



# The Register

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*The staff at  
West Coast wish you  
all the best of the  
holiday season and a  
Happy, Healthy &  
Prosperous 2006!*

**STATUTORY  
HOLIDAYS  
2006**

The Court Registries and Land Title Offices will be closed on the following dates in the coming year 2006:

January 2 (New Year's Day - Monday)

April 14 (Good Friday)

April 17 (Easter Monday)

May 22 (Victoria Day - Monday)

July 3 (Canada Day - Monday)

August 7 (BC Civic Holiday - Monday)

September 4 (Labour Day - Monday)

October 9 (Thanksgiving - Monday)

November 13 (Remembrance Day - Monday)

December 25 (Christmas - Monday)

December 26 (Boxing Day - Tuesday)

## Land

### UPDATE

#### Transmissions to Executor/Administrator

If an individual owns property or is a tenant in common and dies, the interest of the deceased must be transmitted to an **executor** (if the deceased prepared a will and appointed an executor) or to an **administrator** (if the deceased died without a will or if an executor was not named in the will). To transmit to a personal representative, you must file a Form 17 application with a *court certified* copy of Letters Probate/Letters of Administration and an *office copy* of the List of Assets, Liabilities and Distribution.

#### More Than One Property

- If there is more than one property shown on the List of Assets, Liabilities and Distribution, you **must transmit all the properties listed at the same time**. It is not necessary to obtain more than one court certified copy of Probate documents or office copy of the Lists of Assets, Liabilities and Distribution. Just file one set of documents with the first Form 17 application and refer to this registration number on all subsequent applications, **or** include all legals on one Form 17.

#### Name Discrepancies

- If the name of the deceased on title does not match exactly the name of the deceased shown on the Letters Probate/Letters of Administration, the Land Title Office will not accept a statutory declaration to deal with the name discrepancy. You must do another Wills Search in the name of the deceased as shown on the title and obtain an amended copy of the Letters Probate/Letters of Administration to add this additional name variation.

#### Completing the Form 17

- When completing the Form 17 with the name and address of the Executor/Administrator, **do not show all the name variations of the deceased** shown on the Letters Probate/Letters of Administration. Rather, just show the name of the deceased *as he/she appears on title*.
- It is not necessary to indicate a personal occupation for the Executor/Administrator. However, their capacity as "*Executor/Administrator of the Will/Estate of \_\_\_\_\_, Deceased*" must be shown.

## Court

### UPDATE

#### Movement of Court Files from New Westminster

If a file is required for a hearing or a trial in another Court Registry, the New Westminster Registry must be advised a **minimum of five business days in advance**. This will ensure the proper documentation is completed internally and the necessary time is afforded to the Registry for the movement of the file to the designated Registry. The New Westminster Registry will no longer allow agents to transfer the files due to time limitations.

To move a court file, a Requisition should be filed setting out **where** the file is to be sent and **why** the file is to be sent.

- If the file is being transferred **pursuant to an order**, a copy of the entered order must be attached to the Requisition.
- If the file is being transferred **for a hearing**, a copy (*a draft is acceptable*) of the document setting down the hearing at the other Registry must be attached to the Requisition.

## Corporate

### UPDATE

#### Three Months to Transition



March 28, 2006 is the deadline for transitioning BC companies registered under the *Company Act* to the new *Business Corporations Act*. All BC companies incorporated before March 29, 2004 are required to file a Transition Application to update the information that is on file with the Corporate Registry. A company that fails to file a Transition Application by the March 28<sup>th</sup> deadline will receive a notice from the registrar indicating that the company is in default of its obligations under the *Business Corporations Act*. If the company does not respond within the timeframe indicated in the notice, the registrar will take action to dissolve the company.

The *BCA Transition Guide* which is available online at [www.bconline.gov.bc.ca](http://www.bconline.gov.bc.ca) explains the requirements involved in the transition process. The Corporate Registry also offers a *Transition Package* that includes a certified copy of the company's current Memorandum and Articles as well as the Transition Guide at the reduced disbursement of \$40. West Coast would be pleased to order these for you should you require them.

For further information, please see the above website or call our Corporate department in our Victoria office at 405.6000 or toll free at 1.800.667.7767.

#### Consents for Online Corporate Registrations

For online corporate registrations, where the corporate name requires a consent to use the name, the consent must be received by the Corporate Registry before the online filing can be completed. Once the Registry receives the consent, the name will be 'unlocked' and the online registration can proceed. **Note:** Consents can be sent directly to the Registry by fax to (250) 356.0206.

## West Coast UPDATE

### Computer Mousepads

In November, 2005, West Coast distributed computer mousepads imprinted with two year calendars for 2006 and 2007. We have received many favourable comments from our clients that these mousepads are very useful in making future Court dates.

If you did not receive a mousepad, please contact Kelly Buziak in our Client Services department at 604.659.8610 or toll free at 1.800.553.1936 or e-mail your request to [info@wcts.com](mailto:info@wcts.com).

### Winter Weather Warning

*Adverse Weather Conditions  
Can Delay Midday Service to  
Victoria and Overnight Couriers*

#### Midday Service to Victoria

Since flights can be delayed without warning in the winter months, it is best not to rely on our **midday service** from **Vancouver to Victoria** for documents that must be filed on a specific day. High winds and fog can affect whether or not Helijet and other airlines will operate on time or even at all.

