

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

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

October 2015

This examination consists of 13 questions on 5 pages.

<u>Q. No</u>	<u>Time: 3 hours</u>	<u>Marks</u>	
		<u>Value</u>	<u>Earned</u>
1.	Explain what Commissioner's Lands and Territorial Lands are in the Northwest Territories, and who has administration and control of them.	10	
2.	What is a Certificate of Possession (CP) as it applies to Indian Reserves?	5	
3.	Who manages oil and gas rights on Indian Reserves and under what authority?	5	
4.	Who manages surface rights of Territorial lands in Nunavut?	5	
5.	Can Indian Reserve land be expropriated? Please explain.	10	
6.	Aboriginal Affairs and Northern Development Canada (AANDC) has a number of devolution initiatives through which First Nations can gain more control over the management of their lands. Briefly describe two of AANDC's devolution initiatives where the First Nation does not operate under the Indian Act.	15	
7.	Explain the distinctions between sovereignty, sovereign rights and jurisdiction in public maritime law.	5	
8.	Some miscellaneous questions: a) Does the United Nations Convention on the Law of the Sea (UNCLOS) apply in the Great Lakes? b) Is the territorial sea limit of Sable Island 12 nautical miles from: i) day-to-day Low Water Line, ii) the Low Water Line as it appears on the most recent CHS largest-scale chart, iii) the Low Water Line of the most recent survey, iv) the Low Water Line of the edition of the chart referred to in the Order-in-Council that was available when the Order-in-Council came into force? c) Why is it important that Canadian Coast Guard man the lighthouse at Machias Seal Island? d) Where is Hans Island: i) Arctic Ocean, ii) Baffin Bay, iii) Northwest Passage, iv) other (if so, describe)? e) Define the "foot of the slope" as used in Article 76 of UNCLOS.	5	
9.	In your own words, define the geometric properties of: a) the inner and outer limits of "internal waters"; b) the inner and outer limits of the territorial sea;	10	

	c) the inner and outer limits of the contiguous zone; d) the inner and outer limits of the exclusive economic zone (EEZ); and e) the vertically deepest and shallowest limit of UNCLOS's definition of the continental shelf. (That is, the depths that limit the rights of the State.)		
10.	Construct the equidistance line in Hecate Strait and Queen Charlotte Sound on the attached map. Show your construction lines. The map must be handed in. Marks will be given for accuracy.	10	
11.	In December 2013, Canada submitted to the United Nations' Commission on the Limits of the Continental Shelf (CLCS) its claim to a continental shelf off eastern Canada beyond 200 nm from the low water line. What are the next steps (for the CLCS and for Canada) in formalizing the outer limit of the continental shelf in that area?	5	
12.	What are the parameters that define the outer limit of the continental shelf in the 1958 Geneva Convention on the Continental Shelf and the parameters that define the outer limit of the continental shelf in the United Nations Convention on the Law of the Sea (1982)? What is the significance of the differences?	10	
13.	Which federal departments, or portions thereof, of the Canadian government are responsible for: a) writing and updating the Order in Council defining Canada's territorial sea baselines; b) depicting the territorial sea limit on maps or charts to be officially recognized by the United Nations; c) finding, locating and prosecuting foreigners fishing inside Canada's exclusive economic zone; d) measuring the depth of the sedimentary rock of the sea bed; and e) defining the limits of oil exploration licenses in the Arctic Ocean?	5	
	Total Marks:	100	