

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 67 OF 1996

The Lands and Deeds Registry Act
(Laws, Volume V, Cap. 287)

**The Lands and Deeds Registry (Amendment) Regulations,
1996**

IN EXERCISE of the powers contained in section *ninety-two* of the Lands and Deeds Registry Act, the following Regulations are hereby made:

1. These Regulations may be cited as the Lands and Deeds Registry (Amendment) Regulations, 1996, and shall be read as one with the Lands and Deeds Registry Regulations, in these Regulations referred to as the principal Regulations.

2. The Principal Regulations are amended by the revocation of the First Schedule and the substitution therefor of the First Schedule Schedule set out in the Appendix to these Regulations.

Title and
commence-
ment
Cap. 287
p. 38

Revocation
and
replacement
of First
Schedule

APPENDIX
(Regulation 2)

SCHEDULE
(Regulation 10)

PRESCRIBED FEES

PART I

For each registration of a document made under section *four* or pursuant to section *eight* in—

(a) the Lands Register

(b) the Common Leasehold Register

the fees payable shall be calculated in accordance with the following categories:

CATEGORY I

The fees charged under this category shall be payable in respect of documents relating to State leases, assignments, transfers, subleases for the whole term except for the last specified days in the sublease and other similar documents and shall be calculated on the value of the property at the rate of one per centum:

Provided that the minimum fee payable shall not be less than ten thousand kwacha and the maximum fee payable shall not be more than two hundred and fifty thousand kwacha.

NOTE 1: VALUE

(a) The value of the property is ascertained by the Registrar at such sum as in his opinion the property would fetch if sold in the open market at the date of the application free from any charge or mortgage and as evidence of such value the Registrar may require a statement in writing signed by the applicant or his lawyer or by any other person who, in the Registrar's opinion, is competent to make such a statement.

*Copies of this Statutory Instrument can be obtained from the Government Printer,
P.O. Box 30136, 10100 Lusaka. Price K180.00 each.*

(b) Where, in the case of transfer not made for valuable consideration by a registered owner, it is shown to the satisfaction of the Registrar that such registered owner held only as a trustee and that the transfer is to a person to hold as a new trustee, the fee payable on the transfer shall be the minimum fee.

NOTE 2: CO-OWNERS

(a) (i) In a transaction relating solely to the estate of a person entitled as a tenant in common or a joint tenant, the fee payable on that transaction shall be assessed on the value of the person's estate.

(ii) Where persons registered as co-owners of land transfer estates in land to themselves, the fee payable on such transfer shall be the minimum fee.

(b) Where a registered owner transfers his estate to himself and another as co-owners, the fee payable on such transfer shall be assessed on the value of the passing to the other person.

CATEGORY II

The fee charged under this category shall be payable in respect of documents relating to mortgages, charges, further charges, guarantees, covenants, floating charges and similar documents and shall be calculated on the value of the property at the rate of one per centum:

Provided that the minimum fee payable shall not be less than ten thousand kwacha and the maximum fee shall not exceed two hundred and fifty thousand kwacha.

NOTE-ADDITIONAL OR SUBSTITUTED SECURITY OR GUARANTEE

The fee for the registration of a charge or mortgage for payment of money by way of additional or substituted security or by way of guarantee shall be payable on the amount secured or guaranteed.

CATEGORY III

The fees charged under this category shall be payable in respect of documents relating to leases, subleases or agreement for leases or subleases and other similar documents for a short-term period and shall be calculated on the amount of the annual rent at the rate of one per centum:

Provided that the minimum fees shall not be less than ten thousand kwacha and the maximum fee shall not exceed two hundred and fifty thousand kwacha.

A combined fee is payable under category III on the amount of the annual rent and under category I on any money made by the lessees or sub-lessees as part of the same transaction by way of fine, premium or otherwise. The annual rent is the largest ascertainable amount of annual rent reserved.

CATEGORY IV

The fees charged under this category shall be payable in respect of the following dealings and applications:

	<i>Fee Units</i>
1. Any entry or cancellation on a register made pursuant to a court order	17
2. Transmission on the death of a joint tenant	17
3. Entry of notice of death of a registered owner with particulars of representation	17
4. Entry or cancellation of any notice	17
5. Registration of any notice of the existence of any burden	17
6. Entry of an appurtenant	17
7. Correction of a register in accordance with subsection (2) of section <i>eleven</i> , of the Act except where the correction relates to an incorrect entry or omission from the register in consequence of an error made in the Lands and Deeds Registry in which case no fee shall be payable	111
8. Entry or cancellation of a notice of deposit of Certificate of Title or sublease	17
9. Entry or withdrawal of a Caveat where the interest shown is that of—	
(a) intending purchaser, transferee or other such similar interest; or	83
(b) Intending mortgagee, trust, beneficiaries and any other interest not included in (a) above.	28
10. Any entry or cancellation on a register not otherwise provided for in this Schedule	17

PART II

The fees charged under this Part shall be payable and shall apply in respect of—

- (a) the Lands Register; and
- (b) the Common Leasehold Register.

1. Preparation and issue of a Certificate of Title	44
2. Preparation and issue of a Provisional Certificate of Title	28
3. Registration of a Certificate of Title	11
4. Registration of a Provisional Certificate of Title	11
5. Certifying a copy of any printed state consent granted, printed surrender to the President or other similar document	11
6. Certifying a copy of any other document	11
7. Making a certified copy of any registered document, for a copy of each page of the document	11
8. (a) Issuance of duplicate Certificate of Title	56
(b) Copy of each page document attached to Certificate of Title referred to in paragraph (a)	11

	<i>Fee Units</i>
9. Issuance of certified copy of any document in accordance with regulation 11, for a copy of each page of document	11
10. Personal search and examination of entries in a specified folio	11
11. Personal search and examination of index of names	11
12. Making available a computer print out of entries in a specified folio	17
13. Official search as to entries in a specified folio including certificate of the result of search	56
14. For every entry in the register recorded on the certificate of the official search	11
15. Official search in the index of names, including certificates of the result of such search	11
16. For every registration, entry, cancellation certificate of act done in the Registry, or a District Registry, not being any of the matters or things mentioned above	39

PART III

Registration of a Bill of sale	28
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PART IV

For each registration of document made under section *ten* of the Act in the Miscellaneous Register, the fee payable shall be:

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| (a) for each registration | 56 |
| (b) making certified copy of any registered document, for a copy of each page of the document | 11 |
| (c) for each registration of debentures and other similar documents the fee payable shall be calculated in accordance with Part I, Category II of this Schedule. | |

DR L. SHIMAPONDA,
Minister of Lands

LUSAKA
16th April, 1996
[ML.103/52/2]