#### Overnight Couriers

Our **overnight couriers** provide **next day service** to most locations in BC and across Canada. For remote locations, however, it can take two or three business days. During winter months, road conditions and adverse weather can cause unexpected delays and longer turnaround times.

#### Specific Day Filings/Registrations

If you require filing/registration on a specific day, where it is necessary to send your documents *outside the Lower Mainland*, please forward your documents to our Vancouver office by **4:45 p.m. the day before your deadline for filing** and indicate the filing date on your invoice.



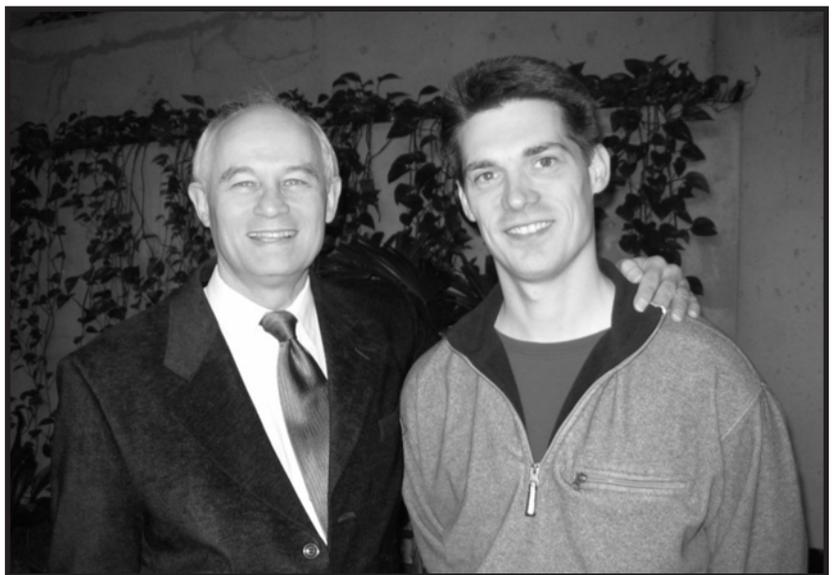
## Staff ANNIVERSARIES



West Coast is very pleased to announce that two staff members have recently celebrated significant **anniversary milestones**. On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate both Peggy and Roy for their many years of dedicated service and say "Thank You For a Job Well Done!"



**Peggy Forrester** - New Westminster Land Manager  
25 Years - November 3rd, 2005



**Roy Schindell** - Vancouver Messenger and  
Small Claims Court Registry Clerk  
15 Years - November 13th, 2005

## Asked & Answered ~ A Court Question

**Question:** *How do I count days for filing my trial certificate?*

**Answer:** Trial certificates must be filed *not more than 30 days* and *not less than 14 days* before the date set for trial [Rule 39(19)]. The deadline for filing is often stated as “14 clear days”. To calculate clear days, do not count the first or last days. Clear days are the number of days in between the first and the last day. *For example*, two clear days from Monday the 1<sup>st</sup> is Thursday the 4<sup>th</sup>.

**Note:** When calculating any time limit of 7 days or longer, weekends and holidays are included [Rule 3(1)(a)]. Also, if your last day to file falls on a weekend or holiday, the time for filing is extended to the next day that the court is open (Section 25 of the *Interpretation Act*).

*“You asked . . . We answered.”*

### Keeping You Informed

Below is a list of memorandums and notices that we have sent out since our last newsletter. For additional copies, please call our Client Services department at 604.659.8610 or toll free at 1.800.553.1936. You may also view these on our website at [www.wcts.com](http://www.wcts.com) under the *News and Updates* button or e-mail your request to [info@wcts.com](mailto:info@wcts.com).

#### CORPORATE/MHR/PPR

None issued

#### COURT

- **October 11, 2005** - Supreme Court Changes Regarding Default Judgments
- **October 12, 2005** - 2006 Victoria Court of Appeal Sittings
- **November 10, 2005** - New Westminster Changes to Chambers Schedule
- **December 1, 2005** - Victoria Master's Schedule for December 2005

#### LAND

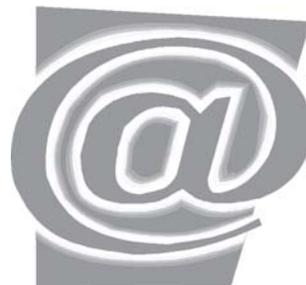
None issued

### E-Mail Service

**[info@wcts.com](mailto:info@wcts.com)**

In addition to sending work requests via our run system or by fax, work requests may be sent via e-mail to [info@wcts.com](mailto:info@wcts.com). These requests will be received in our New Westminster office and forwarded to the department where your work will be processed. We will e-mail confirmation, *generally within five minutes*, so that you will know your request has been received.

If you do not receive confirmation from us **within 15 minutes**, please contact Marian Bragg or Linda Gomez at 604.659.8600 or toll free at 1.800.553.1936.



 **The Register**

*The Register* is the newsletter of **West Coast Title Search Ltd.** It is available free of charge and we encourage you to use the information to assist you with your work.

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