APPLICATION FORM**



**LAC LA RONGE INDIAN BAND
LANDS & RESOURCES
SURVEY APPLICATION FORM**

APPROVED AS TO FORM BY
LLRIB COUNCIL PURSUANT TO
LLRIB LANDS SURVEY POLICY

Signature: 
Date: Nov 16/21

PART 1 - TO BE FILLED OUT BY APPLICANT

Applicant or Agent's Name: _____

Applicant or Agent's Date of Birth: _____

Applicant or Agent's Address:

Street: _____

City: _____ Province: _____

Postal Code: _____

Phone Number: _____

Email Address: _____

If acting as Agent for a corporate entity

Business name or name(s) of partner(s): _____

Business structure (ie. partnership, corporation) : _____

Business Number (Saskatchewan and/or LLRIB): _____

Business Number (Federal/CRA): _____

Business address: _____

City: _____ Province: _____

Postal Code: _____

Survey information

Street address of Survey Request: _____

Lot number (if known): _____

Plan number (if known): _____

Reserve name/number: _____

Name of current locatees (if applicable): _____

Type of Survey requested (if known): _____

Name of Canada Lands Surveyor (if known): _____

Employer of Canada Lands Surveyor (if known): _____

If applicable, length of proposed land transaction: _____

This survey description will be used in the following type of land transaction:

- ☐ Update of existing title
- ☐ Allotment
- ☐ Transfer
- ☐ Lease
- ☐ Permit
- ☐ Licence

Please check **Yes or No** (if yes, you must provide proof and attach details) for the following:

1. Are you a band member of the Lac La Ronge Indian Band?
 - ☐ Yes / 10-digit Treaty # _____
 - ☐ No
2. Have you previously applied for a survey request from the Lac La Ronge Indian Band?
 - ☐ Yes
 - ☐ No
3. Have you prepared a draft Statement of Work for this Survey?
 - ☐ Yes
 - ☐ No

Please attach any required drawings, maps, previous surveys, and/or draft Statement of Work

I, _____, acting as an applicant or as agent for an applicant requesting Lac La Ronge Indian Band to have a Survey be made, in accordance with section 9.1 of the *Lac La Ronge Indian Band Lands Survey Policy*, sign to:

1. authorize LLRIB Lands & Resources Department to communicate directly with any chosen Canada Lands Surveyor;
2. acknowledge (if not yet known) that I will provide the name, company, contact and licence information of the chosen Canada Lands Surveyor, once known;
3. acknowledge that administrative fees will be charged and payable on an hourly basis for administrative work done in support of this Survey request, in accordance with the rates set out in the *Lac La Ronge Indian Band Lands Survey Policy* and as invoiced directly to me by Lac La Ronge Indian Band; and
4. acknowledge that the LLRIB Lands & Resources Department must provide confirmation in writing that the Survey may be made, prior to a Surveyor commencing any Survey.

Signature (Applicant or Agent)

Date

ONCE PART 1 HAS BEEN COMPLETED
PLEASE RETURN TO THE LANDS & RESOURCES DEPARTMENT FOR PROCESSING:
Box 480 / La Ronge SK / S0J-1L0 / Phone: 306-425-2183 / Fax: 306-425-2170

PART 2 - TO BE COMPLETED BY THE LANDS & RESOURCES DEPARTMENT

CONFORMS TO LAND USE PLAN ☐ YES ☐ NO

POSSIBLE ENCROACHMENTS ☐ YES ☐ NO

OTHER PENDING TRANSACTIONS ☐ YES ☐ NO

OTHER ENCUMBRANCES ☐ YES ☐ NO

ABSTRACT & SKETCH ATTACHED ☐ YES ☐ NO

LAND STATUS REPORT ☐ YES ☐ NO

SURVEYING COSTS TO BE PAID BY:

- ☐ LOCATEE
- ☐ DEVELOPER
- ☐ PURCHASER
- ☐ LLRIB DEPARTMENT:

COMMENTS:

Name of Lands & Resources Department Official

Signature

Date

For Internal Use Only:

