

THE LAND AND TITLES (GENERAL) REGULATIONS
(*Section 260*)

LN 131/1965
LN 85/1968
LN 3/1970
LN 52/1977
LN 52//1980
LN 13/1982
LN 157/1986
LN 164/1993

Citation

1. These Regulations may be cited as the Land and Titles (General) Regulations.

Hours of public business of land registries

LN 3/1970

2. The hours during which land registries shall be open to the public shall, except on public holidays, be from 9 a.m. to 11.30 a.m. and from 1.30 p.m. to 3 p.m. on Mondays to Fridays inclusive.

Forms

3. - (1) The Commissioner of Lands may from time to time prescribe the forms required for the purposes of the Act, and may amend, vary and revoke any form so prescribed.

(2) Any form so prescribed and any amendment, variation or revocation of any such form, shall be published by public notice not less than one month before it shall be required to be used.

(3) The forms from time to time prescribed by the Commissioner of Lands shall, subject to the provisions of the Act and these Regulations, be used for the purposes of the Act or of these Regulations specified in the forms or in relation to the forms in the relevant notice.

(4) Notwithstanding anything to the contrary contained in paragraphs (1), (2) and (3) of this regulation, and subject to the provisions of the Act, the Commissioner of Lands and the Registrar of Titles may, in their respective discretions, permit the use of any form -

(a) which in the particular circumstances in which it is used, conforms substantially or as nearly as may be to the appropriate form prescribed under paragraph (1) of this regulation; or

(b) where no form has been prescribed or has come into effect, or where the relevant form has been revoked.

(5) Every form permitted to be used under paragraph (4) of this regulation shall, in relation to the particular circumstances in which it is used, be deemed to be the prescribed form for the purposes of the Act.

(6) All forms prescribed under this regulation shall be supplied free of charge to those members of the public who require them.

Amendments, corrections, erasures, etc

4. - (1) The Registrar may refuse to register any instrument which because of erasures or alterations or otherwise howsoever he considers may not be in the condition in which it was originally executed by the parties thereto.

(2) If any instrument at the time of its presentation for registration contains any amendment, alteration or correction, which has not been initialled in the margin by the person or persons executing it and by the authorised officer or attesting witness or witnesses, the Registrar may refuse to accept it for registration.

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(3) Where all the parties to any instrument which has been accepted by the Registrar for registration but not registered by him, require to make any amendment, alteration or correction therein, the Registrar may permit them to do so either by re-executing the document when amended, altered or corrected, or by initialling each and every such amendment, alteration or correction.

Lodgement for registration

5. - (1) Every application (other than an application lodged for registration by post) shall be lodged by presenting the same manually at the public counter of the appropriate land registry during the hours that such registry is open to the public, and the Registrar shall note the day and hour of presentation on every application accepted by him for registration for the purpose of determining the priority thereof.

(2) It shall be lawful for the Registrar to refuse to accept any application for registration of any matter -

(a) when the fee assessed by the Registrar to be payable in accordance with these Regulations in respect thereof has not been paid;

(b) if the relevant instruments and documents do not accompany the application, unless such instruments, or documents are proved to the Registrar's satisfaction to be already in the land registry;

(c) if the application, instrument or document contains any apparent material defect or omission;

(d) if any instrument is not duly stamped as required by the [Stamp Duties Act](#);

(e) in any case falling within the scope of paragraph (1) or paragraph (2) of regulation 4 of these Regulations; or

(f) where the application or any instrument is not in due form or duly attested.

Fees

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6.- (1) The following fees shall be payable -

A. REGISTRAR OF TITLES

For certified copies of the register, any instrument, registry map or file plans. \$10.00

For any search, per parcel numbers. \$10.00

For each and every other service, matter or thing performed, attended to or supplied by the Registrar of Titles or his staff (other than first registration of title to land under [Parts III](#) or IV of the Act). \$50.00

B. VALUATION SERVICES (LAND/PROPERTIES)

For Commercial and Industrial, where the value exceeds \$1,000 but does not exceed \$5,000. \$150.00

Where the value exceeds \$5,000 the charge shall be \$4 for every \$1,000.

For Residential by individual persons, where the value exceeds \$1,000 but does not exceed \$5,000. \$75.00

Where the value exceeds \$5,000 the charge shall be \$3 for every \$1,000

For Residential by companies, where the value exceeds \$1,000 but does not exceed \$5,000. \$20.00

Where the value exceeds \$5,000 the charge shall be \$4 for every \$1,000.

For all valuations by Institutions, Provincial Governments where the value exceeds \$1,000 but does not exceed \$5,000. \$90.00

Where the value exceeds \$5,000, the charge shall be \$3 for every \$1,000.

C. ISSUE OF CONSENT TO TRANSFER/LEASE/CHARGE

(i) For all Commercial or Industrial
- where the considerations exceeds \$20,000 but does not exceed \$50,000. \$225.00

- over \$50,000. \$300.00

\$112.00

(ii) For all Company Residential,
- where the consideration exceeds \$20,000 but does not exceed \$50,000. \$150.00

- over \$50,000 \$75.00

\$112.00

iii) For all individual Residential
- where the considerations exceeds \$20,000 but does not exceed \$50,000.

- over \$50,000.

