FIRST NATIONS LAND MANAGEMENT RESOURCE CENTRE

SPECIAL INTEREST WORKSHOP SERIES

bc Land Title & Survey

FIRST NATIONS NATIONAL LAND REGISTRY PROJECT

September 15, 2021
9:00 AM PDT / 12:00 PM EDT

WELCOME

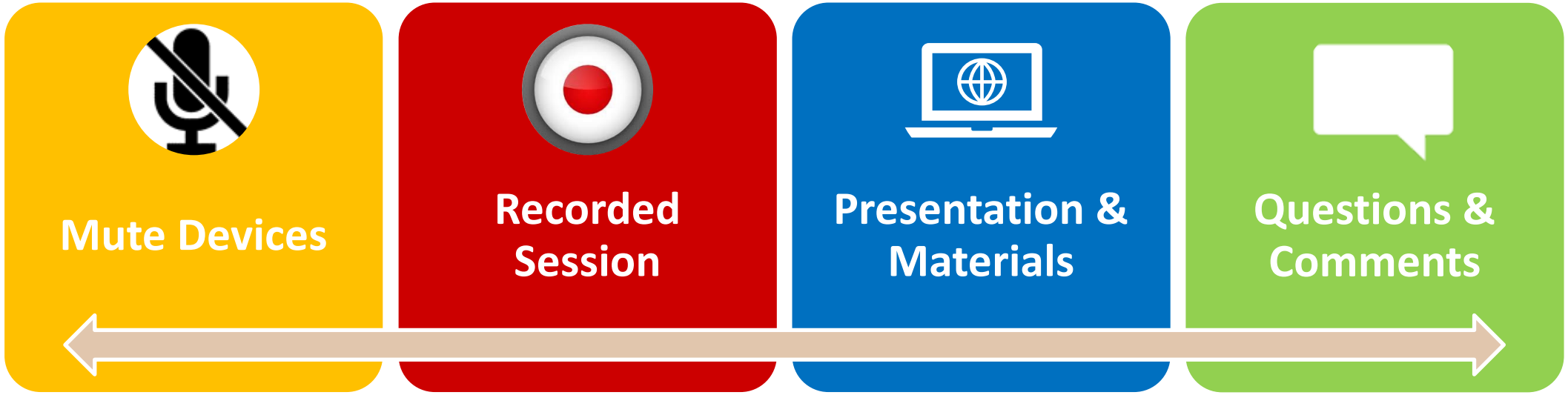
FIRST NATIONS LAND MANAGEMENT RESOURCE CENTRE

bc Land Title & Survey

Angie Derrickson

TMPD Manager

GUIDELINES & TOOLS



AGENDA & OBJECTIVES

9:00 AM	WELCOMING
9:10 AM	INTRODUCTION & RECAP
9:20 AM	VISION & GOALS
10:10 AM	BODY BREAK
10:25 AM	VISION & GOALS (cont.)
11:10 AM	KEY CHANGES TO PRODUCTS & SERVICES
11:45 AM	NEXT STEPS & LONG-TERM PLAN
12:00 PM	CLOSE OF WORKSHOP

PROJECT TEAM

Resource Centre

- Meko Nicholas
- Steve Aronson
- Angie Derrickson
- Tania Bigstone
- Leeanna Rhodes

Deloitte

- Christian Kittleson
- Stewart Young
- Julia Woolsey

Land Title & Survey Authority of BC

- Gregory Steves
- Brian Greening
- John Hay
- Glenn Pope

Introductions & Overview

Brian Greening

LTSA, Director ParcelMap BC Products

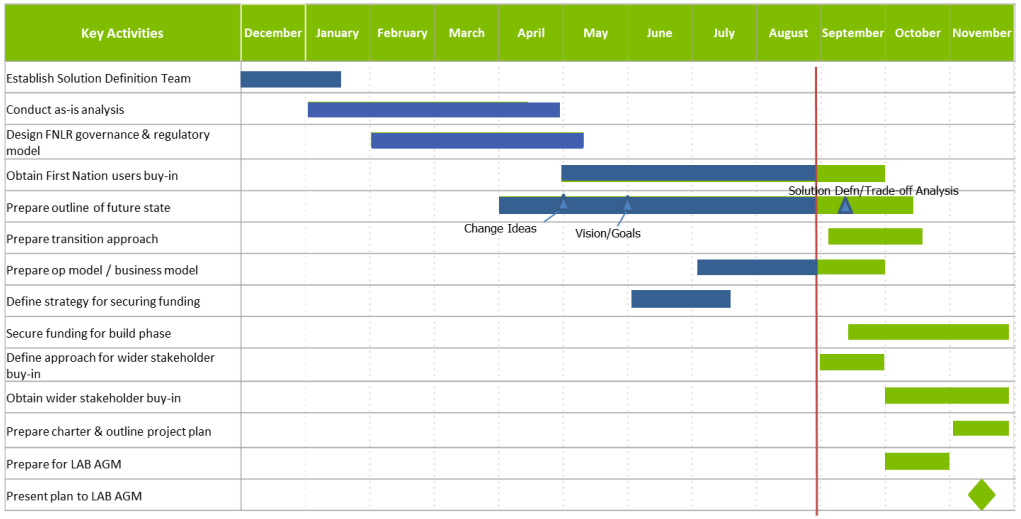
INTRODUCTION

Project Recap:

- LAB AGM 2020 – Memo of Understanding to kick off this initiative
- Spring 2021: Working Group consultations (incl ISC, CIR, SGB & LAB RC)
- **May 6th Introductory Session**: Introductions, Demo & Current State Workshop
- **June 16th Workshop**: Focus on Future State Products & Services

Summer has focused on:

1. Complete Current State Assessment Report
2. Develop Future State Needs Assessment
3. Formulate First Nations National Land Registry Proposal



PROJECT OVERVIEW

Consultation informed **Current State Assessment** in several key areas:

- FN Land Registry and Survey Process in Canada
- Players involved in the regulation & delivery
- FNLRS Objectives & Services
- Survey Services and Records
- One system and database acts as electronic land register (ILRS, FNLRS, SGFNLRS)

