

# S.I. No. 456/2009 - Land Registration (No.2) Rules 2009

S.I. No. 456/2009 - Land Registration (No.2) Rules 2009 2009 456

S.I. No. 456 of 009.

LAND REGISTRATION (NO.2) RULES 2009

*Notice of the making of this Statutory Instrument was published in*

*- Iris Oifigiúil - of 27th November, 2009.*

I, Dermot Ahern, hereby make the following rules

1. (1) These Rules may be cited as the Land Registration (No.2) Rules, 2009.

(2) These Rules and the Land Registration Rules 1972 to 2009 may be cited together as the Land Registration Rules 1972 to 2009 (No.2).

(3) These Rules and the Land Registration Rules 1972 to 2009 shall be construed together as one.

2. These Rules shall come into operation on the 1st of December, 2009, save rules 8, 11, 12, 17, 28, 30 and 32 which shall come into operation on 1st of January 2010.

### *Limited Ownership*

3. Where property is registered in the name of a limited owner or an infant or minor, an entry in form 109 set out in the schedule hereto may be made on the folio.

### *Registration of trustees*

4. An application for registration of trustees who are owners of registered land by virtue of the Land and Conveyancing Law Reform Act 2009 shall be in Form 110 set out in the Schedule hereto.

### *Lease of registered land*

5. A lease of registered land shall be in form 111 set out in the schedule hereto.

### *Forms and directions*

6. (1) The Authority may from time to time give such directions as to the format of the forms of application to be lodged for registration as it considers appropriate.

(2) Directions under subrule (1) may, for example, be in respect of characteristics (including shape, design, size, colour, quality and dimension) and content of forms for any class of application or other matter, and the format and content of electronic forms and the deviations from prescribed forms which are permitted or required to be made in connection with such application or other matters.

7. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 3 of those Rules:

*- ~~3~~ Form and contents of registers*

3. (1) The registers shall consist of information required by the Acts and these Rules to be recorded in respect of each ownership registered under the Acts.

(2) Each ownership registered shall be identified by a distinguishing number to be called the folio or title number.

(3) The registers shall be maintained in paper or electronic form or partly in one form and partly in the other form.

(4) The registers shall be maintained in Irish or English or partly in one language and partly in the other language.

(5) Where a register or any part thereof is in paper form the information shall be recorded on a folio or folios which shall be in three parts.

(6) There shall be entered in the first part of a folio-

(a) a description of the property the ownership of which is registered, with a reference to the plan on the registry maps of the land affected;

(b) a description of any part of the property which is transferred to another folio.

(c) such information as is authorised by the Acts or these Rules relative to-

(i) easements and rights for the benefit of the property;

(ii) the inclusion of mines and minerals in, or their exclusion from, the property;

(iii) the boundaries of the property;

(iv) at the Authority-~~s~~ discretion, Land Commission references and notes regarding issue of land certificates and copy maps.

(7) There shall be entered in the second part of a folio-

(a) the name of the owner of the property and his address in the State for service of notices;

(b) such information as is necessary relative to-

(i) the classes of titles that are registered pursuant to sections 33 or 40 of the Act;

(ii) the devolution of the property;

(iii) the matters referred to in sections 91 of the Act;

(iv) the issue of land certificates;

(c) cautions and inhibitions restricting the registration of dispositions of the property;

(d) a note under section 61 (6) (b) of the Act of the death of the registered owner and of the names of his personal representatives.

(8) There shall be entered in the third part of a folio-

(a) the burdens the registration of which is authorised by section 69 of the Act;

(b) (i) the ownership of a registered charge, where it is not registered in the register maintained under section 8 (b) of the Act and, where the Authority permits, sub-charges on a registered charge and their ownership;

(ii) such information as is necessary relative to the issue of certificates of charge;

(c) notice of the exemption from or existence of the burdens specified in Section 72 of the Act;

(d) cautions and inhibitions against registration of dealings with a registered burden the ownership of which is not registered in the register maintained under section 8 (b) of the Act.

(9) Where a register or any part thereof is in electronic form it shall be capable of being reproduced in legible form in the same format as if it were in paper form.

(10) The information in respect of any particular ownership shall not be accessible during such period as

(a) may be required to update that information,

(b) may arise as a result of force majeure, including unusual and unforeseen circumstances beyond the control of the authority.

(11) All existing folios of the registers shall be revised in accordance with the foregoing provisions of this rule whenever the Authority considers such revision expedient.-



8. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 6 of those Rules:

- *Revision of folios of registers*

6. (1) The Authority, on an application by the registered owner or when it thinks it practicable or desirable, may clear the title to property entered in a folio of a register by closing it and opening a revised folio for the property containing the subsisting entries only.

It may, in doing so, make any re-arrangement conducive to clarity, including the entry of the property in two or more folios, or the entry of property on two or more folios in one folio, or the altering of the number of a folio. On the completion of the revision of the folio notification shall be sent to the registered owner (or his Solicitor) of the revised folio number.

(2) Any person inspecting a revised folio of a register may inspect the closed folio or folios for which it is substituted or the record thereof maintained in the Registry.-♦

9. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 19 of those Rules:

*-♦Modification of examination of title*

19. (1) Save as aforesaid and as otherwise provided in this rule, the title to be shown by the applicant may commence with a disposition of the property made not less than 15 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.

(2) Where the market value of the property the subject of the application is shown to the satisfaction of the Authority not to exceed €1,000,000, the title to be shown by the applicant may commence 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 €1,000,000, the Authority may, if it thinks fit, register a title as absolute or qualified 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, and an application map.

(4) Where property is acquired by a statutory authority and the purchase money or compensation paid therefor does not exceed €1,000,000 the Authority may dispense with the official examination of the title and may register the statutory authority with absolute title or qualified title or good leasehold title on production of a certificate by the solicitor for such authority in Form 3 adapted as the case may require and an application map.

(5) Where the title of an applicant has been examined-

(a) by the conveyancing counsel of a court on a sale or purchase of the property under an order of the court or

(b) by a practising barrister on a sale or mortgage of the property,

the Authority may dispense with, or modify as it thinks fit, the official examination of title.

(6) Where, in the course of the investigation of a title, the applicant so requests, or it appears desirable to the Authority that the title should be referred to counsel for his opinion, the Authority may, with the consent and at the expense of the applicant, agree that the title be referred to counsel for his opinion generally or on any of the following specific matters-

(a) whether he is satisfied as to the identity of the property in the title deeds with the property the subject of the application;

(b) the class of title with which the applicant is to be registered;

(c) if the applicant is entitled as trustee, what inhibition is required for the protection of the trusts;

(d) if the applicant is to be registered as owner the burdens (if any) specified in section 69 of the Act that affect the property and their priority inter se;

(e) whether the evidence produced discharges his requisitions on the title.

The opinion of counsel may be furnished in Form 3 adapted as the case may require.-♦

10. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 24 of those Rules:

-♦*Registration of recorded property*

24. On the transfer of recorded property to a register under the Act-

(a) all charges, incumbrances, leases and other rights on the record that are burdens within the meaning of section 69 of the Act shall be entered as burdens in the register in their priority as recorded;

(b) notice of the existence of any of the burdens specified in section 72 of the Act that are on record shall be entered in the register;

(c) the person appearing on the record as entitled to the property shall be entered in the register as owner with absolute title according to his estate therein as shown by the record.-♦

11. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 57 of those Rules:

-♦*Application by solicitor for registration of dealing*

57. (1) Every application or instrument sent to or delivered at the Registry for registration by a solicitor shall be accompanied by a statement signed by him setting out-

(a) the names of all the parties to the transaction for whom he acts as solicitor;

(b) the amount of Land Registry fees sent;

(c) the documents sent;

(d) the ownership or other entries for the registration of which he applies.

(2) The statement may be in Form 17.-♦

12. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 59 of those Rules:

*- Presentation of dealing for registration*

59. An application or instrument in respect of registered property with the proper Revenue stamp certificate, and accompanied by the prescribed fee for the registration applied for and otherwise prima facie in order for registration, may be received for registration.-

13. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 67 of those Rules:

*- Registration of a tenant in common*

67. An application for registration as owner by a person claiming as tenant in common of an undivided share in property shall state the share to which he is entitled where the share does not appear from the instrument lodged. The entry in the register shall be that the applicant is owner of a specified undivided share of the property.-

14. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 79 of those Rules:

*- Notice of application for registration under transfer over-reaching estate or interest of registered owner*

79. (1) The notice of an application for registration in defeasance of the estate or interest of a registered owner referred to in section 60 of the Act shall not be given where the estate or interest is overreached by statute, a Land Judges conveyance, a vesting order of a court or of the Land Commission or the Minister for Agriculture, Fisheries and Food, a transfer by the Land Commission or the Minister for Agriculture Fisheries and Food in exercise of its statutory powers or a transfer executed by a person appointed by a court for that purpose in execution of its judgment, order or decree.

(2) In default of the concurrence of the personal representative of a deceased registered owner, or, in the case of a charge or burden, of a deceased registered owner, to an application for registration under the said section 60 in cases other than those specified in paragraph (1) of this rule, notice of the application shall be given-

(a) to the personal representative or,

(b) where there is no personal representative, to the person or persons claiming to be entitled, whether under the will of the deceased, on his intestacy or under section 111 of the Succession Act, 1965 .

(3) The applicant for registration shall furnish to the Authority the particulars necessary for the service of the notices prescribed by this rule, insofar as the applicant is in a position to do so.-

15. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 82 of those Rules:

*- Registration of trustees or assignees of bankrupt owner; and re-registration of the owner*

82. (1) The assignees in bankruptcy of a registered owner who has been adjudicated a bankrupt may be registered as owners in his place on production in the Registry of an office copy of the certificate of the vesting of the estate and effects in the assignees, endorsed as prescribed by this rule.

(2) A bankrupt whose trustee, or assignee is registered as owner of his registered property may be re-registered as owner or, where he is a limited owner, the entry of the assignees or trustee as assignees of his limited estate or interest may be cancelled, on production in the Registry of the re-vesting deed.

(3) An arranging debtor whose trustees are registered as owners of his registered property may be re-registered as owner or, where he is a limited owner, the entry of the trustees as assignees of his limited estate or interest may be cancelled, on production in the Registry of an office copy of the order of the court under section 85 of the Bankruptcy Act, 1988 , endorsed as prescribed by this rule.

(4) Every order, certificate, resolution or agreement or office copy thereof, produced for the purposes of a registration referred to in this rule, shall have endorsed thereon a certificate by the Official Assignee in Bankruptcy or the trustee identifying the bankrupt or arranging debtor named in the order or certificate with the registered owner named in a specified folio of the register whose property is sought to be transferred. Where the application is for the re-registration of the person who was the bankrupt or arranging debtor, it shall be accompanied, in the case of a bankruptcy by the re-vesting deed or, in the case of an arrangement by an office copy of the order of the court under section 85 of the Bankruptcy Act, 1988 or, where applicable, the written consent of the trustee to the re-registration.-♦

16. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 100 of those Rules:

-♦*Application for registration of successor of limited owner*

100. (1) On the determination of the estate or interest of a limited owner, an application for registration by a person claiming under the trust or settlement shall be in Form 64 or 65, as the case may require. Where Form 65 is appropriate and the trust or settlement is created by will, the original or an official copy of the will and probate or letters of administration with will annexed shall be lodged. Where Form 64 is appropriate, the assent or transfer already filed in the Registry under which the limited owner was registered shall suffice.

(2) Save in cases where Form 64 is appropriate, the applicant shall not be registered except with the concurrence of the trustees (if any) of the trust or settlement or after notice to them.

(3) The application may also be made by the trustees of the trust or settlement in Form 64 or 65, as the case may require, with the necessary modifications and with the assent of the owner to be registered to the registration of any burdens affecting his estate or interest.

(4) The trustees admission of the discharge or cesser of any burdens created by the trust or settlement shall be sufficient evidence of such discharge or cesser.-♦

17. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 117 of those Rules:

-♦*Dealing with mortgage created prior to first registration where registered.*

117. (1) Where a mortgage created prior to the first registration of property is entered in the register, the Authority may, on the application or with the concurrence of the person entitled thereto, register him as owner of a charge on due proof of his title and after notice to the owner of the mortgaged property.

