

ADJUDICATION OF TITLE REGULATIONS

under s. 28

G.N. 3/1973

105/1982

100/1989

1. Citation

These Regulations may be cited as the Adjudication of Title Regulations.

2. Form of claim

The form set out in the First Schedule shall be used for the purposes of any claim pursuant to sections 6 and 8 of the Act made by a person respecting an interest in land.

3. Form of Adjudication Record

An Adjudication Record shall be in the form set out in the Second Schedule.

4. Fees

(1) Subject to subregulation (2), the fees specified in the second column of the Third Schedule shall be paid in respect of the corresponding matters specified in the first column of that Schedule: G.N. 105/1982, 100/1989

Provided that such fees shall not be payable by the Government.

(2) The Minister may, in respect of any adjudication area or a section of any adjudication area, suspend, for a definite or an indefinite period, payment of the fees payable under subregulation (1); and the Minister shall cause notice of such suspension to be published in the Gazette.

FIRST SCHEDULE

MALAWI GOVERNMENT ADJUDICATION OF TITLE ACT

(CAP. 58:05)

ADJUDICATION OF TITLE REGULATIONS

Form I

CLAIM TO AN INTEREST IN LAND

(Sections 6 and 8)

Note: Please complete in BLOCK LETTERS

1. Adjudication Area:

2. Adjudication Section:

3. Full name and address of claimant:

4. If claim submitted by an agent, name and address of agent:

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5. Plot No. or other description of land over which claim is made:

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6. Details of interest claimed (Note: claims may only be submitted as owner or as a person entitled to the benefit of a lease, charge, easement, profit or restrictive agreement):

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7. List of documents upon which the claim is based. The original title deeds should, if possible, be attached to this form.

Date Deed No. Type of document Parties

8. If the claim is not based on documentary evidence, full details must be supplied together with the date on which it is claimed that the interest arose:

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Date Signature of Claimant or Agent

SECOND SCHEDULE

MALAWI GOVERNMENT

ADJUDICATION OF TITLE ACT

(CAP. 58:05)

ADJUDICATION OF TITLE REGULATIONS

Form II

ADJUDICATION RECORD

1. Adjudication Area:

2. Adjudication Section:

3. Number of Approximate Area of piece:

4. Description of piece: Private Land/Public Land (delete whichever is not applicable).

5. (a) If the piece is private land, state full names, address and description of the owner, and, where two or more persons are entitled, whether they are joint owners or owners in common, the share

of each owner. State also details of title i.e. Absolute/ Provisional (delete whichever is not applicable) listing all documents in support, and if provisional state reasons:

Description Date Consideration (if applicable) Parties.....

(b) If any person shown on this record is under a disability by reason of age, unsoundness of mind or otherwise, the name of his guardian.

.....

(c) Particulars of rights registerable under the Registered Land Act affecting the piece such as a lease, mortgage, charge, easement, profit, or restrictive agreement together with the name and description of the person entitled to the benefit thereof (and particulars of any restriction on his power of dealing with it).

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6. List of documents, if any, produced to the Recording Officer and retained by him:

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Date Recording Officer

Signatures of all persons whose names appear in paragraph 5 (a) and 5 (c) above accepting this record as correct

THIRD SCHEDULE G.N. 105/1982, 56/1983

FEES reg. 4

First Column Second Column K t1. On a claim in respect of an interest in land— (a) where the value of the interest in land does not exceed K20,000 or where the annual rent or other annual payment reserved does not exceed K10040 00 (b) in any other case 80002. On a claim in respect of a mortgage, charge, easement, profit or restrictive agreement 10 00