PROJECT OVERVIEW

Future State Needs Assessment identified key areas for improvement:

- Governance / Regulatory
- Business
- Technology

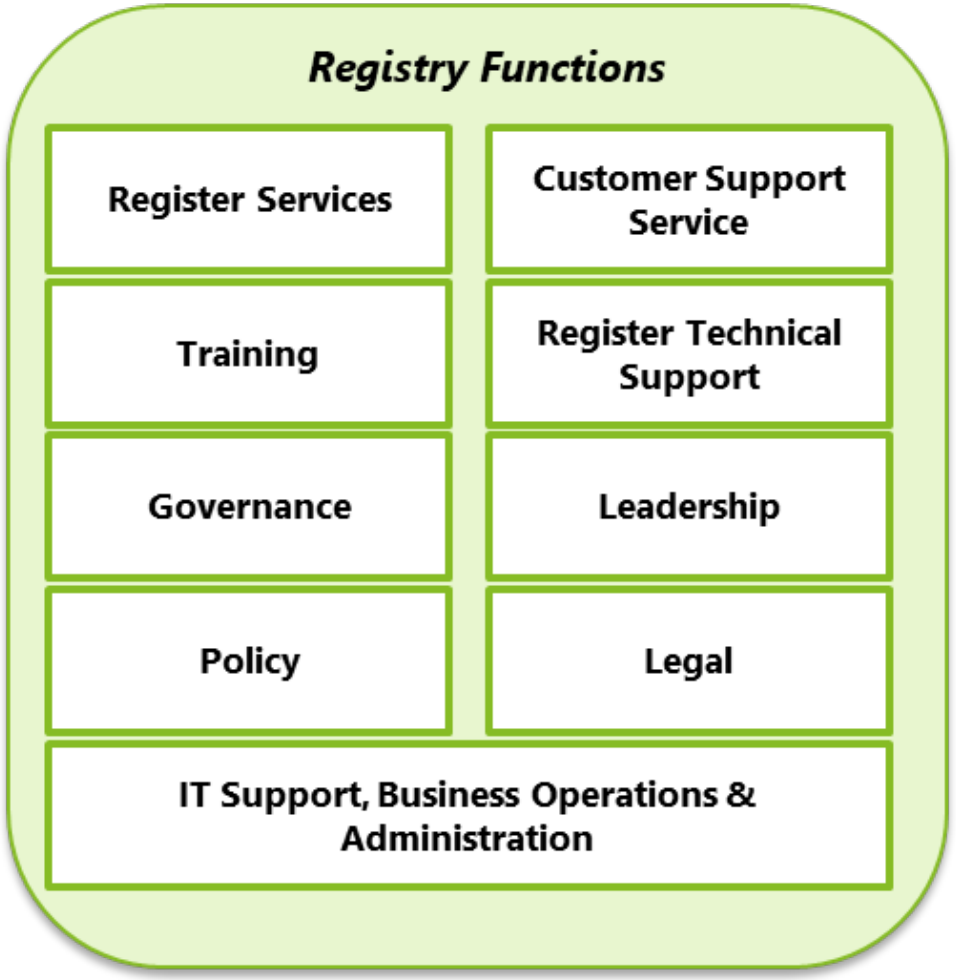
PROJECT OVERVIEW

First Nations National Land Registry Proposal uses a multi layered framework proposing a path to the **Future State** addressing the **Vision & Goals**

Regulatory	Legislation, Regulations, Policies
Governance	Governing Bodies, Responsibilities
Business	Customers, Services, Channels, Products, Org Structure, Staff Roles, Cost, Processes
Data	Entities & Relationships, Lifecycles & Longevity, Volumes & Growth
Applications	Users/Roles, Functions, Configurability, Interoperability
Technology	Platform(s), Data Persistence (e.g., DBMS), Software Stack, Codebase, APIs

PROJECT OVERVIEW

Key to the Proposal is the **Service Delivery Model** for delivering required Registry Functions



ENGAGEMENT 2021

- First Nation Special Interest Workshops (May 6, Jun 16 & Today)
- Meetings with Canada (incl. Jul 5 Presentation to CIR, ISC & SGB)
- Meeting with Association of Canada Lands Surveyors Members (Jul 15)
- Meeting and support from Westbank First Nation (Aug 19)
- Support letter from First Nations Tax Commission (FNTC)

VISION & GOALS

Julia Woolsey
Deloitte, Manager

Meko Nicholas
RC, Executive Director

Stewart Young
Deloitte, Senior Manager

Glenn Pope
LTSA, Senior Solutions Architect

VISION

The vision for the First Nations National Land Registry is to establish a **shared**, **comprehensive**, **trusted**, **sustainable**, and **First Nations governed** land registry for lands governed under a Land Code or self-government arrangement

Shared	• Serves all participating First Nations within a single shared registry while respecting the land registration autonomy and individuality of each First Nation
Comprehensive	• Encompasses all registered interests and records, inclusive of the corresponding boundary definition
Trusted	• Includes authoritative records using a regulatory framework that ensures the timely and accurate registration of instruments related to First Nations Lands
First Nations Governed	• Governed, regulated and operated by a First Nations organization with the participation and guidance of stakeholders
Sustainable	• Operations are financially self-sustainable and able to respond to changing needs through improved services, products and technology

SUMMARY OF GOALS

National Land Registry for First Nations

1. Governed by First Nations
2. Serves all Land Code and participating SG First Nations
3. Provides a comprehensive register of interests
4. Builds trust
5. Strengthens land administration
6. Enhances land registry experience
7. Streamlines land operations

GOAL 1A – GOVERNED BY FIRST NATIONS

Current Situation

1. First Nation Land Registry is one of 20+ services/systems run by Indigenous Services Canada
2. FNLRS & SGFNLRS services, system, land register data model are a virtually the same as the ILRS capability, designed to meet the requirements from the Indian Act.