(2) The same forms may be used and the same procedure may be adopted on transfers and other dispositions of a charge of which an owner is so registered as are applicable to registered charges.-❖

18. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 118 of those Rules:

*-❖Registration of judgment mortgage*

118. (1) Application for registration of a judgment mortgage as a burden on registered property pursuant to section 116 of the Land and Conveyancing Law Reform Act 2009 shall be made in Form 112 and shall have endorsed thereon a certificate that the judgement was obtained, signed by the proper officer of the relevant court.

(2) The entry in the register shall be in Form 74, with such variation as the Authority may, in special circumstances, direct.-❖

19. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 119 of those Rules:

*-❖Identification of property*

119. An application for registration of a judgment mortgage shall contain a statement that to the best of the applicant-❖s knowledge and belief the judgment debtor at the time of swearing the affidavit has an estate or interest in the lands contained in a specified folio of the Register, or the defined part thereof to be affected by the registration-❖

20. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 120 of those Rules:

*-❖Notice of registration of judgment mortgage*

120. (1) Notice of the registration of a judgment mortgage in the Registry shall be sent by the Authority to the registered owner of the property and to the other persons (if any) whose estate or interest therein the application purports to affect and whose address in the State for service of notices is disclosed in the register or the application.

(2) The notice shall be in Form 75.-❖

21. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 121 of those Rules:

*-❖Application to cancel judgment mortgage on grounds of invalidity*

121. (1) Where an entry of notice of the deposit of an affidavit of judgment under the Judgment Mortgage (Ireland) Act 1850 or an entry of judgment mortgage under section 116 of the Land and Conveyancing Law Reform Act 2009 is made in the register of any property, a registered owner, or any other person interested, who claims that the deposit and

the notice thereof in the register do not create a valid burden or that the judgment mortgage is not a valid burden may apply to the Authority for the cancellation of the entry.

(2) The application shall be in writing and shall state the grounds on which the applicant claims that the entry should be cancelled, as, for instance, that a specified provision of the Judgment Mortgage (Ireland) Acts, 1850 and 1858, has not been complied with or that the judgment debtor had no estate or interest in the property or no estate or interest capable of being affected by registration of the affidavit, or judgment mortgage and shall state the facts on which he relies in support of his claim.

(3) Where the Authority is satisfied on the facts stated that a prima facie case for cancellation of the entry has been made, notice of the application and of the cancellation proposed to be made shall be given to the judgment creditor and, in default of objection thereto by him within the time specified by the notice, the entry shall be cancelled.

(4) Every objection to a proposed cancellation shall be in writing and shall be signed by the judgment creditor or his solicitor. It shall state the grounds of the objection and the facts relied on in support thereof.

(5) Where, in the opinion of the Authority, the application and objection do not raise a question of law or fact relative to the validity of the registration made which should be referred to the court, it may cancel or refuse to cancel the entry of notice of the deposit or the judgment mortgage; but, if a question of law or fact is disclosed on which, in its opinion the validity of the affidavit or application as a judgment mortgage depends, it may refer the question to the court for decision.-♦

22. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 122 of those Rules:

-♦ *Cancellation of notice of deposit of affidavit of judgment or of judgement mortgage validly registered.*

122. Subject to an inhibition in the register to the contrary, an entry of notice of the deposit of an affidavit of judgment or an entry of judgment mortgage may be cancelled on production in the Registry of the certificate specified in section 9 of the Judgment Mortgage (Ireland) Act, 1850, of the satisfaction of the judgment, decree or order in respect of which the affidavit was deposited, or of a requisition by the judgment creditor or his personal representative, in Form 76, for its discharge.-♦

23. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 128 of those Rules:

-♦ *Lis Pendens*

128. (1) An application for the registration of a lis pendens as a burden shall be made in Form 77. It shall be signed by the applicant or his solicitor and shall have endorsed thereon a certificate of the existence of the cause or proceeding signed by the proper officer of the Central Office of the High Court.

(2) The entry of a lis pendens in the register shall be in Form 78, with such variation thereof as the Authority may, in special circumstances, direct.

(3) An application for the discharge of a lis pendens shall be made by lodging in the Registry a certificate of the appropriate officer of the Central Office of the High Court that the lis pendens has been cancelled on the register of lis pendens maintained in the Central

Office of the High Court,(or where the lis pendens was registered before 1.12.2009, signed by the proper officer of the court in which the lis pendens may be, that it has been duly vacated pursuant to order of the court), or by lodging an order of the court directing its cancellation on the register, or by lodging a transfer of the property made in pursuance of an order for sale by the court in which the lis pendens may be, or by lodging the consent of the person on whose application it was registered as a burden, provided in the case of a lis pendens registered after the 1st of December 2009 it is shown to the satisfaction of the Authority that the entry of the lis pendens in the register of the Central Office has been cancelled.-◆

24. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 153 of those Rules:

*-◆Removal of description of infancy or of minority*

153. The description of a registered owner of property as an infant or minor shall be removed from the register on an application in writing accompanied by proof that he has attained full age.-◆

25. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 188 of those Rules:

*-◆Inspection of filed documents and obtaining copies thereof*

188. (1) The registered owner of property and any person authorised by such owner, or by an order of the court or by these Rules, but no other person, may inspect a document filed in the Registry on a dealing or transaction with the property of the owner.

(2) Any person who would be entitled to inspection of a document relating to property, if its ownership was not registered under the Act, and the document was in the possession of the person by law entitled to the custody thereof, shall be entitled to inspect the document, if filed in the Registry.

(3) An affidavit of judgement deposited in the Registry pursuant to the Judgment Mortgage Ireland Act, 1850, as amended by the Act, or an application for registration of a judgment mortgage under rule 118 may be inspected by any person so long as notice of its deposit or the entry of the judgment mortgage is uncanceled in a register.

(4) A memorandum of a lis pendens, bond, recognisance or inquisition filed in the Registry may be inspected by any person so long as the entry relative to it remains uncanceled in a register.

(5) An application, assent, affidavit, or transfer, made by a personal representative of a deceased owner of property that vested in the personal representative may be inspected by a devisee or other person, except a creditor, having an interest in the property under the owners will, or, where the owner died intestate, by a person in whom a beneficial interest in the property devolved on the intestacy, or by a person who satisfies the Authority that he is the successor in title of one of such persons.

(6) An instrument filed in the Registry under Rule 139 (5) may be inspected by the person by whom it was lodged or by any person who satisfies the Authority that he is entitled to the benefit of a right created by the instrument.

(7) Any person entitled to inspect a document filed in the Registry may obtain a copy of it.

(8) The Authority may, in special circumstances and on such terms as it shall think fit, permit a person to inspect, or obtain a copy of, a document filed in the Registry.-❖

26. The Land Registration Rules 1972 are amended by the substitution of the following for Rule 225 of those Rules:

-❖ *Incorporeal hereditaments held in gross.*

225. (1) An applicant for registration of ownership of an incorporeal hereditament held in gross shall be registered as owner with an absolute title where title both to the grantees interest and to the grantors interest and to any superior or intermediate interest that may exist is approved by the Authority.

(2) Where, immediately before the commencement of the Act, the registration of ownership of an incorporeal hereditament held in gross contained a note to the effect that the title of the grantor to make the grant has been investigated and found to be good, the title to the grantees interest shall be deemed to be an absolute title. Where there is no such note, the title shall be deemed to be a possessory title.

(3) Where an incorporeal hereditament held in gross is granted by the owner of property registered with an absolute, possessory or qualified title, the title of the registered owner of such incorporeal hereditament shall be deemed to be likewise absolute, possessory or qualified, as the case may be.

(4) The registration of a person as first registered owner of an incorporeal hereditament held in gross with a possessory title shall not affect or prejudice the enforcement of any right (whether in respect of the grantors title or otherwise) adverse to or in derogation of the title of the grantor or of that person and subsisting or capable of arising at the time of registration but, save as aforesaid, shall have the same effect as registration with an absolute title.-❖

27. The Schedule of Forms to the Land Registration Rules 1972 is amended by the substitution of the Forms set out in the schedule hereto and numbered 1, 2, 7, 9, 10, 11, 12, 13, 16, 19, 23, 30, 34, 36, 37, 41, 43, 45, 46, 47, 48, 53, 55, 61, 63, 64, 65, 68, 74, 75, 76 and 77 for the forms numbered 1, 2, 7, 9, 10, 11, 12, 13, 16, 19, 23, 30, 34, 36, 37, 41, 43, 45, 46, 47, 48, 53, 55, 61, 63, 64, 65, 68, 74, 75, 76 and 77 in that Schedule.

28. The Schedule of Forms to the Land Registration Rules 1972 is amended by the substitution of the Form set out in the schedule hereto and numbered 17 for the form numbered 17 in that Schedule.

29. Rules 29, 58, 75, 109, 124 and 152 of the Land Registration Rules 1972 are rescinded.

30. Rules 106, 110, 116, 158, 159, 160, 162, 163, 164, 165, 168, 169 and 170 of the Land Registration Rules 1972 are rescinded.

31. Forms 6, 24, 32, 39, 49, 51, 56, 58, 60, 62, and 73 of the Schedule of Forms to the Land Registration Rules 1972 are deleted.

32. Forms 94, 95 and 96 of the Schedule of Forms to the Land Registration Rules 1972 are deleted.

## Schedule of Forms

### FORM 1

Application for first registration of freehold property (rules 14 and 15)

### LAND REGISTRY

#### County

I, A.B., of make oath and say-

1. I am entitled for my own benefit (*or*, as trustee under deed dated etc., *or*, as the case may be) to the property set out in the Part 1 of the Schedule hereto which is subject to the mortgages, charges, leases, tenancies, restrictive covenants and incumbrances specified in the Part 2 of the said Schedule (*or*, which is not subject to any mortgage, charge, lease, restrictive covenant or incumbrance).

2. I am in undisputed possession (*or*, receipt of the rents and profits) of the property and there is no person in occupation of it, or any part of it, adversely to my estate therein.

(a) to be inserted only when opinion of counsel is relied on under rule 19.

3. I refer to the statement of my title lodged with this application (to the opinion of counsel thereon (*a*)), to the application map or other map referred to in rule 15(1)(c) and to the schedule of documents lodged herewith, which is a list of all documents relating to the title in my possession or under my control. The facts specified in the statement of my title are true and accurate and the map correctly shows the boundaries of the property.

(b) to be inserted only when applicant is a trustee - see rule 49.

4. (*b*) For the protection of the trusts on which I hold the property I apply for the entry of the following inhibition in the register on my registration as owner (*see rule 49 and Form 88*).

5. There is not to my knowledge any mortgage, charge, lease, lien, agreement, restrictive covenant, encumbrance or trust affecting the property specified in paragraph 1, the subject of my application or any part thereof, that has not been disclosed in the proceedings in the Registry on the application, and there is no person in possession or occupation of any part of the property adversely to my estate therein.

6. I am not aware of any question, affecting my title to the property or any part of it, or of anything whereby the title is or may be affected or called in question in any manner whatever.

7. The contracts, abstracts, counsels opinions, requisitions, replies, deeds, wills and other documents referred to or lodged with said application and produced in the proceedings

thereunder are all the documents in my possession or under my control relating to the title to the said property commencing with a good root of title.

8. There is not to my knowledge any person interested in the proceedings on the said application who is under the age of 18 years, or is of unsound mind, (except - *give name and address of any person interested who is a minor (see note 2) or of unsound mind and of his guardian or committee, or trustees under section 57 of the Succession Act. 1965, if any*) and no proceedings are pending in any court relating to the said property (except- *give particulars of any pending action or suit*).

9. I hereby apply for registration in the Register of Freeholders as owner with absolute title [*or, qualified title, (qualified as to)*] [*or, possessory title*] of the property described in the Part 1 of the Schedule hereto.

