

S.I. No. 175/2000 — Land Registration Rules, 2000.

STATUTORY INSTRUMENTS.

S.I. No. 175 of 2000

LAND REGISTRATION RULES, 2000.

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1. (1) These Rules may be cited as the Land Registration Rules, 2000.

(2) These Rules and the Land Registration Rules 1972 to 1986 may be cited together as the Land Registration Rules 1972 to 2000.

(3) These Rules and the Land Registration Rules 1972 to 1986 shall be construed together as one.

(4) In these Rules, “the Rules of 1981”, means the Land Registration Rules, 1981.
2. These Rules shall come into operation on 1st day of August, 2000.
3. Subrules (2) and (3) of Rule 19 of the Land Registration Rules, 1972 (as amended by the Rules of 1981) are hereby amended by the substitution of “£250,000” for “£50,000” whenever “£50,000” occurs in those subrules.
4. Rule 19 of the Land Registration Rules, 1972 (as amended by the Rules of 1981) is hereby amended by the substitution of the following for subrule (4) of that Rule:

 “(4) Where property is acquired by a statutory authority and the purchase money or compensation paid therefor does not exceed £250,000 the Registrar may dispense with the official examination of the title and may register the statutory authority with absolute title or good leasehold title on production of a certificate by the solicitor for such authority in Form 3 adapted as the case may require and provided that—

(a) the application is signed by the solicitor for the statutory authority, and

(b) the application is accompanied by a plan of the property drawn on the current largest scale map published by the Ordnance Survey”.

5. Subrule (1) of Rule 35 of the Land Registration Rules, 1972 (as amended by the Rules of 1981) is hereby amended by the substitution of “£250,000” for “£50,000” wherever “£50,000” occurs in that subrule.

6. Form 15 of the Schedule of Forms to the Land Registration Rules, 1972 (as amended by the Rules of 1981) is hereby amended by the substitution of “£250,000” for “£50,000” wherever “£50,000” occurs in that Form.

7. The Schedule of Forms to the Land Registration Rules, 1972 is hereby amended by the insertion as Form 3 in that Schedule of Forms, in lieu of the Form inserted by Rule 5 of the Rules of 1981, of the following Form:

“

FORM 3

Application for first registration where purchase money or compensation does not exceed £250,000 (Rule 19(3) (4))

LAND REGISTRY

County

Folio

1. I, _____ am the solicitor for *(insert full name and correct description of the applicant)* who is applicant for registration as owner.

2. I have investigated the title to the property described in the conveyance dated the _____ day of _____, *(or, other instrument)* lodged herewith. The property in or over which the estate or interest acquired by the conveyance *(or, other instrument)* exists is shown on the map endorsed thereon *(or, is shown on the ordnance map lodged herewith and thereon edged _____)*.

3. As the result of my investigation of the title, I certify that the conveyance *(or, instrument)* conveyed *(or, vested)* the fee simple in the property *(or, the lessee's interest in a lease, dated the _____ day of _____ from _____ to _____ in the property for _____ years, an attested copy of which is lodged herewith, or, other right acquired in the property)* in the applicant, free from any adverse rights, restrictive covenants or encumbrances, except those subject to which the conveyance *(or,*

instrument) expressly conveyed the property.

4. I certify that the said property remains free from any adverse rights, restrictive covenants or incumbrances (other than those already referred to at Paragraph 3 hereof) and that there is not at the date of this certificate any transaction which affects or may affect the said property other than as stated therein.

5. The purchase money of (*or*, the compensation for) the property did not exceed £250,000. The whole of it has been paid to the person (*or*, persons) entitled thereto or authorised to give receipts therefor.

6. I apply for registration of the applicant as full owner with absolute title, (*or*, good leasehold title) and for the registration as burdens of the following rights appearing from the said conveyance (*or*, *instrument*) to affect the ownership:

Dated the _____ day of _____ 20 _____

Signature _____

”.

8. The Land Registration Rules, 1972 are hereby amended by the substitution of the following for Rule 82 of those Rules:

Registration of
trustees or
assignees of
bankrupt owner:
and re-registration
of the owner

“82. (1) The assignees in bankruptcy of a registered owner who has been adjudicated a bankrupt may be registered as owners in his place, or, where he is registered limited owner, as assignees of his estate or interest, on production in the Registry of an office copy of the certificate of the vesting of the estate and effects in the assignees, endorsed as prescribed by this rule.

(2) A bankrupt whose trustee, appointed under the Bankruptcy (Ireland) Amendment Act, 1872, or assignees are registered as owners of his registered property may be re-registered as owner or, where he is a limited owner, the entry of the assignees or trustees as assignees of his limited estate or interest may be cancelled, on production in the Registry of the revesting deed.

(3) An arranging debtor whose trustees are registered as owners of his registered property may be re-registered as owner or, where he is a limited owner, the entry of the trustees as assignees of his limited estate or interest may be cancelled, on production in the Registry of an office copy of the order of the court under section 85 of the Bankruptcy Act, 1988 , endorsed as prescribed by this rule.

(4) Every order, certificate, resolution or agreement or office copy thereof, produced for the purposes of a registration referred to in this rule, shall have endorsed thereon a certificate by the Official Assignee in Bankruptcy or the trustee identifying the bankrupt or arranging debtor named in the order or certificate with the registered owner named in

a specified folio of the register whose property is sought to be transferred. Where the application is for the re-registration of the person who was the bankrupt or arranging debtor, it shall be accompanied, in the case of a bankruptcy by the re-vesting deed or, in the case of an arrangement by an office copy of the order of the court under section 85 of the Bankruptcy Act, 1988 or, where applicable, the written consent of the trustee to the re-registration”.

We, the Registration of Title Rules Committee, constituted pursuant to the provisions of section 73 of the Courts of Justice Act, 1936 , in exercise of the powers conferred on us by section 126 of the Registration of Title Act, 1964 , with the concurrence of the Minister for Justice, Equality and Law Reform, do hereby make the foregoing Rules.

DATED this 1st day of June, 2000.

MELLA CARROLL, Judge of the High Court.

JAMES DWYER, Senior Counsel.

RORY McENTEE, Solicitor.

CATHERINE TREACY, Registrar of Titles.

I, JOHN O'DONOGHUE, Minister for Justice, Equality and Law Reform, in exercise of the powers conferred on me by section 126 of the Registration of Title Act, 1964 , hereby concur in the making of the foregoing Rules.

GIVEN under my Official Seal, 13th June, 2000.

JOHN O'DONOGHUE

Minister for Justice, Equality and Law Reform.

EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Rules, which come into effect on the 1st day of August, 2000, provide for the amendment of the Land Registration Rules 1972 to 1986.

The Rules provide for the amendment of Rules 19, 35 and 82 and Forms 3 and 15 of the Land Registration Rules 1972.