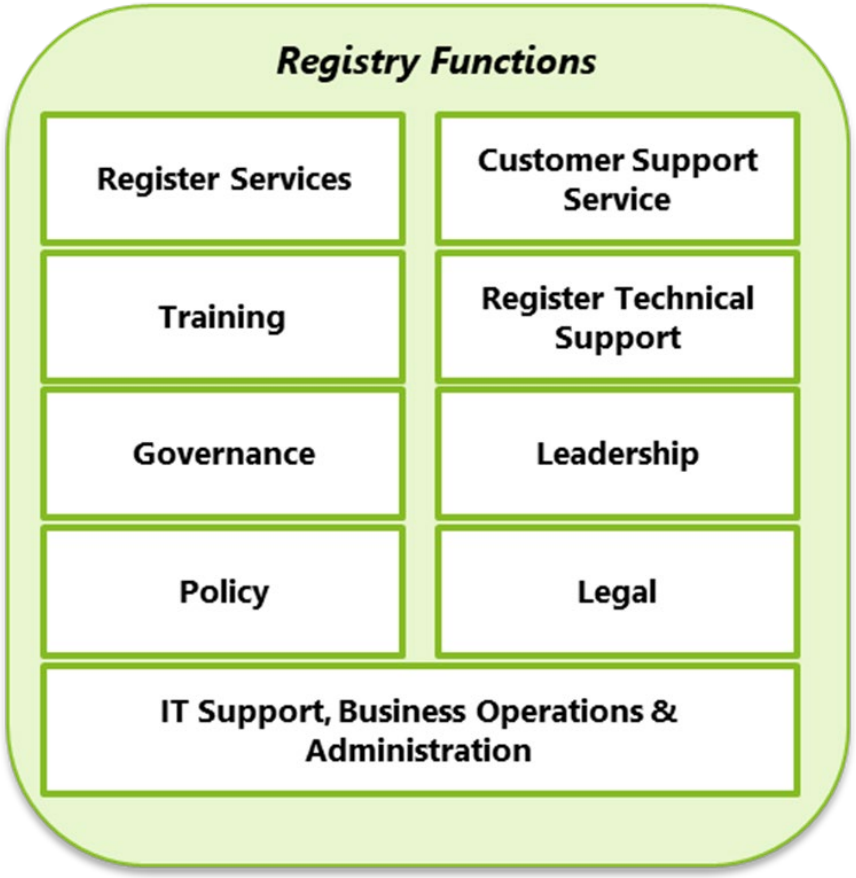
Goal 1 (a) – Operated by First Nations

Governed, regulated, and operated by a dedicated First Nations member organization for use by First Nations and other users with the participation and guidance of all stakeholders.

Some Specific Examples

1. **Establishing RegCo:** Created for the unique needs of FA First Nations Land Management
2. **Establishing Governance and Regulation:** Inspired by and based on other FN governance structures

GOAL 1A – GOVERNED BY FIRST NATIONS – REGISTRY INTRODUCTION

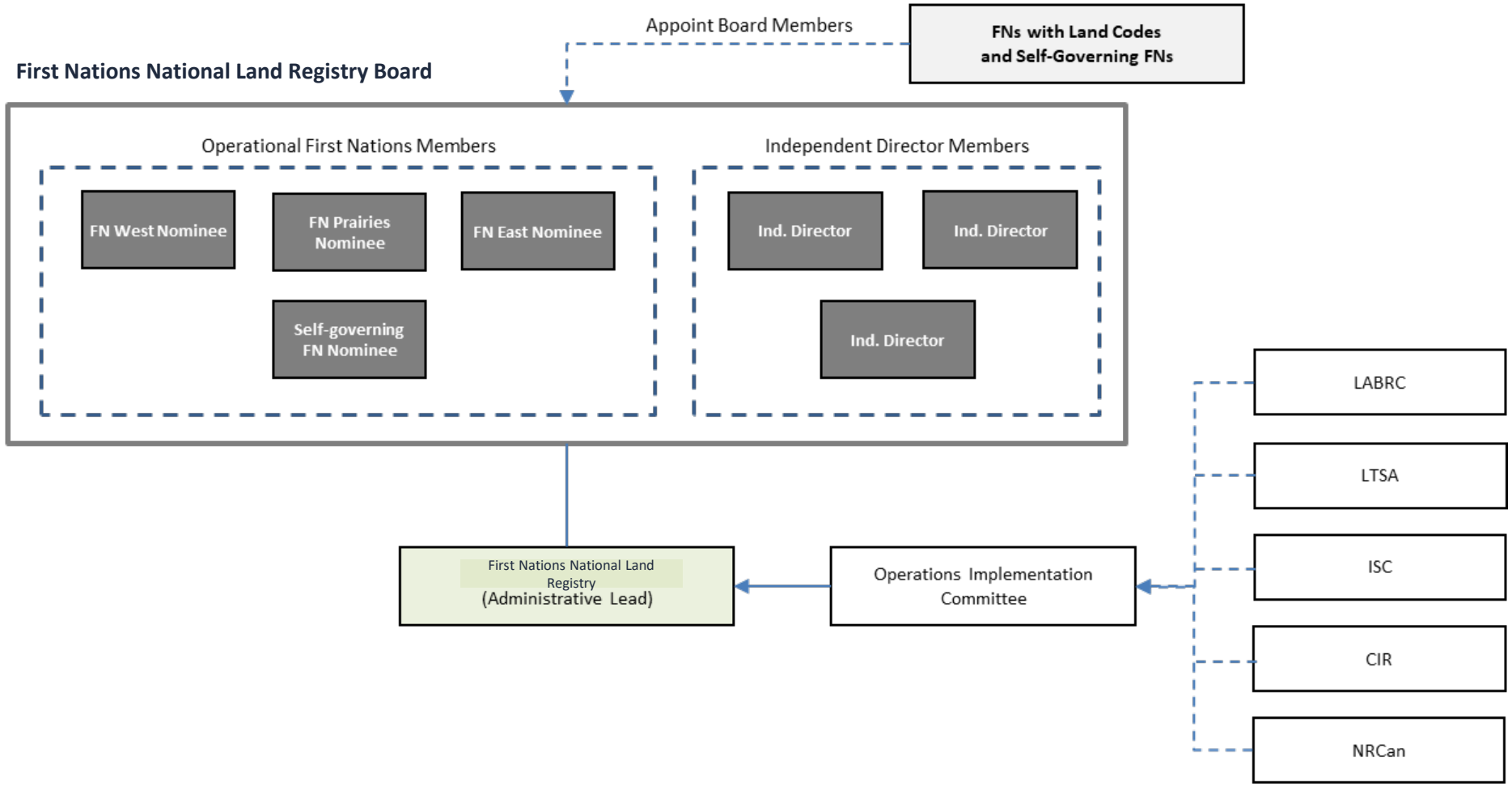


Canada has expressed support for the research and development of the proposal to create a new registry that will be operated by First Nations.