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

### *Schedule*

#### PART 1.

*(To contain description of the property, giving area, townland, barony and county, or, if in a city or urban district, the street or road and city or urban district).*

#### PART 2.

*(To contain short particulars of all subsisting mortgages, leases, tenancies, restrictive covenants, and incumbrances not being burdens to which section 72 of the Act applies).*

NOTE (1) - Where the application is for first registration of an incorporeal hereditament held in gross, the ninth paragraph is to be varied by stating that it is for registration of the ownership in the relevant register of the hereditament specified in Part 1 of the Schedule and that part is to contain particulars of the hereditament and of the property out of which it issues. If the application is by the original grantee of the hereditament paragraph 3 is to refer only to the grant.

NOTE (2) - Please note that an interest vesting in a minor creates a trust in land by virtue of Part 4 of the Land and Conveyancing Law Reform Act 2009 the Trustees of which trust are The guardians of a minor do not necessarily have capacity to act as trustees on his/her behalf.

### FORM 2

*Application for first registration of leaseholds and of rights (other than incorporeal hereditaments held in gross) (rules 14 and 16)*

LAND REGISTRY

County

I, A.B., of make oath and say-

1. I am entitled for my own benefit (*or, as trustee under deed dated or, as the case may be*) to the lessee's interest in the lease referred to in paragraph 5 which lease is subject to the mortgages, charges, subleases, tenancies, restrictive covenants and incumbrances stated in Part 2 of the Schedule hereto (*or, which is not subject to any mortgage, charge, sublease, tenancy, restrictive covenant or incumbrance*).

2. I am in undisputed possession (*or, receipt of the rents and profits*) of the property and there is no person in occupation of it, or any part of it, adversely to my estate therein.

(a) to be inserted only when opinion of counsel is relied on under rule 19.

3. I refer to the statement of my title lodged with this application (to the opinion of counsel thereon (*a*)), to the application map or other map referred to in rule 15(1)(c) and to the schedule of documents lodged herewith, which is a list of all documents relating to the title in my possession or under my control. The facts specified in the statement of my title are true and accurate and the map correctly shows the boundaries of the property.

(b) to be inserted only when applicant is a trustee - see rule 49.

4. (*b*) For the protection of the trusts on which I hold the property I apply for the entry of the following inhibition in the register on my registration as owner (*see rule 49 and Form 88*).

5. There is not to my knowledge any mortgage, charge, lease, lien, agreement, restrictive covenant, encumbrance or trust affecting the property specified in paragraph 1, the subject of my application or any part thereof, that has not been disclosed in the proceedings in the Registry on the application, and there is no person in possession or occupation of any part of the property adversely to my estate therein.

6. I am not aware of any question, affecting my title to the property or any part of it, or of anything whereby the title is or may be affected or called in question in any manner whatever.

7. The contracts, abstracts, counsels opinions, requisitions, replies, deeds, wills and other documents referred to or lodged with said application and produced in the proceedings thereunder are all the documents in my possession or under my control relating to the title to the said property commencing with a good root of title.

8. There is not to my knowledge any person interested in the proceedings on the said application who is under the age of 18 years, or is of unsound mind, (*except - give name and address of any person interested who is a minor (see note 4) or of unsound mind and of his guardian or committee, or trustees under section 57 of the Succession Act, 1965, if any*) and no proceedings are pending in any court relating to the said property (*except- give particulars of any pending action or suit*).

9. I hereby apply for registration as owner with a good leasehold title [*or, absolute title or, possessory title or, qualified title (qualified as to)*] of the leasehold interest in the property described in Part 1 of the Schedule hereto demised by lease dated the day of from C.D. to E.F. for a term of at a rent of € (*or, as the case may be*) .

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

Schedule

PART 1.

*(To contain description of the property, giving area, townland, barony and county, or, if in a city or urban district, the street or road and city or urban district).*

PART 2.

*(To contain short particulars of all subsisting mortgages, leases, tenancies, restrictive covenants, and incumbrances not being burdens to which section 72 of the Act applies).*

NOTE (1) - This form can be adapted together with Form 1 where the application is for an absolute title. See section 40(4) of the Act.

NOTE (2) - This form is to be adapted on an application for first registration of ownership of a right (other than an incorporeal hereditament held in gross) in the register maintained under section 8(b) of the Act.

NOTE (3) - The reference in paragraph 3 to a schedule of documents may be omitted where Rule 16(a) applies.

Note (4) - Please note that an interest vesting in a minor creates a trust in land by virtue of Part 4 of the Land and Conveyancing Law Reform Act 2009 the Trustees of which trusts are The guardians of a minor do not necessarily have capacity to act as trustees on his/her behalf.

FORM 7

*Caution against first registration (rule 31(1))*

LAND REGISTRY

To The Property Registration Authority, Land Registry, (*address of the appropriate office*)

Notice is to be given to A.B. of any application that may be made for the registration of an owner of the property (*or, the leasehold interest under lease dated from X to Y for years in the property in the county of specified in the Schedule hereto.*

Dated the day of 20.

(To be signed by A.B. or his Solicitor).

Schedule

(To contain particulars of the property by reference an application map)

FORM 9

*Affidavit of interest in support of caution against first registration, to be endorsed on caution (rule 31(3))*

LAND REGISTRY

County

I. A.B., of makeoath and say:-

1. I am (*or, C.D., for whom I am solicitor, is*) interested in the property (*or, leasehold interest*) referred to in the within caution. The following are the particulars or my (*or, his*) interest.

2. (*State concisely in short paragraphs the documents or facts which show that the cautioner has an incumbrance on the property, or is entitled to object to a disposition of it without his consent*).

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

FORM 10

*Notice to cautioner of application for first registration (rule 32)*

Property Registration Authority

Land Registry

*(address of appropriate office)*

Sir / Madam,

Take Notice that E.F., of has applied to be registered as owner of the property (*or, leasehold interest*) referred to in your caution lodged in the Land Registry on the day of.

If you intend to oppose his application, you are required to do so in writing sent to the Property Registration Authority at the above address before the expiration of 10 days from

the service of this notice on you. If you do not oppose it, the application will be proceeded with.

Any objection by you to the application must state the grounds thereof.

Dated the day of 20.

To A.B., of

Signed:

FORM 11

*Application for the conversion of possessory title registered for 30 years (rule 33)*

LAND REGISTRY

County Folio

I, A. B., of the registered owner of the property referred to in paragraph 1 hereof make oath and say-

1. The property to which this application relates is part(s) of the townland(s) of area described in Folio of the register County .

2. I was registered as owner of said property (under a transfer from *or*, under a devise in the will of, *or, as the case may be*)

*or,*

I am the first registered owner of said property; and prior to its purchase by me under the Land Purchase Acts, I was tenant of it for upwards of years and I have been in undisputed possession since the year .

3. I am absolutely entitled to the property (*or, I am entitled to the property as -- if the applicant is an express trustee under any deed or will made before the first registration of the property state the fact and give particulars of the deed or will*) and there is not to my knowledge any mortgage charge, lease, agreement, incumbrance, restrictive covenant or trust, affecting the property or any part of it and created before (*insert date of first registration*) except as above stated.

4. I am not aware of any question affecting my title to the property or any part of it, or of anything whereby the title is or may be affected or called in question in any manner whatever.

5. There is not to my knowledge any person interested in the proceedings on the said application who is under the age of 18 years, or is of unsound mind, (*except - give name and address of any person interested who is a minor (see Note) or of unsound mind and of his guardian or committee, or trustees under section 57 of the Succession Act, 1965, if any*) and

no proceedings are pending in any court relating to the said property (except-give particulars of any pending action or suit).

6. I am in actual occupation of all the property and no person has a right of residence therein, a right to receive an annuity thereout or a right of maintenance or support or other privilege thereout under any agreement, settlement, or deed, or a right under any devise or intestacy made or arising prior to (*insert date of first registration*) (except as stated in paragraph 3); and I have no knowledge of any deed, will, settlement, or other document affecting the property or any part of it, or of anything prior to the day of (*i.e., date of first registration*) whereby my title to it may be affected or called in question in any manner whatever.

7. I apply that the possessory title in the register of the property be converted into absolute title.

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

NOTE - *Please note that an interest vesting in a minor creates a trust in land by virtue of Part 4 of the Land and Conveyancing Law Reform Act 2009 the Trustees of which trust are. The guardians of a minor do not necessarily have capacity to act as trustees on his/her behalf.*

FORM 12

*Application for the conversion of possessory title registered over 12 years, where the applicant claims under a transfer for valuable consideration registered not less than 12 years prior to application (rule 34)*

LAND REGISTRY

County Folio

I, A. B., of the registered owner of the property referred to in paragraph 1 hereof make oath and say-

1. The property to which this application relates is part(s) of the townland(s) of area described in Folio of the register County .

2. The said property was purchased by me (*or, E.F.*) from C.D. in the year, and by transfer, dated the day of was transferred to me (*or, E.F.*) on sale and I (*or, E.F.*) was registered as full owner thereunder on the day of

or

the said property was transferred to me, on the occasion of my marriage with C.D. by deed, dated , under which I was registered as limited owner (*or, as the case may be*). (*Facts*

*must be stated showing that the applicant claims under a registered transfer for value to himself or a predecessor in title).*

3. I am absolutely entitled to the property and there is not to my knowledge any mortgage, charge, lease, agreement, incumbrance, restrictive covenant or trust, affecting the property or any part of it created prior to (*insert date of first registration*) (except as stated in paragraph 7).

4. I am not aware of any question affecting my title to the property or any part of it, or of anything whereby the title is or may be affected or called in question in any manner whatever.

5. There is not to my knowledge any person interested in the proceedings on the said application who is under the age of 18 years, or is of unsound mind, (except - *give name and address of any person interested who is a minor (see Note) or of unsound mind and of his guardian or committee, or trustees under section 57 of the Succession Act, 1965, if any*) and no proceedings are pending in any court relating to the said property (except-*give particulars of any pending action or suit*).

6. I am in actual occupation of all the property and no person has to my knowledge any right therein or thereout under any agreement, settlement, or deed, or under any devise, or intestacy made or arising prior to (*insert date of first registration*) (except as stated in paragraph 7); and I have no knowledge of any deed, will, settlement, or other document affecting the property or any part of it, or of anything prior to (*insert date of first registration*) whereby my title to it may be affected or called in question in any manner whatever. I have not (nor to the best of my knowledge and belief have my predecessors in title) given any acknowledgement of title to the said property to any person.

7. I have no deeds or other documents relating to the property in my possession or control (except the following which are lodged with this application, viz.,).

8. I apply that the possessory title in the register of the property be converted into an absolute title.

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

NOTE - Please note that an interest vesting in a minor creates a trust in land by virtue of Part 4 of the Land and Conveyancing Law Reform Act 2009 the Trustees of which trust are The guardians of a minor do not necessarily have capacity to act as trustees on his/her behalf.

FORM 13

Application for the conversion of possessory title where the title to the tenancy existing prior to first registration has not been investigated by counsel (rule 36)

LAND REGISTRY

County Folio

I, A. B., of make oath and say-

1. The property to which this application relates is part(s) of the townland(s) of area described in Folio of the registerCounty .

(a) See Rule 41(a).

2. I am (*or, C.D., is*) the registered owner of the said property (and I refer to the consent (*a*) of the said C.D., to this application lodged herewith).

3. (*State concisely the terms of the disposition that is the root of title. and the subsequent documents, facts, and events that show the title claimed. Where the documents disclose any charge or other burden, proof must be given of its discharge, where its existence is not admitted*).

*eg.* By settlement, dated the, made on the marriage of C.D., and E.F., (*or, by conveyance, dated, or, by his will, dated*) A.B., who was then the tenant of the property, conveyed, (*or, devised*) same to

4. The deeds and other documents set out in the accompanying Schedule, dated the, are all the deeds and documents affecting the property in my possession or control.

5. I am (*or. C.D. is*) in possession of all the property and no person other than myself (*or CD*) is in occupation of the property or any part thereof [save who is (*or, are*) in occupation of (*area*) thereof under ].