(iv) For all agricultural land, where the consideration exceeds \$20,000 but does not exceed \$50,000. \$37.00

- over \$50,000 \$75.00

D. EXTENSION ON DEVELOPMENT COVENANTS

For any Commercial and Industrial land	\$100.00 per month
For all other development covenants, including Residential	\$50.00 per month

E. PENALTIES

Advertisement or Sale without consent	20% of the Consideration
Unpaid Land Rent arrears, compounded interest shall be added.	80%

(2) If more than one separate matter shall be included in the same application the appropriate fee prescribed in paragraph (1) shall be paid for each such matter, and in the event of doubt as to what is a separate matter the question shall be determined by the Registrar whose decision in his absolute discretion shall be final and shall not be questioned in any proceedings whatsoever.

(3) In cases where two or more owners of separate parcels of land combine in one instrument to deal with their respective parcels, the same registration fee shall be payable in respect of such instrument as would have been payable if each owner had executed a separate instrument.

(4) The fees specified in this regulation shall be paid notwithstanding the rejection by the Registrar of any application.

(5) The Registrar may in his discretion remit or refund any fee prescribed by this regulation.

(6) No fees under this regulation shall be payable by or on behalf of the Government.

Evidence of incorporation

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7. An application for registration of a dealing whereby a corporation acquires an interest shall be accompanied by such evidence of incorporation as the Registrar may require.

Attestation of instruments

8.- (1) The following persons, during such times as they are within Solomon Islands, shall be authorised officers for the purposes of section 203 of the Act-

(a) all Deputy Registrars of Titles and all Assistant Registrars of Titles;

(b) the Commissioner of Lands and all Deputy Commissioners of Lands;

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(c) all Adjudication Officers;

(d) all Judges and all Magistrates and justices of the peace appointed under the [Magistrates' Courts Act](#);

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(e) all Surveyors within the meaning of the definition of that expression in section 2 of the Act;

(f) all persons for the time being entitled to practise as barristers or solicitors of the Court;

(g) all Commissioners for Oaths appointed under the [Oaths Act](#);

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(h) the Manager for the time being of any branch of any bank in Solomon Islands;

(i) all Notaries Public appointed under the [Notaries Public Act](#);

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(j) all Provincial Secretaries; and

(k) any officer holding the office of Lands Officer in the Department of Lands.

(2) Outside Solomon Islands the following persons shall be authorised officers for the purposes of section 203 of the Act-

(a) within the Commonwealth, a Judge, Magistrate, Notary Public or Commissioner for Oaths;

(b) in any foreign country, a British consular officer or pro-consul or such other person or class of persons as the Registrar may determine.

Forms of certificate of verification

9. Every certificate of verification required for the purposes of section 203 of the Act shall be in the following form -

"I certify that the above-named appeared before me at on this day of 19....., and I have satisfied myself as to his*/their* identity (he*/they* being identified to me by * or being well known to

me*) and that he*/they* freely and voluntarily signed and appeared fully to understand this instrument.

Seal or stamp

of office (if any)

Signature and description of person completing verification certificate.

**Delete the alternative which is not applicable.*

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Persons interested in instruments may not attest

10. No authorised officer or other person authorised by section 203 of the Act to complete a certificate of verification shall complete any such certificate in relation to, or verify the execution of any instrument in or by which such officer or person acquires or disposes of any interest.

Application for search

11. Application for personal searches and for certified copies shall be made in such form as the Registrar may require.

Offences

12. Any person who -

(a) in any land registry, acts in any way to the disturbance of other persons in the land registry; or

(b) tears, cuts or makes any mark, indentation or erasure on any register, map, instrument or document in the possession or control of the Registrar; or shall be guilty of an offence and liable to a fine of fifty dollars or to imprisonment for three months.

(c) in any land registry, in contravention of any notice exhibited in the land registry, smokes, eats, drinks, or has in his possession any naked flame, or any case, bag or other container,

shall be guilty of an offence and liable to a fine of fifty dollars or to imprisonment for three months.

Deposit of deeds in archives

13. The Registrar may in his discretion lodge in the public archives any documents of title which he does not consider necessary to retain in any land registry.

Notes on forms

14. All notes and instructions printed on prescribed forms shall be deemed to form part of these Regulations.

Daily business paper to be maintained

15. There shall be maintained in each land registry a daily business paper which shall be entered up daily and shall contain -

(a) a record of all pending applications for registration lodged in pursuance of the provisions of Part III of the Act, showing the number of the application, the name of the applicant and a reference to the location and description of the parcel affected; and

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(b) a record of all pending applications for the registration of dealings, showing the number of the application, the name of the applicant, the nature of the dealing and the number of the parcel affected

Unregistered powers of attorney

LN 85/1968

16.- (1) If any instrument is executed by an attorney, the power of attorney, together with a copy thereof if the original is to be returned to the possession of the attorney, shall be produced to the Registrar, unless the power of attorney has already been produced to the Registrar in pursuance of this regulation or been registered under the provisions of section 207 of the Act, and evidence (by the statutory declaration of the attorney or otherwise) sufficient to satisfy the Registrar that the principal was alive at the time of execution of the instrument and that the power was then unrevoked, shall also be produced.

(2) The original power of attorney or a certified copy thereof, as the case may be, shall be filed in the land registry.