The Registry will become the independent, not-for-profit organization that will manage and deliver the new register and services.

The Registry will make the vision for the new register a reality by operationalizing various leadership, business and land management functions.

GOAL 1A – GOVERNED BY FIRST NATIONS – REGISTRY DRAFT GOVERNANCE STRUCTURE



GOAL 1B – GOVERNED BY FIRST NATIONS

Current Situation

1. A First Nation might not have people solely dedicated to a Land administration role.
2. Materials for land code and self-government land registry practices not widely available.

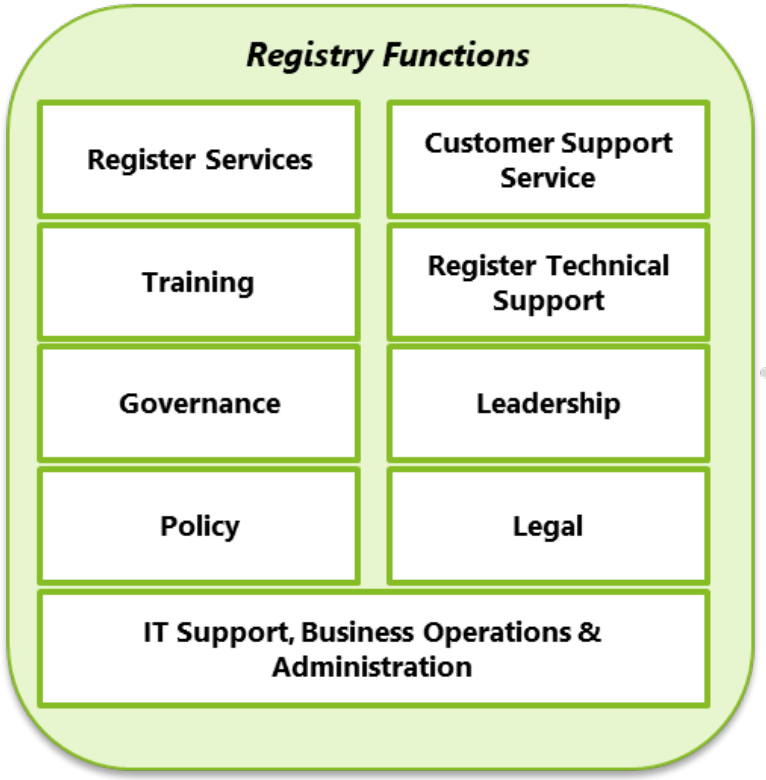
Goal 1 (b) – Empowering First Nations

Empowering First Nations land authority and land management: by ensuring that First Nations have the knowledge, resources, and Registry services to be successful and effective.

Some Specific Examples

1. Defining services that enhance the land registry experience and are value add to FNs
2. Partnering with experienced organizations (LABRC) for services to train and support FNs

GOAL 1B – GOVERNED BY FIRST NATIONS – REGISTRY DRAFT DELIVERY MODEL



Function	Purpose
Register Services	▪ Enable the registration, discovery and administration of interests in land as well as other relevant documents
Customer Support Service	• Provide proactive, accessible and responsive support to register end users
Training	▪ Ensure First Nations Land Offices and other register users are fully trained to deliver register services
Register Technical Support	• Ensure register technology is continuously operational, secure and responsive to change
Governance	• Provide overarching direction and governance to ensure the registry meets its objectives and delivers expected benefits
Leadership	▪ Plan and drive progress for all registry and register initiatives
Policy	▪ Advise and advocate on policy issues regarding registry and register
Legal	▪ Provide advice and direction regarding legal matters impacting registry and register
IT Support, Business Operations & Administration	▪ Provide local technical support to Register staff and software/hardware ▪ Facilitate the day-to-day *business* operations *enabling* the registry including Finance, Human Resources. Procurement and Intergovernmental Affairs activities

GOAL 1B – GOVERNED BY FIRST NATIONS – PARTNERING WITH KNOWLEDGEABLE EXPERTS

FIRST NATIONS
LAND MANAGEMENT
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The RC is dedicated to supporting First Nations communities, when invited, in the following ways:

- Intergovernmental Relations in support of the *Framework Agreement on First Nation Land Management*'s ongoing implementation
- Training, resources, and support services for signatory First Nations as they develop and implement their community land codes
- Providing information to interested First Nations

GOAL 1C – GOVERNED BY FIRST NATIONS

Current Situation

1. First Nation authority is not clearly evident in products
2. First Nation Land Code and laws are buried
3. Land Code semantics not apparent

Goal 1 (c) – Highlighting First Nation Authority - for the benefit of First Nations and other users

Highlighting the authority of First Nations over their land and the Registry: by making the First Nation, their Land Code, and laws prominent within the Register and the services and information products provided.

Some Specific Examples

1. **Re-designed information products that clearly identify First Nation**: see illustration (next slides).
2. **Registration at the First Nation level**: for Land Code, laws and regulations.
3. **Use First Nation land terminology where appropriate**: e.g., allotment, possession, occupation – as appropriate.