6. There is not to my knowledge any mortgage, charge, lease, lien, agreement, restrictive covenant, encumbrance or trust affecting the property specified in paragraph 1, the subject of my application or any part thereof, that has not been disclosed in the proceedings in the Registry on the application, and there is no person in possession or occupation of any part of the property adversely to my (*or, his*) estate therein.

7. I am not aware of any question, affecting my title to the property or any part of it, or of anything whereby the title is or may be affected or called in question in any manner whatever.

8. There is not to my knowledge any person interested in the proceedings on the said application who is under the age of 18 years, or is of unsound mind, (*except - give name and address of any person interested who is a minor (see Note) or of unsound mind and of his guardian or committee, or trustees under section 57 of the Succession Act. 1965, if any*) and no proceedings are pending in any court relating to the said property (*except- give particulars of any pending action or suit*).

9. I apply that the possessory title in the register of the property be converted into an absolute title (and that the following incumbrances be entered in the register thereof as

burdens. *Set out the burdens created prior to first registration that applicant admits are subsisting*).

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

NOTE - Please note that an interest vesting in a minor creates a trust in land by virtue of Part 4 of the Land and Conveyancing Law Reform Act 2009 the Trustees of which trust are The guardians of a minor do not necessarily have capacity to act as trustees on his/her behalf.

FORM 16

Affidavit of discovery (rule 47)

LAND REGISTRY

County

*or*

County Folio

I, A. B., of make oath and say-

1. The property to which this affidavit refers is (*describe clearly the property the subject of the application; where it is registered, the Folio No. of the register should be stated*).

2. There is not to my knowledge any mortgage, charge, lease, lien, agreement, restrictive covenant, encumbrance or trust affecting the property specified in paragraph 1, the subject of my application (*or of the application of*) or any part thereof, that has not been disclosed in the proceedings in the Registry on the application, and there is no person in possession or occupation of any part of the property adversely to my (*or, his*) estate therein.

3. I am not aware of any question, affecting my title to the property (*or, the title of to the property*) or any part of it, or of anything whereby the title is or may be affected or called in question in any manner whatever.

4. The contracts, abstracts, counsels opinions, requisitions, replies, deeds, wills and other documents referred to or lodged with said application and produced in the proceedings thereunder are all the documents in my possession or under my control (*or, in the possession of or under his control*) relating to the said property.

5. There is not to my knowledge any person interested in the proceedings on the said application who is under the age of 18 years, or is of unsound mind, (*except - give name and*

address of any person interested who is a minor (see note) or of unsound mind and of his guardian or committee, or trustees under section 57 of the Succession Act. 1965, if any) and no proceedings are pending in any court relating to the said property (except- give particulars of any pending action or suit).

Signature of deponent. I, E.F., hereby certify that I know deponent.  
 Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (or other qualified person) and I know the deponent (or, I know E.F., who certifies his knowledge of the deponent), Signature

NOTE - Please note that an interest vesting in a minor creates a trust in land by virtue of Part 4 of the Land and Conveyancing Law Reform Act 2009 the Trustees of which trust are The guardians of a minor do not necessarily have capacity to act as trustees on his/her behalf.

FORM 17

Application by solicitor for registration of ownership, burdens or other entries, under documents presented by him (rule 57)

1. APPLICATION TYPES

Please tick as appropriate, all application types, the documents lodged to support the application and, for transfer (sales), charges and leases, state the consideration in the deed

Lodged	Consideration	Dealing /Application Type	Documents
Transfer	Deed of Transfer		
All Part (Site No.)			
&			
Sale Voluntary		Application Map	
FHPA			
Charge	Deed of Charge		
	Certified Copy/Counterpart Charge		
Discharge	Deed of Discharge/Vacate endorsed on Charge		
Transmission	Probate/Grant of Administration		
	Assent		
	Application		
Lease	Lease		
	Certified Copy/Counterpart Lease		
	Form 16		
	Searches (Registry of Deeds and Judgements Office)		
Other (please list)	All other documents (please list)		
Copy Folio/Filed plan (if required)			

2. FOLIO DETAILS

Folio number

County

### 3. FEES PAYABLE

I enclose fees of

*Please complete the following sections using block capitals or typeface*

### 4. LODGED BY

Name

Postal Address

E-Mail Address (if any)

Reference

### 5. APPLICANT DETAILS

*I as solicitor for the applicant(s) apply for registration of the under named as owner(s) as joint tenants / tenants in common of the property the subject of the application herein.*

First name

Surname/Organisation Name

Address within the state for service of notices

Share (*Tenants in Common only*)

First name

Surname/Organisation Name

Address within the state for service of notices

Share (*Tenants in Common only*)

### 6. CHARGE DETAILS

*I as solicitor for the applicant apply for registration of the following charge and as solicitor for the registered owner/person entitled to be registered as owner assent to its registration as a burden on the property affected.*

Name of Lender

Charge for    Present and Future Advances    Principal Sums    Specified Amount

### 7. OTHER REGISTRATIONS

*I as solicitor for the applicant apply for registration of the burdens/cautions/inhibitions in accordance with documents lodged and as solicitor for the registered owner/person*

*entitled to be registered as owner assent to the registration of same as burdens on the property.*

*SIGNATURE (All applications must be signed either by individual Solicitor or, if no solicitor acting, by the applicant)*

*Signed*

*Name of Firm*

*Date*

FORM 19

*Transfer of freehold property by a registered owner (rules 52, 69)*

LAND REGISTRY

County Folio

Transfer dated the day of 20 . A.B., the registered owner, in consideration of (the receipt of which is hereby acknowledged) hereby transfers all the property described in folio of the register County to C.D.

(a) give address of and description.

The address of C.D., in the State for service of notices and his description are:

(a)

(b) See Note (1)

It is hereby certified, etc. (b)

Signed (*or*, Signed, sealed) and delivered by A.B. in the presence of:-

Signed (*or*, Signed sealed) and deliveredby C.D. in the presence of:-

NOTE (1) - The relevant certificates required by the Finance/Stamp Duty Acts may be added to the Form in appropriate cases.

NOTE (2) - Where the transfer is on a sale, and the transferor claims a lien for unpaid purchase money, he must, in order to protect the lien, apply for its registration as a burden--*see rule 126*. Where the purchase money is paid the usual receipt clause may be embodied in the transfer.

NOTE (3) - For execution and the attestation of the execution of a transfer --*see rules 54, 55*.

NOTE (4) - Where desired, the covenants for title implied by the transferor transferring "as beneficial owner" or "as settlor" or "as mortgagee " may be incorporated by inserting these words in the transfer after the name of the transferor - see *section 80 of the Land and Conveyancing Law Reform Act 2009* .

## FORM 23

*Voluntary transfer of freehold property by a registered owner with a power of revocation (rules 52, 69)*

### LAND REGISTRY

County Folio

Transfer dated the day of 20.

In consideration of the affection of A.B., the registered owner, for C.B.-

1. A.B., hereby transfers all the property described in folio of the register County to C.B. subject to the power to A.B. at any time hereafter by deed (or, by will expressly referring to this power) to revoke this transfer.

2. C.B., hereby assents to the registration of the following inhibition:

*No registration under a disposition is to be made without prior notice to A.B.*

3. The address of C.B., in the State for service of notices and his description are:

(a) See Note (2)

4. It is hereby certified. etc. (a).

Signed (*or*, Signed, sealed) and delivered by A.B.in the presence of:-

Signed (*or*, Signed sealed) and deliveredby C.B.in the presence of:-.

NOTE (1) - The relevant certificates required by the Finance/Stamp Duty Act may be added to the Form in appropriate cases.

NOTE (2) - Where the transfer is on a sale, and the transferor claims a lien for unpaid purchase money, he must in order to protect the lien apply for its registration as a burden--see rule 126. Where the purchase money is paid the usual receipt clause may be embodied in the transfer.

NOTE (3) - For execution and the attestation of the execution of a transfer --see rules 54, 55.

NOTE (4) - Where desired, the covenants for title implied by the transferor transferring "as beneficial owner" or "as settlor" or "as mortgagee" may be incorporated by inserting

these words in the transfer after the name of the transferor - *see section 80 of the Land and Conveyancing Law Reform Act 2009* .

FORM 30

Settlement of freehold property by a registered owner on the  
marriage of his child (rules 52, 69)

LAND REGISTRY

County Folio

Settlement made the day of 2 on an intended marriage between B. and C. In consideration of the marriage (and of ) A., the registered owner, hereby transfers all the property described in folio of the register County to E. and F. (herein called the trustees) in trust for A. until the marriage, and thereafter upon the trusts following-

*For example:*

*1. To permit the exercise by A. and D. his wife, of the rights and privileges hereinafter stated and subject thereto.*

*2. In trust for B. for his life, with remainder.*

*3. In trust for C. for her life, with remainder.*

*4. In trust for the children or remoter issue of the marriage for such estates and interests and subject to such charges for any one or more of them as B. and C. by deed, or the survivor of them by deed or will shall appoint, and in default of and subject to any appointment to all the children who shall attain 21 years in equal shares as tenants in common, and in default of children or issue*

*5. In trust for A.*

*6. A. and D., his wife, during their lives, and the survivor during his or her life, shall be permitted to reside in the dwellinghouse on the property and shall be supported and maintained on and out of the property in the manner following: (insert particulars of maintenance agreed on).*

*7. The trustees shall by registered charge raise in priority to the trusts of this settlement a sum of , the said sum to be raised and applied as follows: (insert terms relative to the time for raising the money, and for the application of it when raised by the charge).*

*8. B. and C. and the survivor of them shall have power to appoint new trustees of this settlement.*

*9. The address in the State of the trustees for service of notices and their descriptions are-*

(a) See Note (3)

*10. It is hereby certified, etc. (a)*

Signed (*or*, Signed, sealed) and delivered by A in the presence of:-

Signed (*or*, Signed sealed) and delivered by B in the presence of:-

Signed (*or*, Signed, sealed) and delivered by C in the presence of:-

Signed by the said E.F. and G.H. in the presence of:-

NOTE (1) - The clauses in italics are illustrative only. The Form may be adapted to any uses or trusts by inserting after the words "thereafter upon the trusts and uses following" paragraphs stating the trusts agreed on. A book of precedents should be consulted.

NOTE (2) - Where there is money consideration for the transfer a receipt clause should be incorporated in the transfer

NOTE (3) - The relevant certificates required by the Finance/Stamp Duty Acts may be added to the Form in appropriate cases.

NOTE (4) - Where the transfer is on a sale, and the transferor claims a lien for unpaid purchase money, he must in order to protect the lien apply for its registration as a burden--*see rule 126.*

NOTE (5) - For execution and the attestation of the execution of a transfer --*see rules 54, 55.*

NOTE (6) - Where desired, the covenants for title implied by the transferor transferring "as beneficial owner" or "as settlor" or "as mortgagee" may be incorporated by inserting these words in the transfer after the name of the transferor - *see section 80 of the Land and Conveyancing Law Reform Act 2009 .*

FORM 34

*Application for registration by a devisee of a registered owner of freehold property that did not vest in his personal representative (rule 87)*

LAND REGISTRY

County Folio

I, A.B, of make oath and say-

1. C.B., the registered owner of the property described in folio of the register County died on the day of, and probate of his/her will dated the day of , was (*or*, letters of administration with his/her will dated were) granted to E.D., on the day of .

Identification of property devised.

2. By his/her will the said owner devised all the property described in said folio [*or*, the part of the property described in said folio specified in the schedule (*or*, first Schedule) hereto] to me in the words following: (*insert the words in the will devising the property.*)

*or*,

All the property described in said folio is included in the residuary devise to me in the will of said owner.

3. The will does not charge the property devised to me with the payment of testators debts (and does not create a general charge on it for payment of legacies).

*or*,

I refer to a statement of E.D., the personal representative of the testator, in which he says that he makes no claim against the property for any sum for payment of the debts and legacies charged thereon that are payable primarily out of the testators personal estate.

