

LAND REGISTRATION RULES 1986

REG 1

Commencement and Citation.

1. (1) These Rules shall come into operation on the 1st day of October, 1986 and may be cited as the Land Registration Rules 1986.
- (2) These Rules and the Land Registration Rules 1972 and 1981 may be cited together as the Land Registration Rules 1972 to 1986.

REG 2

Interpretation.

2. These Rules and the Land Registration Rules 1972 and 1981 shall be construed together and Rule 2 of the Land Registration Rules 1972 shall apply for the purpose of the interpretation of these Rules.

REG 3

Registry map, scale for urban areas.

3. The maps maintained for property in urban areas shall as far as possible be on the 1/1000 scale or such other scale as the Registrar allows. All plans of property in such areas shall be shown on such scale with necessary or obvious adjustments to conform to Ordnance detail or with such consents or after such enquiries or notices as the Registrar may direct.

REG 4

Crystallised charge as burden.

4. (1) Pursuant to section 69 (1) (S) of the Registration of Title Act, 1964 it is hereby prescribed that the following matter may be registered as a burden affecting registered land:
A crystallised charge on the land of a company arising on the appointment of a receiver under a debenture which created a floating charge on its undertaking and assets.
- (2) An application for registration of a crystallised charge shall be made by lodging in the Registry the debenture and appointment of receiver with a duplicate or attested copy of each. It shall identify the property affected by the crystallised charge by a reference to the folio of the register in which the ownership of the company appears. The entry in the register shall give the dates and parties to the Debenture and to the Deed of Appointment of the Receiver under which the crystallised charge arises.
- (3) On the registration of a crystallised charge as a burden on the land of a company the receiver appointed under the debenture may exercise the powers conferred on him by the debenture in relation to such land.
- (4) The crystallised charge shall not be deemed to be an instrument of charge under section 62 (2) of the said Act.
- (5) On registration of the said crystallised charge as a burden the original of the said debenture and the said appointment of receiver shall be returned to the person lodging same.

REG 5

Form of Certificate of Charge in certain cases.

5. Rule 156 (2) of the Land Registration Rules 1972 shall apply to such other financial institutions as the Registrar may direct.

REG 6

Procedure on Appeals to Court.

6. Appeals to Court under section 19 (1) of the Registration of Title Act, 1964 may be made

(1) In the case of an appeal to the High Court by filing a notice of motion and grounding affidavit with the Court Registrar of the Land Registry in accordance with Order 96 of the Superior Court Rules 1986, who may direct the service of said notice of motion and grounding affidavit on such other parties as may be necessary,

(2) In the case of an Appeal to the Circuit Court by filing a notice of motion and grounding affidavit in accordance with Order 51 of the Circuit Court Rules 1950.

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 on us by section 126 of the Registration of Title Act, 1964, with the concurrence of the Minister for Justice do hereby make the foregoing Rules.

DATED this 4th day of July, 1986.

JAMES A. D'ARCY, Judge of the High Court.

JOHN O. SWEETMAN

W. A. OSBORNE

JOHN BRENDAN FITZGERALD

I concur in the making of these Rules.

DATED this 12th day of September, 1986.

ALAN M. DUKES,
Minister for Finance.

EXPLANATORY NOTE.

These Rules, come into operation on the 1st day of October, 1986.

They provide that the Registry map for property in urban areas shall as far as possible be on the 1/1000 scale and that all plans of property in such areas shall be shown on such scale with necessary or obvious adjustments to conform to ordnance detail. They prescribe that a crystallised charge on the appointment of a receiver under a debenture may be registered as a burden affecting registered land under section 69 of the Registration of Title Act, 1964.

They also provide for the application of Rule 156 (2) of the Land Registration Rules 1972 which relates to the form of certificate in certain specified cases to such other financial institutions as the Registrar may direct.

They indicate the procedure to be followed for appeals to Court

under section 19 (1) of the said Act.