GOAL 1C – GOVERNED BY FIRST NATIONS – CURRENT PRODUCT – PARCEL ABSTRACT REPORT

Indigenous Services Canada | Services aux Autochtones Canada

FIRST NATIONS LAND REGISTRY

Parcel Abstract Report

Sorted by: Legal Description / Instrument Date - Ascending

Selected Criteria:
Registry: FNLRS
PIN: 903013109

Printed on: 2021/09/01 4:45 PM

UNCLASSIFIED

Legal Description:	Parcel Type:	PIN:
UNIT 1 WITHIN LOT 79-17-3 CLSR 96052	Sub-PIN	903013109

Reserve:	Previous Legal Description:
07903 BURRARD INLET NO. 3	

External Registry:

Plan Type & No:	PIN Status:	Province:
CLSR 96052	Active	BRITISH COLUMBIA

Retired Reason:	Retired by Registration No:

Band:
549 - Tsleil-Waututh Nation

PIN Hierarchy :

ROOT PIN(s)	902522621 LOT 79-17-3 CLSR 92587
FORMER PIN(s)	902522621 LOT 79-17-3 CLSR 92587

GOAL 1C – GOVERNED BY FIRST NATIONS – RE-IMAGINED PRODUCT – ILLUSTRATION

Tsleil-Waututh Nation – Land Register – State of Interest

Operating under the Framework Agreement for First Nation Land Management
As registered in the National Land Registry for First Nations: 2021/09/01 2:37 PM
In accordance with Tsleil-Waututh Land Code, registration number LMA04406

Reserve: Burrard Inlet 3 (07903)
Location: British Columbia, New Westminster District, Burrard Inlet north shore

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Legal Description: Unit 1 within Lot 79-17-3 CLSR 96052 **NRCan PIN**: 1156011-1

Primary Interest: Residential Sub-Lease **Registration Number**: 4017124

Holders	Tenancy
1. Janice Doe	Joint
2. John Doe	Joint

Lesser Interests	Holders	Reg Number	Reg Date
1. Mortgage	The Toronto-Dominion Bank	4017125	2011/03/25
2. …			

GOAL 1– GOVERNED BY FIRST NATIONS

Workshop Questions

1. Do you feel that the vision for the new register to be Governed by First Nations is clear? Y/N

2. Are there any other ways that we could make this goal a reality? Are there any functions or services missing? – Please use chat to explain

GOAL 2 – SERVES ALL

Current Situation

1. Land Register users are a diverse group
2. Legal professionals have a significant role in preparation and/or submissions of applications

Goal 2 (a) – Full spectrum of users served effectively

Boosting individual, government, commercial and end-user confidence in registry and efficiency of interactions: The registry will serve as a trusted registry for all Framework Agreement First Nations for use by governments and commercial entities involved in transactions of interests on First Nations land. To that end the Registry will work to strengthen relations, confidence in engagement with First Nations, and streamline interactions with the Registry.

Specific Example

1. Improving registry capabilities such as searching and filing services

GOAL 2 – SERVES ALL

Improving online search and filing services

Enabling online submission for accredited professionals

Strengthening relations and confidence in engagement

GOAL 2 – SERVES ALL

Workshop Questions

1. Do you feel that the vision for the new register to Serve All is clear? Y/N

2. Is there anything missing that we could add to enhance the reality of this goal? – Please use chat to explain

GOAL 3A – COMPREHENSIVE REGISTER OF INTERESTS

Current Situation

1. Existing Land Register is a deeds register
2. ‘State of Interests’ must be determined manually
3. Considerable knowledge required
4. Accurate determination will only get harder

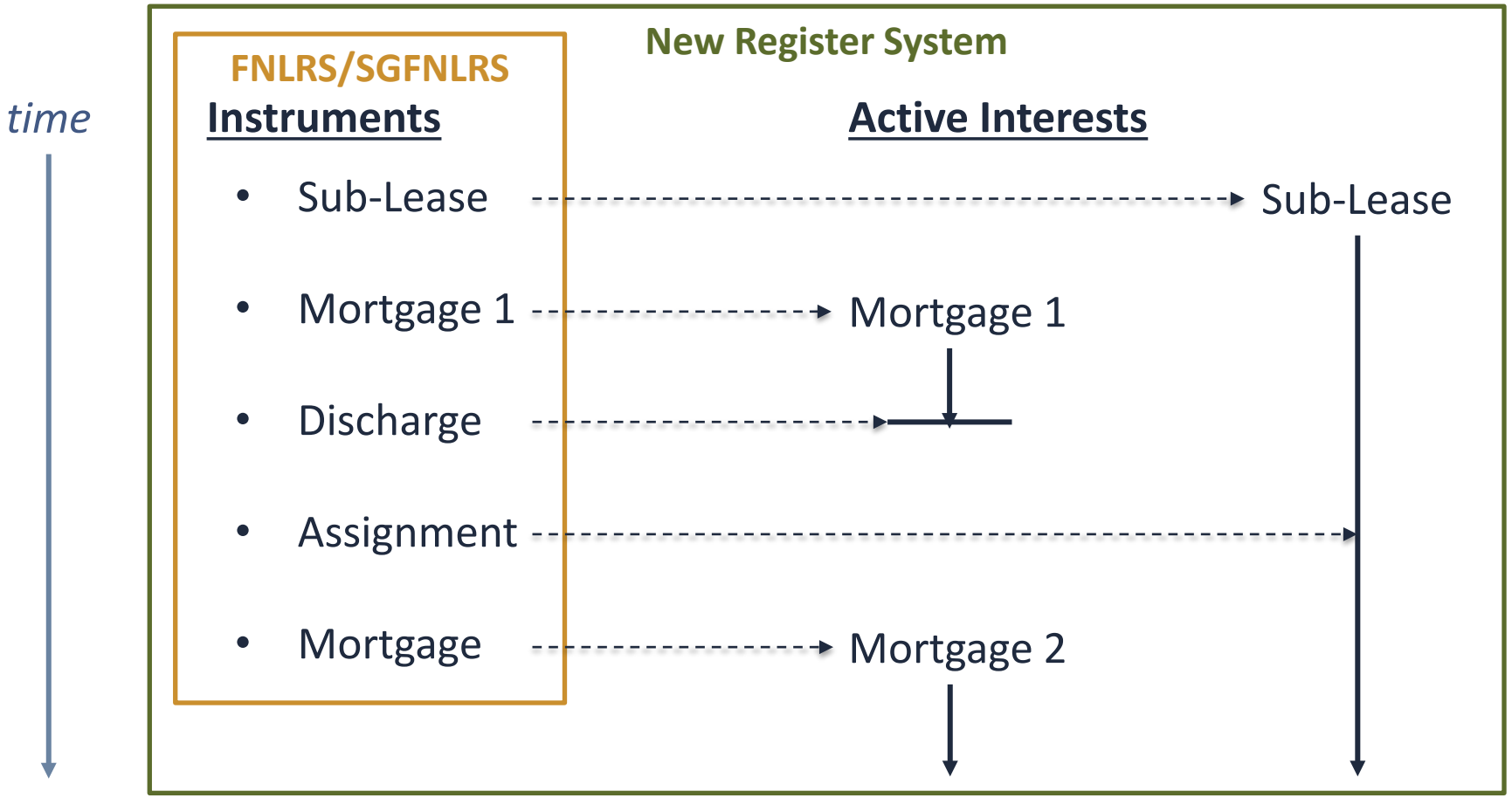
Goal 3 (a) – ‘State of Interest’ Register – in place of a registry of instruments