*or*,

I refer to a statement of E.D., the personal representative of the testator, in which he claims that the personal estate is not sufficient for the payment of the debts and legacies payable primarily out of that estate, but charged also on the property devised to me. The deficiency of the personal estate for these payments is estimated by him at €. I have by instrument dated the created a power for the personal representative of C.B., to raise out of the property by registered charge such sums, not exceeding in all €, as may hereafter be ascertained to be necessary to meet the deficiency. I assent to the registration of the power created by said instrument, which accompanies this application, as a burden on the property, (and I apply for an entry in the register inhibiting the registration of any charge created under said power without prior notice to me).

*or*,

The address of B.D., the personal representative of the testator, for service of notice in respect of the debts and legacies charged on the property devised to me that are payable out of the personal estate is . I claim that the personal estate is sufficient for their payment.

4. (Except as stated in the preceding paragraph) the property devised to me is not subject to any burden created by said will.

*or*,

(Besides the debts and legacies payable primarily out of the personal estate that were charged also on the property) the property devised to me is charged by said will with the

charges and other burdens set out in the Schedule hereto and I assent to their registration as burdens (except those that are therein stated to be not subsisting).

5. I apply to be registered as owner of the property subject to the burdens to the registration of which I have assented and to the subsisting unregistered right set out in the Schedule hereto, for the protection of which I assent to the registration of the following inhibition:-*(See Form 88)*.

6. My address in the State for service of notices and my description are-

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths *(or other qualified person)* and I know the deponent *(or, I know E.F., who certifies his knowledge of the deponent)*, Signature

Schedule

First Part

Particulars of subsisting burden(s) or right(s)  
Name of claimant *(If a minor or person of unsound mind, that fact to be stated with name of guardian or committee)* Address in the State of claimant *(or his guardian or committee)*

Second Part

Particulars of burdens not subsisting Name of claimant *(If a minor or person of unsound mind, that fact to be stated with name of guardian or committee)* Documents relied on in proof of discharge of burden

NOTE: If the devisee is a trustee the terms of his application should be modified in the manner shown in Form 40 on application for registration by like owner(s) of property that vests in the personal representative.

FORM 36.

*Application for registration by the heir, widow or husband of an intestate registered owner of freehold property that did not vest in his personal representative (rule 88)*

LAND REGISTRY

County Folio

I, A.B., of , make oath and say-

1. C.D., the registered full owner of the property described in folio of the register County, died intestate on the day of, and letters of administration of his personal estate were granted to on the day of (*or, if no representation has been raised, refer to the evidence of death and intestacy relied on*).

2. The said C.D., was registered as owner of the property described in the said folio under a transfer of it to him (*or, under a devise of it to him in the will of*) (*state facts showing that the intestate is " The purchaser " from whom title is to be traced*), and I am his eldest son (*or, as the case may be*). He died a widower, (*or, his wife, E.F., of survives him*). I refer to the pedigree in proof of my title, and the documents verifying it, that accompany this application

*or,*

I am the husband of the said C.D. having had issue by her capable of inheriting her freeholds.

*or,*

I am the widow of the said C.D. who died leaving no issue, and the net value of his real and personal estate did not exceed £4,000 (*where the death occurs before 1st June, 1954 £500*). I refer to the evidence in proof thereof that accompanies this application.

3. I have not transferred, charged, or dealt with said property in any way (*except-give particulars of any charge or other dealing by the applicant*).

4. I apply to be registered as owner of said property (and I assent to the registration of the dower of the widow of C.D., (and of the burden stated in paragraph 3 hereof) as burdens thereon)

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

NOTE - If the applicant is the personal representative and widow of the registered owner who died leaving no issue and the net value of his real and personal estate did not exceed £4,000 (where the death occurs before 1st June, 1954, £500) the reference to proof of the amount of the property in paragraph 2 may be omitted.

FORM 37

*Assent by personal representative to a devise to another entitled thereto in the case of death before the 1st June, 1959 (rule 89)*

LAND REGISTRY

County Folio

I, A.B., of make oath and say-

1. C.D., the registered owner of the property described in folio of the register, County died on the day of, and probate of his/her will dated the day of was, (*or*, letters of administration with his/her will dated annexed thereto were) granted to me on the day of.

2. By his will the said owner devised all the property described in the said folio (*or*, the part of the property described in the said folio specified in the Schedule or, First Schedule hereto) to E.F., in the words following: (*Insert the words in the will devising the property*).

*or*,

All the property described in said folio is included in the residuary devise to E.F., in the will of the said owner.

3. I, as personal representative, make no claim against the said property for any money for the discharge of the funeral and testamentary expenses, or the debts of the said owner (and the legacies charged by his will on both real and personal estate that are primarily payable out of his general personal estate).

*or*,

(a) See Note (1).

The general personal estate of the said owner is not sufficient to discharge in full his funeral and testamentary expenses and debts (and the legacies charged on his real and personal estate for which his general estate is primarily liable). The sum raiseable out of the property described in the said folio to provide for the deficiency is € (*or*, is estimated by me at a sum not exceeding €), and by instrument of charge dated the day of 19, I have created a charge on the property to secure my liabilities as personal representative of C.D., to the extent of the said sum (*a*)

4. I have set out in the Schedule hereto (*or*, the second Schedule hereto) the names of all persons entitled under the will to any burden or other right in, to, or over the said property, except those whose claims are primarily payable out of the general personal estate in exoneration of the said property, with short particulars of their burden or right, and their addresses in the State for service of notices. (The burdens or rights of the persons named in the Second Part of said Schedule have been satisfied or discharged or have terminated). No person named in the said Schedule is an infant or person of unsound mind (except where therein stated).

*or*,

No person is entitled under the will to any burden or other right in, to, or over the property except the devisee.

5. I assent to the devise of the property specified in paragraph 2 thereof (subject to the burdens and rights affecting same hereinbefore referred to), and to the registration of E.F., as owner thereof.

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (or other qualified person) and I know the deponent (or, I know E.F., who certifies his knowledge of the deponent), Signature

*(First) Schedule (where necessary)*

*(To contain a description of the part of the property in the folio that was devised, identifying it by reference to an application map unless the part can be identified on the registry map from the verbal description)*

*(Second) Schedule (where necessary)*

*(c) this Schedule is only to be divided into parts where some of the burdens have been discharged and some subsist.*

*(c) First Part*

Particulars of subsisting burden(s) or right(s)  
Name of claimant in will (*Where a minor, or person of unsound mind, that fact with name of guardian or committee to be stated*) Address in the State of claimant (*or, where a minor or person of unsound mind, of his guardian or committee*)

*Second Part*

Particulars of burden(s) or right(s) not subsisting  
Name of claimant in will (*Where a minor or person of unsound mind, that fact to be stated with name of guardian or committee to be started*) Address in the State of claimant (*or, where a minor or person of unsound mind, of his guardian or committee*)

NOTE (1)-See section 87 (1) of the Registration of Title Act, 1891. When it is necessary to create a charge to provide for a deficiency in the personal estate, an instrument of charge must be executed, stamped and lodged with the assent. See Form 69. But in such a case the transaction can best be carried out by a transfer in Form 43 instead of a transfer and an instrument of charge. This charge should only be created when the personal estate is insufficient to discharge the debts and the legacies (if any) charged on both the real and personal estate for which the personal estate is primarily liable.

*Application by a person entitled as sole devisee for registration as owner of property that is vested in him as sole personal representative in case of death before the 1st June, 1959 (rule 89)*

LAND REGISTRY

County Folio

I, A.B., of make oath and say -

1. C.D., the registered owner of the property described in folio of the register, County died on the day of, and probate of his/her will dated the day of was, (*or*, letters of administration with his/her will dated annexed thereto were) granted to me on the day of 19.

2. By his will the said owner devised all the property described in the said folio (*or*, the part of the property described in the said folio specified in the Schedule *or*, First Schedule hereto) to me, in the words following: (*Insert the words in the will devising the property*).

*or*,

All the property described in said folio is included in the residuary devise to me, in the will of the said owner.

3. I have set out in the Schedule hereto (*or*, the second Schedule hereto) the names of all persons entitled under the will to any burden or other right in, to, or over the said property, except those whose claims are primarily payable out of the general personal estate in exoneration of the said property, with short particulars of their burden or right, and their addresses in the State for service of notices. (The burdens or rights of the persons named in the Second Part of said Schedule have been satisfied or discharged or have terminated). No person named in the said Schedule is a minor or person of unsound mind (except where therein stated).

*or*,

No person is entitled under the will to any burden or other right in, to, or over the property except the devisee.

*or*,

(*a*) I have set out in the Schedule hereto particulars of all the charges, burdens, or rights created by the will of C.D., on the said property that have priority to the uses and trusts of the settlement created by the said will, and I assent to their registration as burdens on the property (except those of them stated in the assent of the personal representative to have been discharged or satisfied or to have terminated) and I assent to the following inhibition being entered on the folio for the protection of the said unregistered rights.

(*a*) See Note

4. I, as personal representative, make no claim against the said property for any money for the discharge of the funeral and testamentary expenses or the debts of said owner (*or*, the

legacies charged by his will on both real and personal estate that are primarily payable out of his general personal estate) and I apply as devisee for registration as owner of the property (subject to the burdens set out in the first part of the Second Schedule hereto, and to the rights for the protection of which I apply for the entry on the folio of an appropriate inhibition:-(See Form 88).

5. My address in the State for service of notices and my description are-

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (or other qualified person) and I know the deponent (or, I know E.F., who certifies his knowledge of the deponent), Signature

*(First) Schedule (where necessary)*

*(To contain a description of the part of the property in the folio that was devised, identifying it by reference to an application unless the part can be identified on the registry map from the verbal description)*

*(Second) Schedule (where necessary)*

*(c) this Schedule is only to be divided into parts where some of the burdens have been discharged and some subsist.*

*(c) First Part*

Particulars of subsisting burden(s) or right(s)  
Name of claimant in will (*Where a minor, or person of unsound mind, that fact with name of guardian or committee to be stated*) Address in the State of claimant (*or, where a minor, or person of unsound mind, of his guardian or committee*)

Second Part

Particulars of burden(s) or right(s) not subsisting  
Name of claimant in will (*Where a minor or person of unsound mind, that fact to be stated with name of guardian or committee to be started*) Address in the State of claimant (*or, where a minor or person of unsound mind, of his guardian or committee*)

FORM 43

*Transfer of property of a testate registered full owner by his personal representative to a devisee entitled in case of death before the 1st June, 1959 (rule 90)*

LAND REGISTRY

County Folio

Transfer dated the day of .

A.B., the personal representative of C.D., the registered owner, hereby-

(a) See Note (4)

1.-(a) Charges all the property described in folio of the register, County with any sums that the personal representative of C.D., is liable to pay.

2. Transfers all the property described in the said folio to E.F., as the devisee entitled thereto under the will of C.D., free from all the burdens and rights created thereon by the said will which have been satisfied or discharged or have terminated (*or*, subject to the burdens(s) and right(s) created by the said will that are specified in the Schedule hereto and free from all other burden(s) or right(s) thereunder which have been satisfied or discharged or have terminated).

3. E.F., hereby assents to the registration of the burden(s) in the said Schedule (and the said charge in favour of the personal representative) as burden(s) on the property (and to the entry of an inhibition for the protection of the right(s) in the said Schedule in the following terms-*See Form 88*).

4. The address of E.F., in the State for service of notices and his description are-

(b) See Note (5)

5. It is hereby certified, etc. (b).

Signed (*or*, Signed, sealed) and delivered by A.B.in the presence of:-

Signed (*or*, Signed sealed) and deliveredby E.F.in the presence of:-.

Schedule

Subsisting burdens and rights under the will of C.D. Name of person entitled under the will to the burdens or rights. (*Where a minor or person of unsound mind that fact and name of guardian or committee to be stated*)

NOTE (1)-The transfer must be accompanied by an affidavit by the personal representative as prescribed by rule 90 (2). Form 45.

NOTE (2)-See section 87 (1) of the Registration of Title Act, 1891. This charge should only be created where the personal estate is insufficient to discharge the debts, and the legacies (if any) charged on both the real and personal estate, for which the personal estate is primarily liable.

