

REGISTERED LAND RULES

ARRANGEMENT OF RULES

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REGISTERED LAND RULES – SECTION 158

(Gazette Notice 229 of 1968, Legal Notices 12/1984, 4/1995 and 30/2000)

Commencement

[9 November 1968]

Short title

1. These Rules may be cited as the Registered Land Rules.

Form of register

2. A register shall be in one of the forms in the Schedule 1 to these Rules.

Forms of certificates

3. A land certificate and a certificate of lease shall be in the appropriate form in the Schedule 2 to these Rules, or shall be a certified photographic copy of the appropriate register.

Other forms

4. The forms in the Schedule 3 to these Rules shall subject to section 106 of the Ordinance be used in all matters to which they refer, and shall be clearly and legibly completed in the English language.

Verification of instruments

5. (1) In addition to the Registrar, the public officers specified in the Schedule 4 to these Rules may verify any instrument for the purpose of section 108 of the Ordinance.

(2) A certificate of verification for the purposes of subsections (2) and (3) of section 108 of the Ordinance shall be in the following form, which may be printed on, or otherwise incorporated in, any instrument presented for registration—

I HEREBY CERTIFY that the above-named appeared before me on the day of 20 and, being identified by (*or being known to me*) acknowledged the above signature or mark to be his [*theirs*] and that he [*they*] had freely and voluntarily executed this instrument and understood its contents.

.....
*(Signature and designation
of the person certifying)*

(The Registrar or the public officer or other persons certifying (*if he has a seal or stamp of office*) shall affix his seal or stamp of office to the certificate.)

SCHEDULE 1

(Rule 2)

REGISTER FOLIO

[Front]

EDITION NO

TURKS AND CAICOS ISLANDS

Opened TITLE NO.:

LEASEHOLD REGISTER**A. Property Section**

ISLAND..... REGISTRATION SECTION

BLOCK PARCEL

SUMMARY OF LEASE

LESSOR

LESSEE AREA

DATE OF LEASE FROM

FOR A PERIOD OF EXPIRING SURVEY REF:

AT THE RENT OFPAYABLE ON

SUBJECT TO THE CONDITIONS CONTAINED IN THE FILED LEASE

B. Proprietorship Section

No.	Date of Registration.	Instrument No.	Nature of Instrument.	Name and address of Proprietor(s).

ANY ENTRIES STRUCK THROUGH IN RED ARE NO LONGER SUBSISTING

[Back]

C. Encumbrances Section

No.	Date of Registration.	Instrument No.	Particulars.

ANY ENTRIES STRUCK THROUGH IN RED ARE NO LONGER SUBSISTING

[Front]

EDITION NO TURKS AND CAICOS ISLANDS

Opened LAND REGISTER Title No.:

A. Property Section

ISLAND REGISTRATION SECTION

TITLE CLASSIFICATION: ABSOLUTE BLOCK

PROVISIONAL



Parcel

DESCRIPTION OF PARCEL:

APPROX. AREA

PARTICULARS OF INFORMATION
RECORD IN ADJUDICATION
RECORD (PROVISIONAL TITLES
ONLY):

ORIGIN OF TITLE:
First registration/Mutation
No.
From previous Parcel(s)
Survey Reference

APPURTENANCES

B. Proprietorship Section

No.	Registration.	Instrument No.	Nature of Instrument.	Name and Address of Proprietor(s).

ANY ENTRIES STRUCK THROUGH IN RED ARE NO LONGER SUBSISTING

[Back]

C. Encumbrances Section

No.	Date of Registration.	Instrument No.	Particulars.

ANY ENTRIES STRUCK THROUGH IN RED ARE NO LONGER SUBSISTING

SCHEDULE 2*(Rule 3)*

REGISTERED LAND ORDINANCE

LAND CERTIFICATE

TITLE NUMBER	SECTION	ISLAND
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.....

THIS IS TO CERTIFY that
of..... is/are now registered as
proprietor(s) with TITLE ABSOLUTE/PROVISIONAL of the above
mentioned land, subject to the entries in the register relating to the land and
to such of the over-riding interests set forth in section 28 of the Registered
Land Ordinance as may for the time being subsist and affect the land.

At the date hereof the following entries appear in the register relating
to the land—

PART A—Property Section (easements, etc.).

*PART B—Proprietorship Section (inhibitions, cautions and
restrictions).*

PART C—Encumbrances Section (leases, charges etc.).

Given under my hand and the seal of the Land Registry this
..... day of 20.....

.....
REGISTRAR OF LANDS

REGISTERED LAND ORDINANCE

CERTIFICATE OF LEASE

TITLE NUMBER SECTION ISLAND

.....

