

The Names of Homes Act

being

Chapter N-1 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan, 1992, c.73; 1998, c.P-42.1; 2000, c.L-5.1; 2010, c.B-12; 2013, c.O-4.2; 2021, c.6 and c.29; and 2022, c.26.*

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER N-1

An Act to provide for the Registration of Names of Homes

SHORT TITLE

Short title

1 This Act may be cited as *The Names of Homes Act*.

INTERPRETATION

Interpretation

2 In this Act:

(a) **“home”** means a lot, farm, ranch or other land, except land within a summer resort, upon which is situated a dwelling house;

(a.1) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;

(b) **“registrar”** means the Registrar of Corporations.

R.S.S. 1978, c.N-1, s.2; 1998, c.P-42.1, s.42;
2010, c.B-12, s.44; 2013, c.O-4.2, s.113; 2021, c6,
s.23-26.

REGISTRATION

Application

3 A person owning a home in Saskatchewan and desiring to register a name for it may make and sign an application (form A) setting forth the name selected, the person's name in full, occupation and post office address, and, if the property is situated in a municipality with streets and numbers, the name of the street and the number of the residence, together with a description of the property of record in the Land Titles Registry.

R.S.S. 1978, c.N-1, s.3; 2000, c.L-5.1, s.356;
2021, c29, s.8.

Deposit with registrar

4 Such person shall deposit the application, with the registrar who may thereupon publish a notice of the application (form B) in one issue of *The Saskatchewan Gazette*.

R.S.S. 1978, c.N-1, s.4; 1992, c.73, s.4; 2013,
c.O-4.2, s.114; 2022, c26, s.15.

Registration

5(1) At the expiration of sixty days from the date of the publication, the registrar shall, if satisfied that there is no valid objection to registration and subject to the provisions of subsection (1) of section 7, register in a book to be kept for the purpose, the name applied for, together with a description of the property which it is to designate and the name of the applicant.

(2) The book mentioned in subsection (1) is a public registry of the people of Saskatchewan.

(3) All information in the book mentioned in subsection (1) is the property of the Government of Saskatchewan.

R.S.S. 1978, c.N-1, s.5; 2013, c.O-4.2, s.115.

Certificate

6 The registrar shall thereupon issue to the applicant a certificate of registration (Form C), and may publish a copy of the certificate in one issue of the *Gazette*.

R.S.S. 1978, c.N-1, s.6; 2022, c26, s.15.

Similar name

7(1) The registrar shall not register a name identical with or similar to a name already registered or so nearly resembling it as to be calculated to deceive.

(2) No person shall knowingly adopt or use a name for the person's home identical with or similar to a name already registered or so nearly resembling it as to be calculated to deceive.

R.S.S. 1978, c.N-1, s.7; 2021, c29, s.8.

Devolution of name

8(1) Subject to subsection (2), every name registered pursuant to this Act shall attach to the land described in the application, and shall pass with the land to a transferee or lessee or to the executor or administrator of a deceased owner.

(2) In the event of an agreement that the name shall not pass on a sale or lease of the home or of a provision in a will that the name shall not pass with the land, the registrar may, on receipt of a written application from the person entitled to the exclusive use of the name, accompanied by proof to the registrar's satisfaction of such agreement or provision, register the name in respect of a new home and cancel it in relation to the property that it originally designated.

(3) The person reserving the right to use the name or the person for whose benefit the name is reserved, may relinquish the right to use the name, and the registrar may cancel the registration of the name either forthwith or upon the production of such further evidence as the registrar may require to satisfy the registrar of the person's right to relinquish the use of the name.

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(4) If the land described in an application is composed of more than one registered parcel and any of such parcels are so disposed of that the parcels are owned by different persons, the registered name shall remain attached only to the parcel of land upon which the home of the person who made the application is situated.

R.S.S. 1978, c.N-1, s.8; 2021, c29, s.8.

Notice relinquishing right to name

9 A person owning a home, the name of which is registered under this Act, may relinquish the right to the exclusive use of the name by filing with the registrar a notice (form D) together with an abstract of title to the lands in question.

R.S.S. 1978, c.N-1, s.9.

Purpose of Act

10 The foregoing provisions shall be deemed to have been enacted only for the purpose of conferring a right to the exclusive use of a name to designate a home.

R.S.S. 1978, c.N-1, s.10.

Penalty

11 A person violating any of the provisions of this Act is guilty of an offence and liable on summary conviction to a fine not exceeding \$25 and in default of payment to imprisonment for a period not exceeding thirty days.

R.S.S. 1978, c.N-1, s.11.

Injunction

12 In the event of a continued violation of subsection (2) of section 7, the person entitled to the use of the registered name shall have a right of action to restrain the violation by injunction.

R.S.S. 1978, c.N-1, s.12.

Non-applicability of sections 11 and 12

13 Sections 11 and 12 do not apply to a person who had designated the person's home, prior to the first day of May, 1927, by a name registered under this Act.