Providing a ‘State of Interest’ Register: providing a clear and accurate view of current active interests in land while retaining the complete journal of registrations.

Some Specific Examples

1. **Interests**: Allotment, Lease, Sub-Lease, Sub-Sublease, Permit, Right of Way, Easement, Mortgage

Example of registration activities on one building unit parcel (sub-PIN)



GOAL 3B – COMPREHENSIVE REGISTER OF INTERESTS

Current Situation

1. **Multiple layers of interests (reserve, parcel) may spatially overlap**
2. **Fully subdivided parent parcels still active**

Goal 3 (b) – Comprehensive integrated land status

Providing a comprehensive integrated land status: across multiple layers of registered interests – reserves, surface parcels, building units, easements, subsurface – by using boundaries in the parcel map as well as through explicitly tracked relationships between interests.

Some Specific Examples

1. **Integrated cross-layer view of Interests**: active interests affecting parcel aggregated by parcel map overlay of surface parcel, sub-parcel (sub-PIN), reserve, easement and subsurface parcels.
2. **Integrated view of hierarchy of interests across layers**: e.g., showing all sub-leases on sub-parcels (sub-PINs / building units) derived from one lease on one surface parcel (building complex).

GOAL 3 – COMPREHENSIVE REGISTER OF INTERESTS

Workshop Questions

1. Do you feel that the vision for the new register to be a comprehensive register of interests is clear? Y/N

2. How much benefit do you see to your First Nation if this is achieved? Put in Chat

GOAL 4A – BUILDS TRUST

Current Situation

1. Policies and practices are not published, nor documented
2. There are no Registration Service Response times

Goal 4 (a) – Transparent operations in accordance with regulations

Defining policies and operating transparently according to defined regulations: the Registrar will write, publish, and act in accordance with Registry regulations and comprehensive policies.

Specific Example

1. Establishing tailored standards, best practices and supporting policies

GOAL 4A – BUILDS TRUST

Create business and registry standards informed by leading First Nation governance and land management practices

Adhere to and uphold these standards and practices

Ensure information is available and accessible to all and that feedback loops are formalized for continual improvement

GOAL 4B – BUILDS TRUST

Current Situation

1. Inaccurate parcel locations
2. Cross-instrument associations
3. Instruments with textual descriptions are unverified with reality and do not have PINs

Goal 4 (b) – Improving trust in the land register data

Improving trust in the land register data: by improving the Register's data model, by explicitly recording data accuracy and quality indicators; and by working with First Nations to enable them to improve their data to the level they require.

Specific Examples:

1. Improve data within the register so locations are clear and if there are uncertainties/assumptions, those are easily understood
2. Work with First Nations to capture more comprehensive land data