NOTE (3)-This form is to be used with appropriate modifications where the personal representative is transferring to the successor of the devisee entitled or to trustee devisees to whom property is devised on trust for sale requiring their registration. The form should in such case include an application for the entry of an appropriate inhibition to protect the trusts on which they hold.

NOTE (4) - The relevant certificates required by the Finance/Stamp Duty Acts may be added to the Form in appropriate cases.

NOTE (5) - For execution and the attestation of the execution of a transfer --see rules 54, 55.

#### FORM 45

*Affidavit by personal representative (1) of a testate registered owner relative to, burdens or other rights created by the will of the testator in case of death before the 1st June, 1959 (rule 90)*

*or,*

*(2) in the case of property subject to Part IV of the 1891 Act only, in respect of which the registered owner has died intestate, relative to the persons by law entitled to the property on the intestacy in case of death before the 1st June, 1959 (rule 91)*

#### LAND REGISTRY

County Folio

I, A.B., make oath and say-

1. C.D., the registered owner of the property described in folio of the register, County died testate (*or*, intestate) on the day of, and probate of his/her will was (*or*, letters of administration with his/her will annexed, *or*, letters of administration of his/her estate were) granted to me on the day of 19.

Testate Owner.

2. I have set out in the Schedule hereto the names of all persons entitled under the will to any estate, burden or other right in, to, or over the property described in the said folio, except those whose claims are payable primarily out of the general personal estate of the testator in exoneration of the said property, with short particulars of their interests and their addresses in the State for service of notices. None of them is a minor or person of unsound mind, except where stated in the said Schedule.

*or,*

Intestate Owner.

I have set out in the Schedule hereto the names of all persons who, subject to the liabilities of the intestate, became by law entitled to his property on his/her death, their

relationship to the intestate, and their addresses in the State for services of notices. None of them is a minor or person of unsound mind except where stated in the said Schedule.

3. I as personal representative make no claim against the said property for any money for the discharge of the funeral, and testamentary (*or*, administration) expenses or the debts of the said owner (*or* the legacies charged by his/her will on both real and personal estate that are primarily payable out of his personal estate).

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or*, I know E.F., who certifies his knowledge of the deponent), Signature

#### Schedule

Name of claimant under the will or intestacy  
(*where a minor or person of unsound mind, state that fact and name of guardian or committee*) Where owner died testate, the estate, burden or right of claimant under the will; where owner died intestate, the relationship of claimant to owner Address of claimant in the State (*or, where a minor or person of unsound mind, of his guardian or committee*)

NOTE-Care should be taken to set out in the Schedule the names of persons who would become entitled under the provisions of the Legitimacy Act, 1931 , and the Adoption Acts, 1952 and 1964.

FORM 46

*Transfer of property (subject to Part IV of the 1891 Act) of an intestate registered owner by his personal representative to the person entitled under the intestacy in case of death before the 1st June, 1959 (rule 91)*

LAND REGISTRY

County Folio

Transfer dated the day of 20.

A.B., as administrator of C.D., the registered owner hereby-

(a) See Note (1).

1. (a) Charges all the property described in folio of the register County with any money that the administrator of C.D., is liable to pay.

2. Charges all the property described in the said folio with the burdens and rights specified in the Schedule hereto, which are hereby created in discharge (or, part discharge) of the rights of the persons named in the second column of the said Schedule as persons entitled to the assets of C.D., on his death intestate.

3. Transfers all the property described in the said folio to E.F., as the person entitled thereto on the death intestate of C.D., free from the rights of all other persons entitled to the assets of the said intestate (but subject to said charge and to the burdens and rights specified in the Schedule).

4. E.F., hereby assents to the registration of the burdens in the said Schedule (and the said charge in favour of the personal representative) as burdens on the property and to the entry of an appropriate inhibition on the folio for the protection of the unregistered rights specified in the Schedule.

5. The address of E.F., in the State for service of notices and his description are-

(b) See Note (3).

6. It is hereby certified, etc. (b)

Signed (or, Signed, sealed) and delivered by A.B.in the presence of:-

Signed (or, Signed sealed) and deliveredby E.F.in the presence of:-.

*Schedule (where necessary)*

Particulars of burden(s) and/or rights to be registered	Name of person to be registered as owner of burden and his address in the State. (Where a minor or person of unsound mind, that fact to be stated with name of guardian or committee (if any))
---	--

NOTE (1)-See section 87(1) of the Registration of Title Act, 1891. This charge should only be created if there are undischarged claims for which the administrator is liable.

NOTE (2)-This form is to be used with the appropriate modifications where the personal representative is transferring to the successor of the person entitled under the intestacy.

NOTE (3) - The relevant certificates required by the Finance/Stamp Duty Acts may be added to the Form in appropriate cases.

NOTE (4) - For execution and the attestation of the execution of a transfer --see rules 54, 55.

FORM 47

*Application for registration by a person who is personal representative and who claims to be entitled to property subject to Part IV of the 1891 Act of an intestate owner in the case of death before the 1st June, 1959 (rule 92)*

LAND REGISTRY

County Folio

I, A.B., make oath and say-

1. C.D., the registered full owner of the property described in folio of the register, County died intestate on the day of, and letters of administration of his/her personal estate were granted to me on the day of 19.

2. I have set out in the Schedule hereto the names of all the persons who, subject to the liabilities of the intestate, became entitled to his property on his/her death, their relationship to the intestate and their addresses in the State for service of notices. None of them is a minor or person of unsound mind except where stated in the said Schedule.

3. I have discharged or satisfied the claim of every person named in the said Schedule by payments or appropriations out of assets of C.D., other than the said property (and/or by charges and other burdens on or rights in the said property created by me by deed dated the day of 19, which accompanies this application).

*or,*

The claim of every person in the said Schedule has been satisfied, and I beg to refer to the deed/deeds, particulars whereof are set out in the third column of the said Schedule whereby the several persons entitled as aforesaid have released their respective claims to the property which said deed/deeds accompany this application and (are intended to be filed in the Registry), (*or, if the deed/deeds relate to other property in addition to registered land, copies of which deed/deeds are intended to be filed in the Registry*).

*or,*

(a) See Note.

(a) As the only child of the said C.D., I am the only person entitled to the assets of C.D.

*or,*

I am the widow of C.D., who died without leaving issue and the net value of his real and personal estate does not exceed £4,000 (*where the death occurred before the 1st June. 1954, £500*).

*or,*

The debts, funeral and administration expenses of C.D., which have been paid by me exceed in amount the value of his assets, and the discharge of such liabilities has left no assets available for distribution amongst the persons entitled thereto.

4. I, as personal representative, make no claim against the said property for any money for the discharge of the funeral and administration expenses or the debts of said owner.

5. I apply to be registered as owner of the said property (subject to the burdens and rights created by the deed/deeds hereinbefore referred to. I assent to the registration of the said burdens and to the entry of the following inhibition to protect the subsisting unregistered rights: (*See form 88*)

6. My address in the State for service of notices and my description are:

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

*Schedule*

Name of Claimant under the intestacy (*where a minor or person of unsound mind state that fact and the name of the guardian or committee*)  
The relationship of claimant to deceased owner Address of claimant in the State (*or, where a minor or person of unsound mind, of his guardian or committee*)

NOTE (1)-n framing this paragraph regard should be had to the provisions of the Legitimacy Act, 1931 , and the Adoption Acts, 1952 and 1964.

FORM 48

*Assent by personal representative(s) to the registration of a person entitled as owner where a registered owner dies testate on or after the 1 st June 1959(rule 94)*

LAND REGISTRY

County Folio

I/we A. B. of make oath and say-

1. C.D., the registered owner of the property described in folio of the register, County died on the day of , and probate of his/her will was (or, letters of administration with his will annexed thereto were) granted to me/us on the day of

2. I/we assent to the registration of E.F. as owner (subject to the charges and to the burdens and rights set out in the Schedule hereto).

Signature of deponent.1, G.H., hereby certify that I know deponent. Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know G.H., who certifies his knowledge of the deponent*), Signature

*Schedule (where necessary)*

Particulars of burdens and/or rights. (It should be stated in the case of each burden or right how it was created, e.g., by will or by deed. The priority in which the burdens are to be entered in the register should be clearly stated)

Name of claimant (Where a minor or person of unsound mind, that fact with name of guardian or committee or trustees under section 57 of the Succession Act, 1965 , to be stated) Address in the State of claimant (or where a minor or *person of unsound mind, of his guardian or committee or trustee*)

NOTE (1) - Deeds or wills (other than probate of the will of the registered owner) should not be lodged. It is the responsibility of the personal representative to administer the estate of the registered owner correctly. Such administration is no concern of the Authority. The effect of all the deeds and wills must be set out correctly in the prescribed Form. See section 61 (3) of the Act as inserted therein by section 54 (2) of the Succession Act, 1965 .

NOTE (2) - See section 20 (2) of Administration of Estates Act, 1959, and, in cases of deaths after the commencement of the Succession Act, 1965 , on 1 st January 1967 (section 52 (2) of that Act).

Where the trustees hold the property on trust for sale the appropriate inhibition to be applied for is a restriction against all dealings by the registered owners or the survivors or survivor of them except by way of sale. Where the property is not held on trust for sale, the utmost care should be taken in framing the inhibition to ensure that while no entry should be made which would interfere with the exercise by the trustees of any powers authorised, e.g. powers of sale and charging, the interests of the beneficiaries are adequately protected by the terms of the inhibition. It is not the duty of the Authority to advise on the suitability or otherwise of any particular form of inhibition nor should the terms of the inhibition be phrased in such a manner as would involve him in an enquiry into the manner in which the trusts are being administered. Normally, the interests of the beneficiaries would be adequately protected by the entry of an inhibition requiring the consent of, or notice to, the beneficiaries or (in the case of minors or persons of unsound mind) their committees or guardians or trustees under section 57 of the Succession Act, 1965 .

NOTE (3) - Where the personal representative authorises the registration of a charge for the repayment of a principal sum of money, the interest and terms relating to its repayment should be clearly set out. It must be shown clearly, in the case of such a charge created by deed, when the repayment of the charge may be enforced by the exercise of his power of sale by the registered owner of the charge.

FORM 53

*Application for registration by a personal representative who claims to be entitled to be registered as owner where a registered owner dies testate on or after the 1st June, 1959 (rule 94)*

LAND REGISTRY

County Folio

I, A.B. of make oath and say:-

1. C.D. the registered owner of the property described in folio of the register county died on the day of , and probate of his/her will was (or, letters of administration will his/her will annexed thereto were) granted to me on the day of

2. I assent to and apply for my registration as owner of the property (subject to the burdens set out in the Schedule hereto, to the registration of which I hereby assent) (and subject to the subsisting unregistered rights referred to in said Schedule for the protection of which I assent to the entry of the following inhibition) (*See Form 88*)

3. My address in the State for service of notices and my description are:-

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

*Schedule (where necessary)*

Particulars of burdens and/or rights (It should be stated in the case of each burden or right how it was created, e.g. by will or by deed. The priority in which the burdens are to be entered in the register should be clearly stated)

Name of claimant (Where a minor or person of unsound mind, that fact with name of guardian or committee or trustees under section 57 of the Succession Act, 1965 , to be stated) Address in the State of claimant (*or, where a minor or person of unsound mind, of his guardian, or Committee or trustee*)

FORM 55

*Transfer by the personal representative(s) to a person entitled to be registered as owner where a registered owner dies testate on or after the 1st June, 1959 (rule 95)*

LAND REGISTRY

County Folio

Transfer dated the day of 20 .

A.B., the personal representative(s) of C.D., the registered owner, hereby-

See Note (1).

1. Transfer(s) all the property described in the said folio to E.F. (subject to the charges and to the burden(s) and right(s) that are specified in the Schedule hereto).

2. E.F. hereby assents to the registration of the said charges and the burden(s) in the said Schedule as burden(s) on the property (and to the entry of an inhibition for the protection of the right in the said Schedule in the following terms - *See Form 88*).

3. The address of E.F. in the State for service of notices and his description are:-

(b) See Note (3).

