

**GOVERNMENT LANDS (FORMS) RULES**

[Cap. 280, Sub. Leg., L.N. 345/1960, L.N. 169/1976, L.N. 218/1986, L.N. 68/1991, L.N. 128/2011.]

**[Rev. 2012]**

~~1. These Rules may be cited as the Government Lands (Forms) Rules.~~

2. The forms in the Schedule shall be used in all cases under Part X of the Act.

3. The Registrars of Government Lands at Nairobi and Mombasa shall keep a supply of Forms A to J for the use of the public.

3A. The fees payable in all matters connected with Forms A to J wherever applicable shall be those prescribed by the Minister in the Gazette.

(1) The Registrars of Government Lands shall cause to be impressed on all applications on which fees are paid, and on all copies thereof, a stamp recording the date and time of presentation in such manner (in the case of the original) as to cancel the stamps affixed in payment of fees.

(2) The impression shall in the absence of fraud be conclusive evidence of the date and time of presentation, and that the fees stated in the application to have been paid have been paid.

SCHEDULE

[Rule 2.]

FORM A

MEMORANDUM OF EQUITABLE MORTGAGE BY DEPOSIT OF DOCUMENTS OF TITLE

Documents of title registered in Volume No. .... Folio .....  
File No. .... relating to .... was deposited by .....

..... of P.O. Box No. .... (Mortgagor) with .....  
..... of P.O. Box No. ....

(Mortgagee) by way of equitable mortgage on the .....  
....., 20 .....

The mortgagor and the mortgagee hereby certify, in accordance with the provisions of section 68(3) of the Stamp Duty Act, that the amount hereby secured is Sh. .... uncertain, and that the mortgagee hereby acknowledges to have received the above-mentioned document of title.

Dated the ....., 20 .....

Signed in the presence of— Signature or Common Seal of mortgagor—

Postal Address .....

Description .....

SCHEDULE, FORM A—continued

Signed in the presence of— Signature or Common Seal of mortgagee—

Postal Address .....

Description .....

Drawn by—

FORM B

MEMORANDUM OF DISCHARGE OF AN EQUITABLE MORTGAGE BY DEPOSIT OF DOCUMENT OF TITLE

The equitable mortgage by deposit of document of title registered in Volume No. ....

Folio No. .... File No. .... relating to .....

was discharged on the ....., 20 .....

It is certified that—

(a) the greatest amount at any time secured was Sh. ....

(b) this is a partial discharge.

Dated the ....., 20 .....

Signed in the presence of— Signature or Common Seal of mortgagee—

Postal Address .....

Description .....

Drawn by—

FORM C

CAVEAT FORBIDDING REGISTRATION OF DEALING WITH LAND

To: The Registrar, Land Registry, Nairobi/Mombasa.

TAKE NOTICE that I, ..... of .....

(at which address within Kenya notices may be served), claiming (1) .....

..... in (2) .....

..... forbid the registration of any dealing with the said land—

(a) absolutely, or

(b) unless the transaction is expressed to be subject to the claim of the Caveator (3).

Dated the ....., 20 .....

Signed .....

I, of .....

make oath and say/affirm (3) that to the best of my knowledge and belief the claim above referred to is true.

SCHEDULE, FORM C—continued

Sworn at ..... } ..... , 20 .....

Before me,

(1) Nature of registrable interest claimed in land.

(2) Particulars of land.

(3) Delete whichever is not applicable.

FORM C(1)

(L.N. 68/1991)

CAVEAT FOR ADDITIONAL STAMP DUTY

To: The Registrar,  
Land Registry, Nairobi/Mombasa, Land Registry.

Land Reference Number .....

TAKE NOTICE that pursuant to my powers under the Government Lands Act (Cap. 280), I, on behalf of the Government of Kenya for the purpose of securing the payment of Sh. .... additional stamp duty on a ..... dated and registered in volume ..... folio ..... file ..... on the ..... day of ....., 20..... as assessed by the Collector of Stamp Duties, forbid the registration of any dealing with the land known as Land Reference Number .....

This caveat shall remain registered against the title to the said land until such time as additional stamp duty together with any penalties incurred for late payment has been paid on an appeal against the assessment by the collector has been upheld.

Signed .....

Principal Registrar of Government Lands

FORM D

NOTICE OF WITHDRAWAL OF CAVEAT

To: The Registrar,  
Land Registry, Nairobi/Mombasa.

I/We, ..... of ..... withdraw the caveat registered as .....

Signed .....

Date .....

[Advocate for] Caveator[s]

SCHEDULE—continued

FORM E

APPLICATION FOR REMOVAL OF CAVEAT

To: The Registrar,  
Land Registry, Nairobi/Mombasa.

Our reference: .....