GOAL 4 – BUILDS TRUST

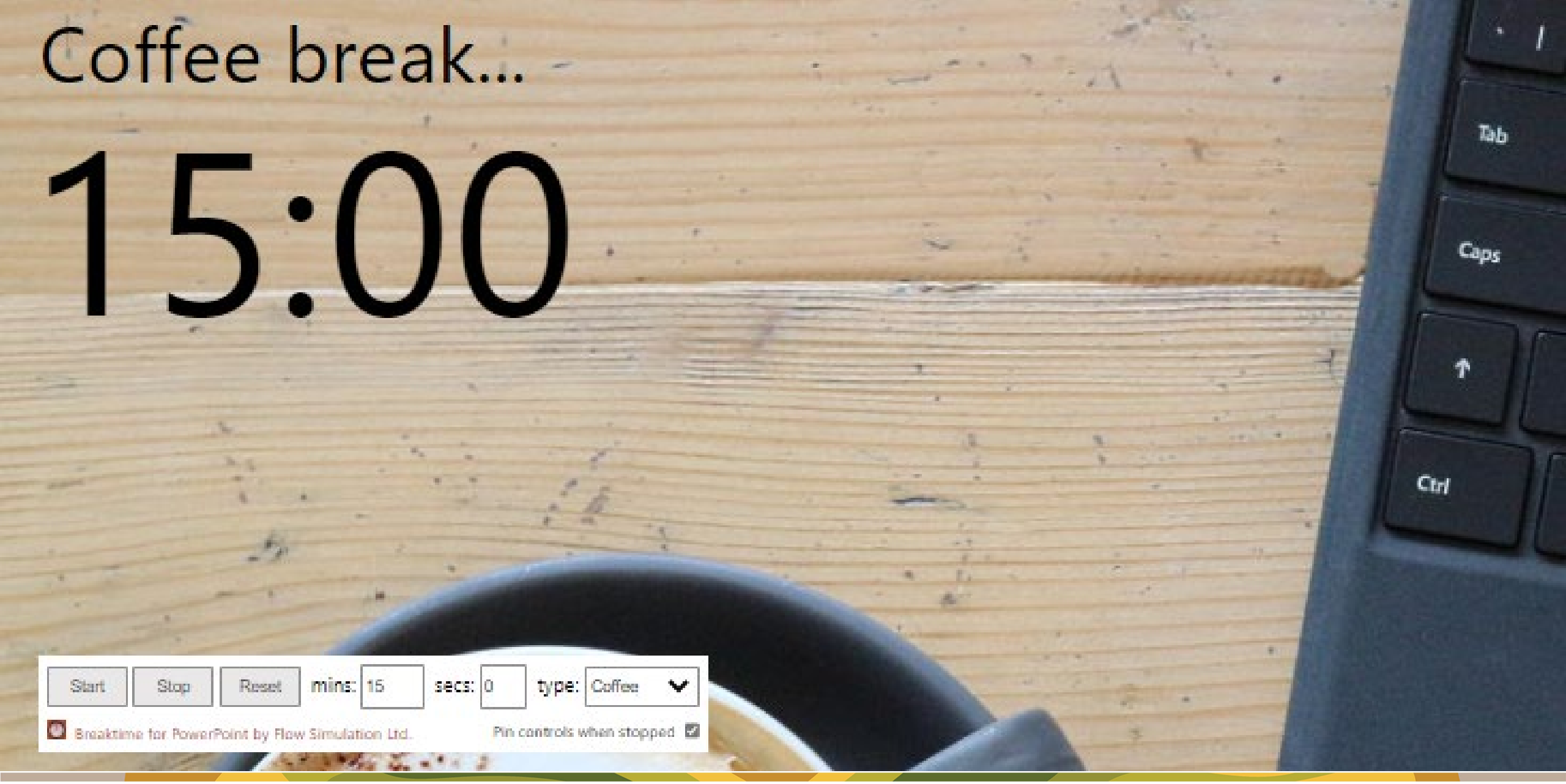
Workshop Questions

1. Do you feel that the vision for the new register to Build Trust is clear? Y/N

2. Are there any other ways that we could make this goal a reality? Are there any functions or services missing that could help build further trust? – Please use chat to explain

Coffee break...

15:00



FIRST NATIONS LAND MANAGEMENT RESOURCE CENTRE

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GOAL 5A – STRENGTHENS LAND ADMINISTRATION

Current Situation

1. No recognition of interests as a separate concept from instruments
2. No specific support for Yukon 'lands set aside'

Goal 5 (a) – Broadening spectrum of information accessible concerning registered interests

i) By recognizing interests as a land administration concept and accommodating new types of interests on land.

ii) By recognizing new categories of registerable land held by First Nations, e.g., Yukon 'lands set aside'.

iii) By making SGB Canada Land Survey Records for parcels directly accessible within new land registry system.

Specific Examples:

1. Recognizing interests as a land administration concept
2. Recognizing new categories of land
3. Improving accessibility

GOAL 5A – STRENGTHENS LAND ADMINISTRATION

Recognizing ‘interests’ as a land administration concept and accommodating new types of interests on land

Recognizing new categories of registerable land held by First Nations (e.g. Yukon Lands Set Aside)

Enabling SGB Canada Land Survey Records for parcels to be directly accessible within the new registry

GOAL 5B – STRENGTHENS LAND ADMINISTRATION

Current Situation

1. Minimal integration of land register with other land-related data
2. First Nations require and want more information

Goal 5 (b) – Broadening spectrum of information accessible concerning land-related records

i) First Nation level: By recording land-related information and documents applicable to the First Nation as a whole at the level of the First Nation (instead of against each reserve), e.g., Land Code, land laws, land/resource use plans/policies.

ii) <u>Land-related records</u>: By recording additional information and documents related to individual parcels (e.g., survey issues) or possibly land features provided by and significant to a First Nation for the purpose of their land administration, e.g., old village sites.

iii) Integration with external sources: By improving access to external information sources that provide greater context, e.g., excluded lands.

Specific Examples:

1. First Nation level
2. Land-related records level
3. Integration level

GOAL 5B – STRENGTHENS LAND ADMINISTRATION

First Nation Level – Recording land-related information and documents application applicable to the First Nation as an entity, and not against each reserve

Land-related Records Level – Recording additional information and documents related to individual parcels or land features proposed by a First Nation

Integration Level – Improving access to external information sources with greater context

GOAL 5 – STRENGTHENS LAND ADMINISTRATION

Workshop Questions

1. **Do you feel that the vision for the new register to Strengthen Land Administration is clear? Y/N**

2. **Are there any other ways that we could make this goal a reality? Are there any functions or services missing that could help further strengthen land administration? – Please use chat to explain**

GOAL 6 – ENHANCES LAND REGISTRY EXPERIENCE

6. **Enhances land registry experience** of First Nations through better services and products.

Specific Examples

a) **Timely service response**
b) **Modern, web-based user interface**
c) **Improved parcel map**
d) **Online submissions by accredited non-First Nation parties**
e) **Information products targeted to meet customer's needs**
f) **A culture of excellence in customer service**

GOAL 6 – ENHANCES LAND REGISTRY EXPERIENCE

Workshop Questions

1. **Do you feel that the vision for the new register to Enhance the Land Registry Experience is clear? Y/N**

2. **Are there any other ways that we could make this goal a reality? Are there any functions or services missing that you feel would further enhance your experience when working with the registry? – Please use chat to explain**

GOAL 7 – STREAMLINES LAND OPERATIONS

7. **Streamlines land operations** and registry interactions of First Nations through more effective application of technology.