Approved _____ Rejected _____

Date of approval/rejection: _____

Signature of Lands & Resources

Department official: _____

**SCHEDULE B:
SURVEYOR ACCESS CONFIRMATION**



**LAC LA RONGE INDIAN BAND
LANDS & RESOURCES
SURVEYOR ACCESS
CONFIRMATION**

APPROVED AS TO FORM BY
LLRIB COUNCIL PURSUANT TO
LLRIB LANDS SURVEY POLICY

Signature: _____

Date: Nov 16/21

As provided by the Lac La Ronge Indian Band *Land Code*, and as prescribed in the *Lac La Ronge Indian Band Lands Survey Policy*, the Lac La Ronge Indian Band Lands & Resources Department or its delegate is authorized by Council to authorize access to Canada Lands Surveyors to conduct surveying activities on our lands.

The Lac La Ronge Indian Band hereby grants permission for Canada Lands Surveyor

_____, of _____, with licence number: _____

(name)

(employer)

to access Lac La Ronge Indian Band Land for the purpose of carrying out

_____.

(description of survey type and location)

Conditions on access: _____

Name of Lands & Resources Department Official

Signature of Lands & Resources Department Official

Date

SCHEDULE C: LAND STATUS REPORT



LAC LA RONGE INDIAN BAND LAND STATUS REPORT (FOR SURVEYS ONLY)

APPROVED AS TO FORM BY
LLRIB COUNCIL PURSUANT TO
LLRIB LANDS SURVEY POLICY

Signature: _____

Date: Nov 16/21

LAND STATUS REPORT	LAC LA RONGE INDIAN BAND PO BOX 480 LA RONGE, SK S0J 1L0	
PART ONE: PRESENT LAND STATUS		
THE LANDS BEING DEALT WITH ARE KNOWN AS LOT:	PLAN NO.: _____ <input type="checkbox"/> CLSR	RESERVE NAME & NO.:
PRESENT LAND STATUS IS: <input type="checkbox"/> LOCATEE <input type="checkbox"/> LLRIB LANDS		
SHOWN IN THE FIRST NATION LANDS REGISTRY AS:		
THE REGISTRY SHOWS THE LANDS HELD BY:		HELD UNDER PERMANENT INTEREST OR LEASE NO.:
ARE THERE ANY REGISTERED ENCUMBRANCES (EASEMENTS, ROW, ETC) THAT AFFECT THIS PARCEL? <input type="checkbox"/> YES <input type="checkbox"/> NO		
IF YES, LIST ENCUMBRANCES:		
ARE THERE ANY UNSURVEYED REGISTERED INTERESTS IN THE VICINITY OF THIS PARCEL? <input type="checkbox"/> YES <input type="checkbox"/> NO		
COMMENTS:		
PART TWO: PROPOSED LAND TRANSACTION:		
WILL A TRANSACTION BASED ON THIS PLAN BE REGISTERED IN THE FIRST NATION LANDS REGISTRY? <input type="checkbox"/> YES <input type="checkbox"/> NO		
IF NO, WHAT WILL THE PLAN BE USED FOR?		

IS IT REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
IF YES, WHAT TYPE OF TRANSACTION IS PROPOSED? (SPECIFY LENGTH OF LEASE, SUBLEASE, PERMIT, ETC.)	
<input type="checkbox"/> LEASE TERM: __ YEARS <input type="checkbox"/> SUBLEASE TERM: __ YEARS <input type="checkbox"/> PERMIT TERM: __	
<input type="checkbox"/> EASEMENT (ROW) <input type="checkbox"/> ALLOTMENT/OR TRANSFER OF LAND	
ARE THERE ANY PENDING TRANSACTIONS THAT MIGHT AFFECT THIS PARCEL?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	
COMMENTS:	
PART THREE: VERIFICATION	
NAME OF LANDS & RESOURCES DEPARTMENT OFFICIAL:	PHONE:
SIGNATURE:	DATE:
BY SIGNING, I CONFIRM I HAVE REVIEWED THE PROPOSED SURVEY/LAND TRANSACTION AND HAVE SEARCHED THE FIRST NATION LAND REGISTRY RECORDS RELATING TO THE PARCELS AFFECTED BY THIS TRANSACTION. ACCORDING TO THESE RECORDS THE PROPOSED SURVEY/TRANSACTION WILL NOT CAUSE A CONFLICT WITH EXISTING REGISTERED INTERESTS.	