

**ASSOCIATION OF CANADA LANDS SURVEYORS
BOARD OF EXAMINERS**

**EXAMINATION P2
PROPERTY RIGHTS SYSTEMS ON CANADA LANDS**

March 2013

This examination consists of 10 questions on 2 pages.

<u>Q. No</u>	<u>Time: 3 hours</u>	<u>Marks</u>	
		<u>Value</u>	<u>Earned</u>
1.	Land interests in National Parks in Alberta have a unique feature. Please describe it.	10	
2.	Define “specific claim”.	5	
3.	Who owns mineral rights in National Parks?	5	
4.	What is the duty to consult and the honour of the Crown as it pertains to Aboriginal Rights and how do they relate to each other?	15	
5.	What events led to the establishment of Nunavut?	15	
6.	Define: a) straight baseline b) a State’s jurisdictional rights in the Territorial Sea c) innocent passage d) <i>ad medium filum aquae</i> e) foot of the slope (as per UNCLOS Article 76)	5	
7.	Describe the development the legal term “continental shelf” over the past 100 years.	5	
8.	In the November 2012 decision by the International Court of Justice (ICJ) in the Nicaragua-Colombia case, part of the maritime boundary was delimited by the “equi-ratio” method where distances to the nearest points on the coast of Nicaragua are three times the distance to the nearest points on the coast of two small Colombian islands. Consider the coast of Nicaragua as a straight north-south line, and there are two Colombian islands (Providencia & San Andres) each 200 km to the East, and 90 km apart. Draw the Nicaraguan coast, the two small islands, and the equi-ratio line between the Nicaraguan coast and the islands from north of Providencia (the northerly island) to south of San Andres (the southerly island). Drafting accuracy is important.	10	

9.	In the same decision, Colombia was awarded sovereignty of Quito Sueño Cay and its Territorial Sea enclaved within the Nicaraguan EEZ. However the cay is made up of one coral boulder that is 1 metre above high water and about 30 coral low tide elevations up to 13 miles away from that boulder. What will happen to the jurisdiction of this cay as sea level gradually rises because of global warming?	5																																																	
10.	<p>A profile of the ocean is as follows. The distance to the nearest point on the baseline is listed in Column “A”, the depth of water at the location is listed in Column “B”, and the thickness of the sedimentary rock that is under the ocean at that location is listed in Column “C”. Determine the maximum extent of the juridical continental shelf that can be claimed by the coastal State according to the provisions of the United Nations Convention on the Law of the Sea. (1 nautical mile = 1852 metres)</p> <table border="1" data-bbox="292 630 795 1218"> <thead> <tr> <th>“A”</th> <th>“B”</th> <th>“C”</th> </tr> </thead> <tbody> <tr><td>0 km</td><td>0 metres</td><td>---</td></tr> <tr><td>50 km</td><td>100 m</td><td>---</td></tr> <tr><td>100 km</td><td>150 m</td><td>---</td></tr> <tr><td>150 km</td><td>150 m</td><td>---</td></tr> <tr><td>200 km</td><td>170 m</td><td>---</td></tr> <tr><td>250 km</td><td>180 m</td><td>---</td></tr> <tr><td>300 km</td><td>190 m</td><td>---</td></tr> <tr><td>350 km</td><td>200 m</td><td>---</td></tr> <tr><td>400 km</td><td>210 m</td><td>---</td></tr> <tr><td>450 km</td><td>2000 m</td><td>3200 m</td></tr> <tr><td>500 km</td><td>2450 m</td><td>2900 m</td></tr> <tr><td>550 km</td><td>2550 m</td><td>2600 m</td></tr> <tr><td>600 km</td><td>2600 m</td><td>2400 m</td></tr> <tr><td>650 km</td><td>2700 m</td><td>2300 m</td></tr> <tr><td>700 km</td><td>3000 m</td><td>2200 m</td></tr> </tbody> </table>	“A”	“B”	“C”	0 km	0 metres	---	50 km	100 m	---	100 km	150 m	---	150 km	150 m	---	200 km	170 m	---	250 km	180 m	---	300 km	190 m	---	350 km	200 m	---	400 km	210 m	---	450 km	2000 m	3200 m	500 km	2450 m	2900 m	550 km	2550 m	2600 m	600 km	2600 m	2400 m	650 km	2700 m	2300 m	700 km	3000 m	2200 m	10	
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