I/We, .....  
of ..... hereby apply to you  
to remove the caveat registered as .....  
Adhesive revenue stamps to the value of Sh. .... in payment of  
fees are affixed hereto.

Signed .....

Date .....

[Advocate for] Caveatee[s]

To be submitted in triplicate.

FORM F

NOTICE OF APPEAL AGAINST REFUSAL BY A REGISTRAR TO REGISTER  
A DOCUMENT

To: The Registrar-General of Titles  
The Principal Registrar of Government Lands,  
Land Registry, Nairobi.

Our reference: .....

TAKE NOTICE that I/We, .....  
of P.O. Box .....  
hereby appeal against the decision of the Registrar set forth in his letter Number .....  
dated ..... refusing to register—  
Description of document .....  
Date of document .....  
Parties to document .....

Land Reference Number (s) .....  
Presented on ....., 20 .., by .....

My/our grounds of appeal are as follows:  
(If this space is insufficient please continue on the back)  
Adhesive revenue stamps to the value of Sh. ....  
in payment of fees are affixed hereto.

Date .....

Signature of Appellant or his Advocate

To be submitted in triplicate.

SCHEDULE—continued

FORM G

APPLICATION FOR PERSONAL SEARCH

APPLICATION FOR PERSONAL SEARCH OF—

Land Reference Number	Title or Deed File Number

Adhesive revenue stamps to the value of the prescribed fee are affixed hereto.

Date ..... Signature .....

Postal Address .....

Deed file checked on completion of search by—

.....

Counter Clerk's initials

CONDITIONS

1. This form must be submitted in duplicate with revenue stamps to the value of the prescribed fee affixed to the original, which will be retained in the Land Registry.
2. Persons making searches may take brief notes in pencil but no document shall be copied.
3. In no circumstances may any note or mark be made on any document, file or register produced for inspection.
4. Persons making searches shall check the contents of any deed file produced to them and have it checked by the Counter Clerk, both before and on completion of the search and obtain his initials on the duplicate search form; otherwise the person searching will be held liable for any document lost or damaged.
5. The Counter Clerk's duty does not extend to answering questions on matters of title and no responsibility is accepted for any opinion which may be expressed by him.

FORM H

APPLICATION FOR POSTAL SEARCH

Our reference:  
.....

To: The Registrar,  
Land Registry, Nairobi/Mombasa.

APPLICATION is made for a certified copy of the last complete page of the abstract register or register of titles relating to Land Reference Number .....

SCHEDULE, FORM H—*continued*

Title/Deed File Number .....  
and any subsequent entries.

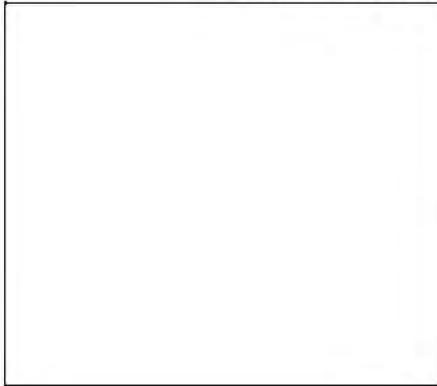
An adhesive revenue stamp to the value of the prescribed fee is affixed hereto.

Date ..... Signed .....  
Name in Capitals .....  
Postal Address .....

(For completion in the Registry)

POSTAL SEARCH CERTIFICATE NO. ....

Certified copy forwarded as requested above.



.....  
Registrar

To be submitted in duplicate.

**FORM I**

APPLICATION FOR REGISTRATION

The conditions on the back of this form shall be complied with.

APPLICATION FOR REGISTRATION

of the undermentioned documents in the following order of priority—

Date of Document	Description (1)	Land Reference Number (2)	Deed File Number (3)	Fee (4) Sh.

SCHEDULE, FORM I—*continued*

Number of new certificates of title required at the prescribed fee .....  
 Adhesive revenue stamps affixed hereto to the value of .....

The following documents are enclosed for endorsement: (5)

Grant No. .... Lease No. .... Certificate No. ....

The following supporting documents are also enclosed: (6) Clearance Certificate   
 Estate Duty Certificate  "Registration Copy" of Land Control Consent and/or  or the  
 Governor "Registration Copy" of Provincial Commissioner's Consent  Withholding Tax  
 Certificate (W. 70)  Land Rent Certificate

The following consents are endorsed on the documents: Commissioner of Lands or the Chief  
 Engineer, East African Railways Corporation and under the terms of the Grant. Chargee to  
 surrender of lease under section 144 of the Registration of Titles Act (Cap. 281)

(Reverse)

Special instructions, including, if necessary, the name and address of the person to whom the  
 documents are to be sent if other than the presenter—

Signed .....  
 Name in Block Capitals .....  
 Postal Address .....

