

S.I. No. 643/2005 — Land Registration Rules 2005

S.I. No. 643 of 2005 .

LAND REGISTRATION RULES 2005.

1. (1) These Rules may be cited as the Land Registration Rules 2005.

(2) These Rules and the Land Registration Rules 1972 to 2000 may be cited together as the Land Registration Rules 1972 to 2005 and shall be construed together as one.

(3) In these Rules, “the Rules of 2000”, means the Land Registration Rules 2000.

2. These Rules shall come into operation on the 1st day of January 2006.

3. Subrules (2) and (3) of Rule 19 of the Land Registration Rules 1972 (as amended by the Rules of 2000) are hereby amended by the substitution of “€1,000,000” for “£250,000” wherever “£250,000” occurs in those subrules.

4. Subrule (1) of Rule 35 of the Land Registration Rules 1972 (as amended by the Rules of 2000) is hereby amended by the substitution of “€1,000,000” for “£250,000” wherever “£250,000” occurs in that subrule.

5. Form 15 of the Schedule of Forms to the Land Registration Rules 1972 (as amended by the Rules of 2000) is hereby amended by the substitution of “€1,000,000” for “£250,000” wherever “£250,000” occurs in that Form.

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 substitution for the Form inserted by Rule 7 of the Rules of 2000, of the following Form:

FORM 3

Application for first registration where purchase money or compensation does not exceed €1,000,000 (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 incumbrances, 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 €1,000,000. 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:
7. I certify that the prior title is not based on possession.
8. I certify that the interest conveyed/assigned is not an enlargement of a prior interest held by the applicant in the property.

Dated the _____ day of _____ 20_____

Signature _____ ”

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 20th day of September 2005.

HENRY ABBOTT, Judge of the High Court.

JAMES DWYER, Senior Counsel.

OWEN BINCHY, Solicitor.

CATHERINE TREACY, Registrar of Titles.

I, Michael McDowell, 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, this 29th day of September, 2005.

MICHAEL McDOWELL,

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 January, 2006, provide for the amendment of the Land Registration Rules 1972 to 2000.

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

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