

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

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

**March 2015**

This examination consists of 12 questions on 3 pages.

<b><u>Q. No</u></b>	<b><u>Time: 3 hours</u></b>	<b><u>Marks</u></b>	
		<b><u>Value</u></b>	<b><u>Earned</u></b>
1.	Land interests in National Parks in Alberta have a unique feature. Please describe it.	10	
2.	What is the First Nation Land Management Act (FNLMA)?	5	
3.	Describe the land registration system(s) for Indian Reserves and its legislation(s).	10	
4.	How is the National Parks Act amended to establish new national parks?	10	
5.	What are the general principles for mineral ownership?	15	
6.	Give a Canadian geographic location appropriate for each of the following Law of the Sea situations: a) closing line at a river mouth, b) a coast that is deeply indented suitable for straight baselines, c) a coast that is appropriate for a normal baseline, d) a coast fringed by islands suitable for straight baselines, e) a body of water that would meet the requirements for “internal waters”.	5	
7.	There are at least five possible pairs of entities in the following list. Find them. a) Continental shelf b) Papal Bull of 1493 c) Grotius d) Spain e) Holland f) England g) United States h) Prime Minister Harper i) 1639 j) 1960 k) Geneva Convention on the Territorial Sea l) Arvid Pardo.	5	
8.	Describe the American and Canadian claims to the maritime boundary west of Juan de Fuca Strait. What are the differences and why? Which country, in your opinion, is closer to what a third-party arbitral tribunal would rule? Why?	5	

9.	<p>Under Article 76 of the UN Convention on the Law of the Sea (UNCLOS), what are the following provisions:</p> <p>a) the extent of the continental shelf claimable when other factors are not applicable (and barring other countries' claims),</p> <p>b) the extent with respect to the territorial sea baselines,</p> <p>c) the extent with respect to the depth of the ocean,</p> <p>d) the extent as a distance from XXX feature,</p> <p>e) the extent as a function of the seabed,</p> <p>f) how do b), c), d) and e) interact,</p> <p>g) frequency of outer points along the claimed outer limit, and</p> <p>h) rules for bilateral maritime boundary?</p>	10	
10.	<p>Does the fact that Canadian researchers have located the hull of HMS <i>Erebus</i> (Capt. Sir John Franklin) alter Canada's claim to internal waters amongst the Arctic Islands and to the continental shelf in the Arctic Ocean? Substantiate your answer.</p>	5	
11.	<p>Eastport, Maine, is a deep-water port along the U.S. Atlantic seaboard but a deep-draft ship can only access it by navigating a one-mile wide channel between Campobello Island (New Brunswick) and the New Brunswick mainland and other islands. Discuss Canada's capabilities to regulate U.S. tanker traffic in each area of legal jurisdiction from "Fundian Channel" in the Gulf of Maine (see attached map) to Eastport. The attached map is for your convenience in understanding the geography.</p>	10	
12.	<p>Which Federal agency (or agencies) or department(s) is responsible for:</p> <p>a) Nautical charts,</p> <p>b) Search and rescue,</p> <p>c) Negotiation of a maritime boundary,</p> <p>d) Fishery enforcement,</p> <p>e) Oil exploration permits offshore,</p> <p>f) Navigation aids,</p> <p>g) Illegal immigrants (coming by ship),</p> <p>h) Geological structures of the seabed,</p> <p>i) Tidal predictions, and</p> <p>j) Management of underwater cables?</p>	10	
	<b>Total Marks:</b>	100	