Specific Examples

a) **Establishing standards and policies**

b) **Establishing a culture of continuous improvement**

c) **Providing effective integration solutions**

d) **Streamlining internal and external registry-related processes**

GOAL 7 – STREAMLINES LAND OPERATIONS

Workshop Questions

1. Do you feel that the vision for the new register to Streamline Land Operations is clear? Y/N

2. Are there any other ways that we could make this goal a reality? Are there any functions or services missing that you feel would further streamline land operations? – Please use chat to explain

KEY CHANGES – PRODUCTS & SERVICE

Glenn Pope

LTSA, Senior Solutions Architect

FIRST NATIONS LAND MANAGEMENT RESOURCE CENTRE

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SUMMARY OF PROPOSED PRODUCTS & SERVICES

National Land Registry for First Nations

1. User Experience
2. Search & Retrieval Services
3. Registration Services
4. Land Register: a Register of Interests
5. Land
6. Land Laws
7. Information Products
8. Land-Related Record Services
9. Data Services
10. Customer Support Services
11. Technology Services

KEY CHANGES – Products & Services

1. **User Experience**
   a. **Web browser access**: no Citrix.
   b. **<u>One</u> unified user interface for external users**: Citrix vs Public Web Site distinction will be erased. Permissions based on role will determine what capabilities users can access.
   c. **Streamlined, intuitive user interface**: only presenting features and data relevant to user role and task.
   d. **Accurate terminology**: reflecting real world concepts and using terms specific to First Nation where appropriate, e.g., aligning presentation of Register instrument types / interests with First Nation Land Code.

2. **Search & Retrieval Services**
   a. **New searches**: by name of interest holder, by keyword, by civic address where available.
   b. **Register search integrated with map**: register lookup and information products accessible from map, location of register search results displayable on map.
   c. **Unsurveyed parcels** (CardEx Holdings) **and interests**: displayed with boundaries on map.
   d. **Survey Plans directly accessible**: within register system (not so today).

KEY CHANGES – Products & Services

3. **Registration Services**
   a. **Standardized and published registration policies, practices, semantics**
   b. **Online submission of applications by accredited professionals** in addition to online submission by First Nation Land Office staff.
   c. **Parcel Map enabled**: particularly helpful for subdivisions, new parcels, easements.
   d. **Paper submissions**: eliminated.

4. **Land Register: a Register of Interests**, not just a register of instruments
   a. **Interests** added, modified, transferred, relinquished/cancelled, expired through instruments. Historical interests not reconstructed, but full history of registered instruments retained.
   b. **Hierarchy of interests** explicitly tracked.
   c. **Priority of interests** explicitly tracked.
   d. **Self-aware register**: tracks parcels and reserves that have achieved 'state of interest' level.
   e. **Real property** explicitly identified for sub-PINs, e.g., building unit, parking lot

KEY CHANGES – Products & Services

5. **Land** - what is represented, and how
   a. **Single-PIN scheme**: for all First Nations parcels, including implied parcels in unsurveyed instruments, e.g., for short-term permits. NRCan SGB is open to idea of supporting parcel mapping and issuing PINs if mandate is properly established, processes re-engineered, and sufficiently resourced. ISC Registry PIN would be deprecated over time.
   b. **Sub-PINs assigned NRCan SGB PIN**: NRCan SGB is open to idea, as per qualifications above.
   c. **Accept graphical map representation for unsurveyed interests**: provided by grantors, vetted by First Nation, displayed in Parcel Map.
   d. **Comprehensive First Nation Parcel Map**: including parcels from various origins (surveyed, unsurveyed), states (registered, unregistered), and administration regimes, e.g., Excluded Lands that remain under the Indian Act.
   e. **Excluded Lands reverted back to ILRS**: they do not belong in Land Code Land Register.
   f. **Community Land vs Individual Held Land**: clearly distinguished in the Land Register.
   g. **Shared Reserves**: supported as a unique concept, administered under a Land Code, belonging to a group of First Nations.
   h. **Yukon 'land set aside' supported**: as a land concept that is distinct from a reserve.
   i. **Remainder parcels**: change subdivision survey practice to require new lot designation instead.

KEY CHANGES – Products & Services

6. **Land Laws**
   a. **Land Code, law and bylaws registered at First Nation level**: instead of against each reserve.
   b. **Land Register configurable to align with land law terminology**

7. **Information Products**
   a. **New Products**: 'state of' products and map-based products that show only the active interests.
   b. **Re-designed**: to highlight First Nation authority, precedence of Land Code and laws, present summary before details.
   c. **Layer-aware**: providing integrated view of interests (to extent they are defined) across layers: reserves, surface parcels, sub-PINs, easements.
   d. **Consolidated Products**: combine near-identical products, e.g, Band-Reserve Report and Reserve Details.

KEY CHANGES – Products & Services

8. Land-Related Record Services

a. **Direct access to external information sources**: e.g., Canada Land Survey Records.

b. **Extendable records**: capability to store land records provided by and significant to a First Nation that relate to registered interests, property and parcels.

c. **Extendable maps**: capability to store land features provided by and significant to a First Nation.

9. Data Services

a. **Register data export**: to enable data feed to First Nation tools and systems.

b. **Map data export**: that includes summary register data with links to full register data.

KEY CHANGES – Products & Services

10. Customer Support Services

a. **Published phone number**: to reach customer service agent.

b. **Published customer support resources**: continually improved based on actively solicited customer feedback.

11. Technology Services

a. **Secure APIs**: for authorized external systems to access register data, and for registry system to access external data provider systems.

b. **Evergreen**: ongoing investment in services and technology to keep it up-to-date and to advance capabilities.

LONG-TERM PLAN & NEXT STEPS

Meko Nicholas

RC, Executive Director

FIRST NATIONS
LAND MANAGEMENT
RESOURCE CENTRE

NEXT STEPS

- Approval by Boards
- Present a project overview at the LAB AGM 2021 – Nov 16-17
- Resolutions submitted to Canada for funding to move forward
- Estimated timeline 3-5 years after project funding approved
- Continued activity with First Nations and partners

SUMMARY

Overview & Engagement

Vision & Goals

Products & Services

Next Step & Long-Term Plan

LANDS ADVISORY BOARD

SAVE THE DATE

LAB ANNUAL GENERAL MEETING (AGM)

NOVEMBER 15 & 16, 2021

MORE DETAILS TO FOLLOW SHORTLY - www.labrc.com

THANK YOU

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