Lessor.....

Rent.....

Term.....

THIS IS TO CERTIFY that
of
is/are now registered as the proprietor(s) of the leasehold interest above
referred to, subject to the agreement and other matters contained in the
registered lease, to the entries in the register relating to the lease, and to
such of the overriding interests set forth in section 28 of the Registered
Land Ordinance as may for the time being subsist and affect the land
comprised in the lease.

At the date hereof the following entries appear in the register
relating to the lease—

PART A—Property Section (easements, etc.).

*PART B—Proprietorship Section (inhibitions, cautions and
restrictions).*

PART C—Encumbrances Section (leases, charges, etc.).

Given under my hand the seal of the Land Registry this day
..... of 20.....

.....

REGISTRAR OF LANDS

SCHEDULE 3

Form R.L.1

TRANSFER OF LAND

TITLE NUMBER	SECTION	ISLAND
.....

I/WE
in consideration of
(the receipt whereof is hereby acknowledged) **HEREBY TRANSFER**
to
of
the land (and the buildings or other permanent structures thereto)*
comprised in the above-mentioned parcel.

The Transferees hereby declare that they hold the land as proprietors
in common/joint proprietors** in the following undivided shares—

The transaction effected by this instrument does not form part of a
larger transaction or series of transactions involving the conveyance on sale
of other immovable property in the Turks and Caicos Islands.***

Dated this day of 20

Signed by the Transferor }
in the presence of— }

Signed by the Transferee }
in the presence of— }

* Delete if inapplicable. If applicable, annex a brief description of the
building or permanent structure concerned (including estimated floor
area and number of rooms.)

** Delete if inapplicable.

*** Delete if inapplicable, and annex brief details of the transaction or
series of transactions of which this transaction forms a part.

Form R.L.2.

TRANSFER OF LEASE

TITLE NUMBER SECTION ISLAND

.....

I/WE
in consideration of
(the receipt whereof is hereby acknowledged) **HEREBY TRANSFER**
to
of
the leasehold interest comprised in the above-mentioned title.

The Transferees declare that they hold leasehold interest as
proprietors in common in the following undivided shares—

Joint Proprietors

Dated this day of 20.....

Signed by the Transferor }
in the presence of— }

Signed by the Transferee }
in the presence of— }

Form R.L.3

TRANSFER OF CHARGE

TITLE NUMBER SECTION ISLAND

.....

I/WE
in consideration of
(the receipt whereof is hereby acknowledged) **HEREBY TRANSFER**
to
of
the charge shown as entry numberin the encumbrances section
of the register relating to the above-mentioned parcel.

The Transferor hereby declares that the amount of principal and interest owing by the Chargor at the date hereof is.....(and the Chargor hereby acknowledges that is the amount due by him).

Dated this day of 20.....

Signed by the Transferor } in the presence of—

Signed by the Transferee }* in the presence of—

Signed by the Chargor } in the presence of—

* Delete these words if the transferee does not require the Chargor to acknowledge

Form R.L.4

TRANSFER BY CHARGE IN EXERCISE OF POWER OF SALE

TITLE NUMBER SECTION ISLAND

I/WE having exercised the power of sale conferred upon me/us by the charge shown as entry number in the encumbrances section of the register relating to the above-mentioned parcel, in consideration of (the receipt whereof is hereby acknowledged) HEREBY TRANSFER to..... of the interest charged by the said charge.

The Transferees declare that they hold the said interest as proprietors in the following undivided shares— (or as joint proprietors)

Dated this day of 20.....

Signed by the Transferor } in the presence of

Signed by the Transferee } in the presence of—

Form R.L.5

TRANSFER OF PROFIT

TITLE NUMBER SECTION ISLAND

.....

I/WE
in consideration of
(the receipt whereof is hereby acknowledged) HEREBY TRANSFER
to
of
the profit shown as entry number in the encumbrances
section of the register relating to the above-mentioned parcel.

The Transferees declare that they hold the combined/undivided share(s)
as proprietors in common in the following undivided share—

Joint Proprietors

I/WE the remaining proprietor(s) of the interest comprised in the
above-mentioned parcel hereby consent to this transfer.

Dated this day of 20.....

Signed by the Transferor }
in the presence of }

Signed by the Transferee }
in the presence of— }

Signed by the remaining }
proprietor(s) in the }
presence of— }

Form R.L.7

TRANSFER BY PERSONAL REPRESENTATIVE TO PERSON ENTITLED UNDER A WILL OR ON AN INTESTACY.

TITLE NUMBER	SECTION	ISLAND
.....