Date .....

To be submitted in triplicate.

CONDITIONS

Form to accompany documents

Every document presented for registration must be accompanied by this form.

Number of Forms to Submit

Application for registration forms are printed in sets of three, each set comprising an original,  
 duplicate and triplicate. Forms may be obtained post free from the Registrar of Titles, Nairobi and  
 Mombasa.

How to Complete

The form must be completed accurately in accordance with these conditions. Failure to do so  
 may result in the rejection of the application. The information supplied by the presenter must appear  
 legibly in English on all three forms. If registration is sought at both the Nairobi and the Mombasa  
 Registries, separate applications accompanied by the document must be addressed to each. The  
 following are the explanations of the numbers appearing in brackets on the form—

- (1) Give a brief description of each document, e.g. Conveyance, Assignment, Transfer,  
 Charge, etc.
- (2) The land reference numbers of all parcels of land dealt with in each document must be  
 entered, e.g. 1870/XX/9, 1870/XX/10. If the document is not to be registered against a title  
 to land, e.g. powers of attorney, building plans, agreements, etc., the word "Nil" must be  
 inserted.
- (3) Where possible the deed file number should be inserted in this column. In the case of titles  
 registered under the Registration of Titles Act (Cap. 281), this is the title number. For titles  
 registered under other Acts, the number of the deed file is shown in the right-hand column  
 of the registration endorsement on the last registered document.
- (4) The registration fee tendered must be entered in this column and the total fees entered at  
 the foot thereof. The fee payable on presentation is the prescribed fee per entry in the  
 register and is not purporting to deal with two or more titles will attract the prescribed fee in  
 respect of each title against which it is to be registered.

SCHEDULE, FORM I—continued

- (5) All documents presented for registration against titles under the Registration of Titles Act, other than *caveats*, statutory notifications and Court orders, must be accompanied by the appropriate title deed, and the registration particulars of that deed must be inserted in this paragraph of the form. No documents are required for endorsement under the other Acts.
- (6) Indicate, by placing a tick in the appropriate boxes, the supporting documents which accompany the application or consents which are endorsed on the documents.

Payment of Fees

Fees may only be paid by affixing adhesive revenue stamps to the required value in the space provided on the original application form. Such stamps may be obtained from post offices. Spoilt or damaged adhesive revenue stamps will not be accepted but stamps upon which the presenter has placed his name stamp shall not be deemed spoilt or damaged for this purpose.

Separate Applications to be Made

A separate set of application forms must be submitted for each document except in the case of a set of documents which are to be registered against the same title or are related to each other. For example, a discharge of a charge, surrender of a lease, transfer and a new charge all relating to L.R. No. 999/999 would properly form the subject of one application, and similarly a power of attorney executed by the registered proprietor followed by a transfer executed by the attorney are related to each other and can form the subject of one application.

Submission of Application

Applications may be submitted as follows—

- (a) by post to the appropriate Registrar;
- (b) by delivery in the box provided at the appropriate Land Registry;
- (c) by requesting the Collector of Stamp Duties to forward the application form to the appropriate Registrar after stamping the document. Priority is not established until the application is in the hands of the Registrar, and no responsibility is accepted by the Collector for any delay.

Rejections

Documents re-presented for registration following their previous rejection must be accompanied by a fresh set of forms of application duly completed. The fee in such a case is the prescribed fee for every document which was the subject of a formal rejection.

FORM J

(L.N. 128/2011)

APPLICATION FOR COPY

Affix adhesive revenue in payment of the fee here For Official Use Only

No. ....

I/we request you to supply certified copies of the following:

.....

.....

.....

.....

PARTICULARS OF THE APPLICANT/ADVOCATE:

Full Names ..... Signature .....

Identity Card Number/Passport .....

Personal Identification Number .....

Postal Address .....

Telephone Mobile ..... Landline .....

SCHEDULE, FORM J—continued

Purpose of Search .....  
Owner of Property .....  
Proposed Purchaser of property .....  
Advocate/Agent .....

Adhesive revenue stamps at the rate of KSh. 520 per certified copy are pinned to this application to meet the stamp duty payable thereon.

Date ..... 20.....

FOR: OFFICIAL USE ONLY:

Search Application Number .....

Booking Officer ..... Time .....

The above-mentioned copy/copies is/are forwarded herewith.

The above required cannot be met because

.....  
.....  
.....  
.....

DATE ..... 20.....

*For: Registrar*

DISPATCH:

COLLECTED BY

Name: .....

*Signature* .....

Identity Card Number .....

*Date* .....

FORM K

ENDORSEMENT BY REGISTRAR

GOVERNMENT LANDS REGISTRY

Registered at ..... 20.....

Presentation No.	Volume	Folio	File

.....  
Registrar