R.S.S. 1978, c.N-1, s.13; 2021, c29, s.8.

Registered brand

14 If a person who is the owner of a registered brand registers it as the name or as part of the name of the person's home, the person is entitled to use that name only so long as the person is registered as the owner of the brand, and, if another person becomes the registered owner of the brand, the registrar may upon ascertaining the fact cancel the registration of that name as the name of the home of the former owner.

R.S.S. 1978, c.N-1, s.14; 2021, c29, s.8.

Pedigree prefix

15 No person shall register as the name of the person's home, or as part thereof, a pedigree prefix registered in the Canadian National Live Stock Records, except the person who registered the prefix.

R.S.S. 1978, c.N-1, s.15; 2021, c.29, s.8.

Fees and charges of registrar

16(1) The minister may, by order, establish:

- (a) the fees, charges and taxes payable with respect to all services provided pursuant to this Act; and
 - (b) the method of payment of those fees, charges and taxes.
- (2) The minister shall cause notice of the fees, charges and taxes established pursuant to subsection (1) to be published in the Gazette.
- (3) Notwithstanding subsection (1), the registrar may enter into an agreement with a person to provide a special service to that person if, in the opinion of the registrar, a fee, charge or tax mentioned in subsection (1) is not adequate to allow the registrar to provide that service to the person.
- (4) If the registrar considers it appropriate or necessary, the registrar may:
- (a) waive any fees, charges or taxes, in whole or in part; or
 - (b) refund any fees, charges or taxes, in whole or in part.
- (5) The registrar is not required to perform any function pursuant to this Act or the regulations until the appropriate fee, charge or tax is paid or arrangements for its payment are made.
- (6) All revenues derived from fees, charges or taxes imposed or collected pursuant to this Act are to be paid to and are the property of the Government of Saskatchewan, unless the Lieutenant Governor in Council directs otherwise.

2013, c.O-4.2, s.116.

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SCHEDULE

FORM A
[Section 3]

APPLICATION FOR REGISTRATION

I, _____ of the _____ of _____
in the Province of Saskatchewan, _____ being
the owner of lot _____ in block _____, according to a map or
plan of the _____ of _____ of record in the Land Surveys Directory
Plan _____ being No. _____ on Street (or Avenue, as the
case may be), or _____ quarter of section _____, township _____,
range _____, west of the _____ meridian, hereby make
application to the Registrar of Corporations for the registration of the name
“ _____ ” as the name of the home erected on the said property.

2000, c.L-5.1, s.357; 2010, c.B-12, s.44; 2021, c.6,
s.23-26.

FORM B
[Section 4]

NOTICE OF APPLICATION

Take notice that _____, of the _____ of _____
in Saskatchewan, _____, has deposited with me, under the
provisions of *The Names of Homes Act*, an application for the registration of the name
' _____',
as the name of the applicant's home, situated on lot _____, block _____,
plan _____, (name of city or town) or the _____ quarter of section _____,
township _____, range _____, west of the _____ meridian (as the case may be).

If no valid objection to this registration is made to me within 60 days, the application
will be granted and the applicant shall thereafter have the exclusive right to use the
registered name as the name of the applicant's home.

Dated at _____, Saskatchewan this day of _____, 20 _____.

Registrar of Corporations

2021, c.29, s.8; 2021, c.6, s.23-26.

FORM C
[Section 6]

CERTIFICATE OF REGISTRATION

Canada
Province of Saskatchewan.

This to certify that _____, of the _____ of _____
in Saskatchewan, has been granted the exclusive use of the name
' _____ ' as the name of the home
situated on lot _____, block _____, plan _____, (*name of city or town*)
or the _____ quarter of section _____, township _____, range _____,
west of the _____ meridian (*as the case may be*), pursuant to the provisions
of *The Names of Homes Act*.

Given under my hand and seal at Regina this _____ day of _____ 20 _____.

Registrar of Corporations

2021, c 29, s.8; 2021, c 6, s.23-26.

FORM D
[Section 9]

NOTICE OF RELINQUISHMENT

Take notice that I _____, of the _____ of _____
in Saskatchewan, being the registered owner of my home situated on lot _____,
block _____, plan _____ (name of city or town), or the _____ quarter
of section _____, township _____, range _____, west of the _____ meridian
(as the case may be), hereby relinquish the name ' _____',
as the name of the home situated on that land.

Dated at _____, in Saskatchewan this day of _____, 20 ____.

Witness

I, _____, of _____
in Saskatchewan, make oath and say:

- 1 That I was personally present and did see _____ named in the within instrument, who is personally known to me to be the person named in it, duly sign and execute the same for the purposes named in it.
- 2 That the said instrument was executed at the _____ in the _____, and that I am the subscribing witness to it.
- 3 That I know _____, and _____ is in my belief 18 years of age or more.

SWORN/AFFIRMED before me

at _____, Saskatchewan,
this _____ day of _____,
2 _____.

(signature)

A Commissioner for Oaths for Saskatchewan
My commission expires _____.