4. It is hereby certified, etc. (b).

Signed (*or*, Signed, sealed) and delivered By A.B. in the presence of:-

Signed (*or*, Signed, sealed) and delivered By E.F. in the presence of:-

*Schedule (where necessary)*

Particulars of burdens and/or rights (It should be stated in the case of each burden or right how it was created e.g. by will or by deed. The priority in which the burdens are to be entered in the register should be clearly stated)

Name of claimant (Where a minor or person of unsound mind, that fact with name of guardian or committee or trustees under section 57 of the Succession Act, 1965 , to be stated) Address in the State of claimant (*or*, where a minor or person of unsound mind, of his guardian, committee or trustee)

NOTE (1) - Deeds or wills (other than probate of the will of the registered owner) should not be lodged. It is the responsibility of the personal representative to administer the estate of the registered owner correctly. Such administration is no concern of the Authority. The effect of all the deeds and wills must be set out correctly in the prescribed Form. See section 61 (3) of the Act as inserted therein by section 54 (2) of the Succession Act, 1965 .

NOTE (2) - This Form is to be used with appropriate modifications where the personal representative is transferring to the successor of the person entitled whether under the will or under section III of the Succession Act, 1965, or where the property is vested in trustees (by the will or by deed after the death of the registered owner) on trusts requiring their registration. The form should in such case include an application for the entry of an appropriate inhibition to protect the trusts on which they hold. (*See Form 88*). Where the trustees hold the property on trust the appropriate inhibition to be applied for is a restriction against all dealings by the registered owners or the survivors or survivor of them except by way of sale. Where the property is not held on trust, the utmost care should be taken in framing the inhibition to ensure that while no entry should be made which would interfere with the exercise by the trustees of any authorised powers e.g. powers of sale and charging, the interests of the beneficiaries are adequately protected by the terms of the inhibition. It is not the duty of the Authority to advise on the suitability or otherwise of any particular form of inhibition nor should the terms of the inhibition be phrased in such a manner as would involve him in an enquiry into the manner in which the trusts are being administered. Normally the interests of the beneficiaries would be adequately protected by the entry of an inhibition requiring the consent of, or notice to, the beneficiaries or (in the case of minors or persons of unsound mind) their committees or guardians or trustees under section 57 of the Succession Act, 1965 .

NOTE (3) - The relevant certificates required by the Finance/Stamp Duty Acts may be added to the Form in appropriate cases.

NOTE (4) - For execution and the attestation of the execution of a transfer --*see rules 54, 55*.

NOTE (5) - Where the personal representative authorises the registration of a charge for the repayment of a principal sum of money, the interest and terms relating to its repayment should be clearly set out. It must be shown clearly, in the case of such a charge created by deed, when the repayment of the charge may be enforced by the exercise of his power of sale by the registered owner of the charge.

## FORM 61

*Transfer by the personal representative(s) to a person entitled to be registered as owner where a registered owner dies intestate on or after the 1 st June, 1959 (rule 96)*

### LAND REGISTRY

County Folio

Transfer dated the day of 20.

A.B., the administrator(s) of C.D. the registered owner hereby-

(b) See Note (2).

1. Transfer(s) all the property described in the said folio to E.F. (subject to the charge and to the burdens and other right(s) (b) specified in the Schedule hereto).

2. E.F. hereby assents to the registration of the said charge and the burden(s) specified in the said Schedule as burdens on the property, (and to the entry of the following inhibition to protect the subsisting unregistered right(s) specified in the Schedule: (See Form 88).

3. The address of E.F. in the State for service of notices and his description are-

(c) See Note (4).

4. It is hereby certified etc (c)

Signed (*or*, Signed, sealed) and delivered by A,.B. in the presence of:-

Signed (*or*, Signed, sealed) and delivered by E.F.in the presence of:-

*Schedule (where necessary)*

Particulars of burdens and/or rights. (It should be stated in the case of each burden or right, how it was created e.g., by will or by deed. The priority in which the burdens are to be entered in the register should be clearly stated)

Name of claimant (where a minor or person of unsound mind, that fact with name of guardian or committee or trustees under section 57 of the Succession Act, 1965 , to be stated) Address in the State of claimant (*and, where a minor or person of unsound mind, of his guardian, committee or trustee*)

NOTE (1) - Deeds or wills should not be lodged. It is the responsibility of the personal representative to administer the estate of the registered owner correctly. Such administration is no concern of the Authority. The effect of all the deeds and wills must be set out correctly in the prescribed Form lodged with the grant of representation to the estate of the registered owner. See section 61(3) of the Act and section 54 (2) of the Succession Act, 1965 .

NOTE (2) - These burdens may be created in discharge of the claims of beneficiaries who have not been otherwise provided for.

NOTE (3) - This form is to be used with the appropriate modifications where the personal representative is transferring to the successor of the person entitled under the intestacy.

NOTE (4) - The relevant certificates required by the Finance/Stamp Duty Acts may be added to the Form in appropriate cases.

NOTE (5) - For execution and the attestation of the execution of a transfer --*see rules 54, 55.*

NOTE (6) - The right of dower may still arise in the case of the devolution of property not subject to the provisions of Part IV of the Registration of Title Act, 1891, where the registered owner died prior to the commencement of the Succession Act, 1965 .

NOTE (7) - Where the personal representative authorises the registration of a charge for the repayment of a principal sum of money, the interest and terms relating to its repayment should be clearly set out. It must be shown clearly, in the case of such a charge created by deed, when the repayment of the charge may be enforced by the exercise of his power of sale by the registered owner of the charge.

## FORM 63

*Application for registration by a personal representative who claims to be entitled to be registered as owner on the death intestate of a registered owner on or after the 1st June, 1959 (rule 97)*

## LAND REGISTRY

County Folio

I, A.B. make oath and say-

1. C.D., the registered owner of the property described in folio of the register, County, died intestate on the day of , and letters of administration of his estate were granted to me on the day of .

2. I am entitled to be registered as owner of the said property (subject to the burden(s) and right(s) created by the deed/deeds dated ).

I hereby assent to and apply for my registration as owner. (and I assent to the registration of the said burden(s) and to the entry of the following inhibition to protect the subsisting unregistered right(s): *See Form 88*)

3. My address in the State for service of notices and my description are: --

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

*Schedule (where necessary)*

Particulars of burdens and/or rights. (It should be stated in the case of each burden or right, how it was created e.g., by will or by deed. The priority in which the burdens are to be entered in the register should be clearly stated)

Name of claimant (where a minor or person of unsound mind, that fact

with name of guardian or committee or trustees under section 57 of the Succession Act, 1965, to be stated) Address in the State of claimant (*and, where a minor or person of unsound mind, of his guardian, committee or trustee*)

NOTE (1) The right to dower may still arise in the case of the devolution of property not subject to the provisions of Part IV of the Registration of Title Act, 1891, where the registered owner died prior to the commencement of the Succession Act, 1965 on 1 st January 1967.

NOTE (2) - Where the personal representative authorises the registration of a charge for the repayment of a principal sum of money, the interest and terms relating to its repayment should be clearly set out. It must be shown clearly, in the case of such a charge created by deed, when the repayment of the charge may be enforced by the exercise of his power of sale by the registered owner of the charge.

#### FORM 64

Application for registration as owner by a person entitled on the determination of the estate or interest of a registered limited owner-

*(1) where the settlement was created by the will of a registered owner who died on or after the 1 st June, 1959, and registration of the limited owner thereunder is made after the commencement of the Succession Act, 1965 ,*

*or,*

*(2) where the settlement was created by the personal representative and the persons claiming on the death of a registered owner who died on or after the 1st June, 1959, and registration of the limited owner is effected after the commencement of the Succession Act, 1965 , (rule 100).*

#### LAND REGISTRY

County Folio

I, A.B., of make oath and say-

See Note (1).

1. C.D. the registered limited owner of the property described in folio of the register, County died on the day of . (*or if the estate or interest of the limited owner determined otherwise than on death, state the facts that show it has determined*).

2. The provisions of the settlement under which the said C.D., was registered as limited owner are set out in Instrument (being the assent or, transfer under which the limited owner was registered) and under such provisions I am now entitled in fee-simple in possession.

3. My estate or interest in the property is not subject to any burdens or rights (other than those specified in Instrument):-

or,

The settlement created the burdens or rights on my estate or interest in the property that are set in the third Schedule to Instrument and in the Schedule hereto. Of these, those specified in the second part of the Schedule hereto have determined or have been discharged. (I refer to the receipts/releases specified in the 2 nd column of the said Schedule in evidence (b) thereof). I assent to the registration of the other burdens in the said Schedule as burdens on my estate or interest in the property.

4. There were no trustees of the settlement.

or,

The trustees of the settlement are dead and no new trustees of it have been appointed. The last surviving trustee was and his personal representative is of (or, and no representation has been raised to him).

or,

The present trustees of the settlement are and I refer to the order (or, deed) by which they were appointed which accompanies this application.

5. I have not transferred, charged, or dealt with my estate or interest in the property (*except - give particulars of any dealing by the applicant with his estate or interest and assent to the registration of any dealing that is a burden*) and I have no knowledge of any dealing affecting it other than those disclosed in this application.

6. I apply to be registered as owner of all the property described in the said folio subject to the burdens set out in the first part of the Schedule hereto to the registration of which I assent, and to the unregistered right for the protection of which I apply for the entry of the following inhibition. (*See Form 76*).

7. My address in the State for service of notices and my description are-

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

(c) Schedule

(c) this Schedule is only to be divided into parts where some of the burdens have been discharged .

*Part I*

Particulars of burdens and rights created by the settlement that affect estate or interest of applicant. Name of claimant (*Where a minor or person of unsound mind, that fact with name of guardian or committee or trustees under section 57 of the Succession Act, 1965 , to be stated*) Address in the State of claimant (*and, where a minor or person of unsound mind, of his guardian, committee or trustees*)

(d) See Note (2)

*Part II*

Particulars of burdens and rights created by the settlement that have ceased to affect estate or interest of applicant. (d) Documents accompanying application in proof of discharge or cesser of burdens or rights.

NOTE (1) - The application may also be made by the trustees of the settlement. Where made by them, appropriate modifications of the form are to be made, and the assent of the owner to the registration of any burdens affecting his estate or interest should be lodged.

NOTE (2) - Where there are trustees of the settlement and they endorse on the application an admission of the discharge or cesser of any burden created by the settlement, no further evidence of its discharge or cesser is necessary.

FORM 65

*Application for registration as owner by a person entitled on the determination of the estate or interest of a registered limited owner in all cases where Form 64 is not appropriate, e.g.,*

*(1) where the settlement was created by deed by a registered owner;*

*(2) where the settlement was created by the personal representative and the persons claiming on the death of a registered owner and registration of the limited owner was effected prior to the commencement of the Succession Act, 1965 ;*

*(3) where the settlement was created by the will of a registered owner and registration of the limited owner was effected prior to the commencement of the Succession Act, 1965 ;*

*or,*

*(4) where the settlement was created (a) by the will of a registered owner who died prior to the 1st June, 1959, or (b) by the personal representative and the persons claiming on the death of such a registered owner and registration of the limited owner is effected after the commencement of the Succession Act, 1965 (Rule 100).*

LAND REGISTRY

County Folio

*(a)* See Note (1)

*(a)* I, A.B., of make oath and say-

1. C.D. the registered limited owner of the property described in folio of the register, County died on the day of . *(or if the estate or interest of the limited owner determined otherwise than on death, state the facts that show it has determined).*

2. The settlement under which the said C.D., was registered as limited owner is - *state deed or will creating the settlement* and under the limitations thereof I am now entitled in fee-simple in possession.

*(If there were estates or interests prior to the estate or interest of the applicant under the settlement which have determined, they should be referred to and the facts stated which show that they have determined. The application must show that the applicant is entitled in possession).*

3. My estate or interest in the property is not subject to any burdens or rights created by or arising under the settlement.

or,

The settlement created the burden(s) or right(s) on my estate or interest in the property that is (or, are) set out in the Schedule hereto,

or,

The settlement created the burdens or rights on my estate or interest in the property that are set out in the Schedule hereto. Of these, those specified in Part II of the Schedule have determined or have been discharged. (I refer to the documents specified in the 2nd column of the said Schedule in evidence *(b)* thereof).

