

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

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

**October 2014**

This examination consists of 12 questions on 2 pages.

<u>Q. No</u>	<u>Time: 3 hours</u>	<u>Marks</u>	
		<u>Value</u>	<u>Earned</u>
1.	What is a National Park and who owns park land?	8	
2.	Differentiate between a surrender and a designation as it relates to First Nations (Indian) Reserves.	10	
3.	Are Aboriginal lands protected in Canada? Please discuss.	15	
4.	Define "Specific Claim".	5	
5.	Provide a definition of Reserve lands in Canada.	5	
6.	What are settlement lands in Yukon?	7	
7.	What is the significance of the following with respect to the development of the law of the sea: a) Treaty of Tordesillas (1494) b) Mare Clausum (1635) c) Truman Proclamation (1945) d) Geneva Convention on the Continental Shelf (1958) e) Pardo Resolution (circa 1967)	5	
8.	Under the United Nations Convention on the Law of the Sea (1982), a State can claim various areas of legal jurisdiction seaward of the low water line. Select two adjacent areas and describe their legal differences.	5	
9.	Provide Canadian examples of the following territorial sea baselines either by a free-hand drawn map or by geographic naming of the location. Alternatively, and for half marks, provide a free-hand drawn map showing an idealized situation. For either alternative, indicate any limitations that are specified by UNCLOS. a) normal baseline b) low tide elevation c) straight baseline along a coast that is deeply indented d) straight baseline along a coast that is fringed by islands e) legal bay closing line f) historic bay closing line g) river mouth closing line	10	

10.	a) In the 1992 decision of the <i>ad hoc</i> Court of Arbitration concerning the Maritime Delimitation between Canada and France, the court used a test of proportionality. In general terms, what is a Test of Proportionality? b) In that dispute, what is your opinion as to the relevant area. Substantiate your opinion.	10	
11.	In December 2013, Canada submitted its claim for a continental shelf off Canada's Atlantic coast to the United Nations' Commission on the Limits of the Continental Shelf (CLCS). Just before making that submission, Prime Minister Harper requested that the submission not include a claim for a continental shelf off Canada's Arctic coast but that Canada must do more surveys. What type of surveys could be done, how would they be typically performed, and for what purpose (be specific in terms of Article 76 requirements)? What areas is Prime Minister Harper hoping to gain?	8 2	
12.	Define the responsibilities of the Canadian Hydrographic Service (DFO), Geological Survey of Canada (NRCan), and Surveyor General Branch (NRCan) as they relate to the offshore.	10	
	<b>Total Marks:</b>	100	