

LAND REGISTRATION RULES 1977

We, the Registration of Title Rules Committee, constituted pursuant to the provisions of Section 73 of the Courts of Justice Act, 1936, by virtue of the powers conferred upon us by Section 126 of the Registration of Title Act, 1964, with the concurrence of the Minister for Justice, do hereby make the following Rules.

Dated this 24th day of February, 1977.

SEÁN DE BUITLÉAR, Judge of the High Court
FRANCIS J. LANIGAN
JOHN O. SWEETMAN
NEVIN GRIFFITH

I concur in the making of these Rules

Dated this 25th day of March, 1977.

PATRICK COONEY,
Minister for Justice.
PRELIMINARY.

REG 1

Commencement

1. (1) These Rules shall come into operation on the 1st day of April, 1977 and may be cited as the Land Registration Rules, 1977.
- (2) The Land Registration Rules, 1975 are hereby rescinded.

REG 2

2. (1) These Rules and the Land Registration Rules, 1972 shall be construed together and Rule 2 of the Land Registration Rules, 1972 shall apply for the purpose of the interpretation of these Rules,
- (2) These Rules and the Land Registration Rules, 1972 may be cited together as the Land Registration Rules, 1972 to 1977.

REG 3

3. (1) Subrules (2), (3) and (4) of Rule 19 of the Land Registration Rules, 1972 are hereby amended by the substitution of "£25,000" for "£8,000" wherever "£8,000" occurs and the said subrules as so amended are set out in the Table hereto:

TABLE.

- (2) Where the market value of the property the subject of the application is shown to the satisfaction of the Registrar not to exceed £25,000, the title to be shown by the applicant may commence—
 - (a) with a disposition of the property made not less than 20 years prior to the date of the application that would be a good root of title on a sale under a contract limiting only the length of title to be shown or
 - (b) with a conveyance or assignment on sale made not less than 12 years prior to the date of the application that would be a good

root of title on a sale under a contract limiting only the length of title to be shown.

(3) On a sale where the purchase money of the property does not exceed £25,000, the Registrar may, if he thinks fit, register a title as absolute or good leasehold on production of a certificate by a solicitor, at the expense of the applicant in Form 3, adapted as the case may require.

(4) Where property is acquired by a statutory authority and the purchase money or compensation paid therefor does not exceed £25,000, (a) 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 a certificate of title by the solicitor for such authority in Form 3 adapted as the case may require;

(b) the application shall be signed by the solicitor for the statutory authority and shall be accompanied by a plan of the property drawn on the current largest scale map published by Ordnance Survey.

4. (1) Subrule (1) of Rule 35 of the Land Registration Rules, 1972 is hereby amended by the substitution of "£25,000" for "£8,000" and the said subrule as so amended is set out in the Table hereto:
TABLE.

Application where property acquired by a statutory authority or on sale and value does not exceed £25,000.35. (1) Where property purchased under the Land Purchase Acts and registered with a possessory title has been acquired on sale or by a statutory authority and the purchase money, compensation or value thereof does not exceed £25,000, the Registrar may, on an application by the Solicitor for applicant certifying that he has investigated the title prior to first registration and that on such investigation no adverse rights, restrictive covenants or incumbrances were disclosed, convert the title into an absolute title.

15. (1) The caption of Form 3 of the Schedule of Forms to the Land Registration Rules, 1972 (which is the form mentioned in Rules 19 and 35 of the said Rules) is hereby amended by the substitution of "£25,000" for "£8,000".

(2) Form 3 of the Schedule of Forms to the Land Registration Rules, 1972 is hereby rescinded and the following Form is hereby prescribed in lieu thereof:

LAND REGISTRY
COUNTY

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 thereof) 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 herein.

5. The purchase money of (or, the compensation for) the property did not exceed £25,000. The whole of it has been paid to the person (or, persons) entitled thereto or authorised to give receipts therefor.

6. I apply for the 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 19

Signature

EXPLANATORY NOTE.

These Rules, which come into operation on 1st April, 1977, rescind the Land Registration Rules, 1975 (S.I. No. 246 of 1975). The Rules provide for the deletion from the Land Registration Rules, 1972 of the existing Form 3 and the introduction of a new Form 3.

The Rules also provide for the amendment of Rules 19 and 35 of the Land Registration Rules, 1972.