4. There were no trustees of the settlement,

or,

The trustees of the settlement are dead and no new trustees of it have been appointed. The last surviving trustee was and his personal representative is of *(or, and no representation has been raised to him).*

or,

The present trustees of the settlement are and I refer to the order (*or, deed*) by which they were appointed and to their consent to my registration, which accompanies this application.

5. I have not transferred, charged, or dealt with my estate in the property (except - *give particulars of any dealing by the applicant with his estate or interest and assent to the registration of any dealing that is a burden*) and I have no knowledge of any dealing affecting it other than those disclosed in this application.

6. I apply to be registered as owner of all the property described in the said Folio subject to the burdens set out in Part I of the Schedule hereto to the registration of which I assent, and to the unregistered right for the protection of which I apply for the entry of the following inhibition. (*See Form 88*).

7. My address in the State for service of notices and my description are-

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

(c) Schedule

(c) this Schedule is only to be divided into parts where some of the burdens have been discharged .

*Part I*

Particulars of burdens and rights created by the settlement that affect estate or interest of applicant. Name of claimant (*Where a minor or person of unsound mind, that fact with name of guardian or committee or trustees under section 57 of the Succession Act, 1965 , to be stated*) Address in the State of claimant (*and, where a minor or person of unsound mind, of his guardian, committee or trustees*)

(d) See Note (2)

*Part II*

Particulars of burdens and rights created by the settlement that have ceased to affect estate or interest of applicant. (d) Documents accompanying application in proof of discharge or cesser of burdens or rights.

(e) See Note (2) to Form 39 and Note (4) to Form 49.

*Consent of (e) trustees of settlement to the registration of successor to registered limited owner, to be endorsed on application.*

We, E.D. and G.H. of , the trustees of the settlement under which C.D. was registered as limited owner on folio County have read the within application of A.B., for registration as owner on the said folio.

The statements in paragraphs 1, 2, 3 and 4 of the said application are accurate.

We have no notice of any dealing by A.B. with his estate or interest in the property under the settlement that is not disclosed in the application (*or, as the case may be*). We consent to the registration of A.B. as owner on the said folio free from the burdens or rights created or arising under the said settlement (*or, subject only to the burdens or rights created or arising under the said settlement specified in the Schedule (or, Part I of the Schedule) to the within application, which are the only burdens or rights in the settlement that now affect the estate or interest of A.B. thereunder*).

Dated the day of 20.

*To be signed by the trustees and their signatures attested. If not attested by a solicitor an affidavit by the attesting witness may be required.*

NOTE (1) - The application may also be made by the trustees of the settlement. Where made by them, appropriate modifications of the form are to be made, and the assent of the owner to the registration of any burdens affecting his estate or interest should be lodged.

NOTE (2) - Where there are trustees of the settlement and they consent in the prescribed form to the registration, no evidence of the discharge of any burden created by the settlement other than their admission of its discharge or cesser is necessary.

FORM 68

*Charge for future advances (rules 52, 113)*

LAND REGISTRY

County Folio

Charge dated the day of 20.

A.B., the registered owner, (*or the person entitled to be registered as owner*) hereby charges the property set out in the schedule hereto with payment to CD of all sums owing and due from time to time and covenanted to be paid in respect of future (*or, present and future*) advances to the said AB and secured by this charge, subject to such terms and conditions, covenants and obligations as are set out in the General Terms and Conditions lodged in the Land Registry under reference.

The said A.B. hereby assents to the registration of this charge as a burden on the property

The address in the state of the said C.D. for service of notices and his description are:-

Schedule

*(Description of property charged)*

Signed (*or*, Signed, sealed) and delivered by A.B in the presence of:

Signed (*or*, Signed, sealed) and delivered by C.D. in the presence of:

NOTE: Where desired, the covenants for title implied by the chargor charging -♦ as beneficial owner-♦ may be incorporated by inserting these words in the deed of charge after the name of the chargor. See section 80 of the Land and Conveyancing Law Reform Act 2009 .

FORM 74

*Entry to be made in the register as a judgment mortgage (rule 118)*

A judgment mortgage in respect of a judgment (*or*, an order) obtained by A.B. against C.D. on the day of , in the High Court (*or*, in the Circuit Court Circuit) (*or in the District Court*) Record Number) in a cause (*or*, matter) of A.B. -v- C.D. on the interest of C.D. in the property.

FORM 75

*Notice of the registration in the registry of a judgment as a judgment mortgage (rule 120)*

The Property Registration Authority

Land Registry,

(address)

Sir, (*or*, Madam),

You are hereby given notice of the registration of a judgment mortgage in respect of a judgment (*or*, an order) obtained on the day of against C.D. in the High Court (*or*, Circuit Court Circuit) (*or in the District Court*) in a cause (*or*, matter) of as a burden on the interest of C.D. in the property described in folio of the register County of which is the registered owner.

To

FORM 76

*Requisition by a judgment creditor for the discharge in the register of an entry of a notice of deposit of an affidavit of judgment as a mortgage or an entry of judgment mortgage (rule 122)*

LAND REGISTRY

County Folio

A.B., the judgment creditor specified in an affidavit of judgment deposited in the Registry on the day of (*or*, in an application for registration of a judgment mortgage) as a burden on the interest of C.D. in the property described in folio of the register County, hereby requires the discharge in the said folio of the entry of the notice of deposit of the said affidavit (*or*, the entry of judgment mortgage).

Dated the day of 20.

Signed by the said A.B. in the presence of:

To The Property Registration Authority.

NOTE - This discharge may also be given by the personal representative of the judgment creditor.

FORM 77

*Requisition for registration of a lis pendens as a burden (rule 128)*

LAND REGISTRY

County Folio

Sir,

The memorandum hereunder written contains the particulars of a *lis pendens* registered in the Central Office of the High Court which I require to be registered as a burden on the interest of the person hereunder mentioned in the property described in folio of the register, County .

\*Name of Solicitor with name of party for whom he is acting.

\* Signature

*Memorandum*

Name of person whose interest is intended to be affected. Usual or last known place of abode of such person. Title, trade, or profession of such person.

Title of cause or matter:

Particulars of the claim made or the relief sought in cause or matter in respect of the registered property:

I certify that the *lis pendens* described in the above memorandum is in existence.

Dated the day of 20.

\* a proper officer of the High Court.

\*Signature

to The Property Registration Authority,

*(address of appropriate office)*

FORM 109

*Entry to be made in the register pursuant to Rule 3 of The Land Registration (No.2) Rules 2009.*

*- ♦ The title is subject to the provisions of the Land and Conveyancing Law Reform Act 2009 .- ♦*

Form 110

*Application for registration of trustee(s) who is (are) entitled to be registered as owner(s) of registered land by virtue of the Land and Conveyancing Law Reform Act 2009 (Rule 4 of the Land Registration (No.2) Rules 2009)*

LAND REGISTRY

County Folio

I, A.B./ We A.B. and C.D. of

make oath and say -

1. E.F. is registered as limited owner of the lands comprised in the above folio.

2. I am/We are trustee(s) of a trust of land by virtue of the Land and Conveyancing Law Reform Act 2009 . I am/we are entitled to be registered as owner(s) of said lands by virtue of (applicants to show how they are entitled.....).

3. For the protection of the trusts on which I/We hold the property I/We apply for the entry of the following inhibition in the register on my/our registration as owner(s) (*see rule 49 and Form 88*):

4. I/We apply for registration as owner(s) on said folio.

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

Form 111

*Lease of registered land. (Rule 5 of the Land Registration (No.2) Rules 2009*

LAND REGISTRY

County Folio

Lease dated the day of 20.

A.B., the registered owner, in consideration of hereby demises all the property described in folio of the register County (*or, the part of the property described in folio of the register County specified in Schedule 1 hereto*) to C.D. to hold for a term of years from at the rent of payable on (subject to the terms, clauses, appurtenances, ancillary rights, exceptions, reservations, covenants, conditions, provisos, and charges, set out in the schedules 2, 3 4 *etc.* hereto.)

The said AB hereby assents to the registration of the lease as a burden on the said property.

It is hereby certified etc (*as required by the Finance Acts*)

*Schedule (1) (where necessary)*

*(to contain particulars of the part leased and a reference to the map thereof)*

Signed (*or Signed, sealed*) and delivered by AB in the presence of

Signed (*or Signed, sealed*) and delivered by CD in the presence of

*Note: The standard terms, clauses, appurtenances, ancillary rights, exceptions, reservations, covenants, conditions, provisos, and charges may be included in separate schedules.*

Form 112

*Application for registration of a judgment mortgage (Rule 118)*

Land Registry

The High Court/Circuit Court/District Court

Title: Record No:

Between:

A.B. Plaintiff

and

C.D. Defendant

I, AB, aged 18 and upwards, of ..... the creditor within the meaning of Section 115 of the Land and Conveyancing Law Reform Act 2009 make oath and say as follows:-

1. I, AB, (or EF of ..... ) (See Note) did on the day of obtain a judgment in the court against CD of ..... in the above entitled Action or matter.

2 The Name and Title of the Action, Matter or Cause in which the said judgment was obtained is as set out above.

3. To the best of my knowledge and belief, the said CD, the Defendant, at the time of swearing this affidavit has an estate or interest in the lands contained in Folio ..... of the Register County .....

4 I apply for registration of the said judgment as a judgment mortgage on the said folio.

Signature of deponent. I, E.F., hereby certify that I know deponent.  
Signature Sworn this the day of , 20, at in the county of before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent (*or, I know E.F., who certifies his knowledge of the deponent*), Signature

I certify that judgement was obtained in the above entitled action in the High Court/Circuit Court/District Court.

Dated the day of 20.

\*Signature

\*of the proper officer of the court in which the judgment was obtained.

NOTE - See section 115 of the Land and Conveyancing Law Reform Act 2009

We, the Registration of Deeds and Title Rules Committee, constituted pursuant to the provisions of section 74 of the section 126 of the section 72 of the Registration of Deeds and Title Act 2006 , with the concurrence of the Minister for Justice, Equality and Law Reform, do hereby make the foregoing Rules.

DATED this 19th day of November, 2009.

MARY LAFFOY, Judge of the High Court.

JOHN T. COLEMAN, Chairman of the Property Registration Authority.

CATHERINE TREACY, Chief Executive of the Property Registration Authority.

JAMES DWYER, Senior Counsel.

OWEN M. BINCHY, Solicitor.

I, DERMOT AHERN, Minister for Justice, Equality and Law Reform, in exercise of the powers conferred on me by section 126 of the section 72 of the Registration of Deeds and Title Act 2006 , hereby concur in the making of the foregoing Rules.



GIVEN under my Official Seal,

25 November 2009.

DERMOT AHERN,

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 1st of day of December 2009, or on the 1st day of January 2010, provide for the amendment of the Land Registration Rules 1972-2009.

The Rules provide for new Rules at 3, 4, 5 and 6 and the amendment of Rules 3, 6, 19, 24, 57, 59, 67, 79, 82, 100, 117, 118, 119, 120, 121, 122, 128, 153, 188 and 225 of the Land Registration Rules 1972, for new Forms 109, 110, 111 and 112 and the amendment of Forms numbered 1, 2, 7, 9, 10, 11, 12, 13, 16, 17, 19, 23, 30, 34, 36, 37, 41, 43, 45, 46, 47, 48, 53, 55, 61, 63, 64, 65, 68, 74, 75, 76 and 77 in the Schedule of Forms to those Rules and for the rescinding of rules 29, 58, 75, 106, 109, 110, 116, 124, 152, 158, 159, 160, 162, 163,

164, 165, 168, 169 and 170, of those Rules and the deletion of Forms 6, 24, 32, 39, 49, 51, 56, 58, 60, 62, 73, 94, 95 and 96 of the Schedule of Forms to those Rules.

© Government of Ireland. Oireachtas Copyright Material is reproduced with the permission of the House of the Oireachtas