I/WE
 as personal representatives of
 deceased **HEREBY TRANSFER** to
 of (being the person entitled thereto
 under the Will [or on the intestacy] of the deceased) to the interest of the
 deceased comprised in the register relating to the above-mentioned parcel.

The Transferees declare that they hold that interest as
proprietors in common in the following undivided shares—
Joint Proprietors

Dated this day of 20.....

Signed by the Transferor }
 in the presence of }

Signed by the Transferee }
 in the presence of— }

Form R.L.8

LEASE

TITLE NUMBER	SECTION	ISLAND
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.....

I/WE
HEREBY LEASE to
of
the land comprised in the above-mentioned parcel (*or*) that portion of land
comprised in the above-mentioned parcel which is shown [on the registry
map as parcel number] *or* [on the filed plan
as number] for the term of from the
..... day of at the rent of
payable.

The Lessees declare that they hold the lease as proprietors in
common in the following undivided shares—

(*or* as joint proprietors).

Dated this day of 20.....

Signed by the Lessor }
in the presence of— }

Signed by the Lessee }
in the presence of— }

Form R.L.9

CHARGE

TITLE NUMBER	SECTION	ISLAND
.....

I/WE
 HEREBY CHARGE my/our interest in the above-mentioned parcel [or the charge shown as entry number in the encumbrances sections of the register relating to the above-mentioned parcel] to secure the payment to of of the principal sum of with interest at the rate of *per centum per annum* payable.

The principal sum shall be repaid on the day of together with any interest then due and I/we the above named Chargor(s) hereby acknowledge that we understand the effect of section 72 of the Registered Land Ordinance.

Dated this day of 20.....

Signed by the Chargor }
 in the presence of— }

Signed by the Chargee }
 in the presence of— }

Form R.L.10

DISCHARGE OF CHARGE

TITLE NUMBER	SECTION	ISLAND
.....

I/WE
 HEREBY DISCHARGE the Charge shown as entry number in the encumbrances section of the register relating to the above-mentioned parcel wholly (*or* in relation to).

Dated this day of 20.....

Signed by the Chargee }
 in the presence of— }

Form R.L.11

SURRENDER OF LEASE

TITLE NUMBER SECTION ISLAND

.....

I/WE
in consideration of
(the receipt whereof is hereby acknowledged) HEREBY SURRENDER the
lease comprised in the above-mentioned parcel and the Lessor HEREBY
ACCEPTS the said surrender.

Dated this day of 20.....

Signed by the Lessee }
in the presence of— }

Signed by the Lessor }
in the presence of— }

Form R.L.12

GRANT OF EASEMENT

TITLE NUMBER SECTION ISLAND

.....

I/WE
in consideration of.....
(the receipt whereof is hereby acknowledged) HEREBY GRANT
to..... of
the proprietor of the interest comprised in the following easements—

Dated this day of 20.....

Signed by the Grantor }
in the presence of— }

Signed by the Grantee }
in the presence of— }

Form R.L.13

GRANT OF PROFIT

TITLE NUMBER	SECTION	ISLAND
.....

I/WE
in consideration of
(the receipt whereof is hereby acknowledged) **HEREBY GRANT**
to
of

The following profit to arise from the interest comprised in the above-mentioned parcel—

The profit is to be enjoyed in gross [or as apurtenant to the interest of the Grantee comprised in].

Dated this day of 20.....

Signed by the Grantor }
in the presence of— }

Signed by the Grantee }
in the presence of— }

Form R.L.14

RELEASE OF PROFIT, EASEMENT OR RESTRICTIVE AGREEMENT

TITLE NUMBER	SECTION	ISLAND
.....

I/WE
being the person now entitled to the benefit of the (easement) (profit) (restrictive agreement) shown as entry number
in the encumbrances section of the register relating to the above-mentioned parcel **HEREBY RELEASE** the (easement) (profit) (restrictive agreement).

Dated this day of 20.....

Signed in the presence of— }

Form R.L.15

SEVERANCE OF JOINT PROPRIETORSHIP

TITLE NUMBER SECTION ISLAND

.....

I/WE
HEREBY SEVER our joint proprietorship of our interest in the land
comprised in the above-mentioned parcel and apply to be registered as
proprietors in common in the following shares—

Dated this day of 20.....

Signed by the Proprietors }
in the presence of— }

Form R.L.16

APPLICATION FOR PARTITION

TITLE NUMBER SECTION ISLAND

.....

I/WE
HEREBY APPLY for the land comprised in the above-mentioned parcel to
be partitioned in the following manner—

Dated this day of 20.....

Signed by the Applicant }
in the presence of— }

Form R.L.17

POWER OF ATTORNEY

TITLE NUMBER	SECTION	ISLAND
.....

I
 HEREBY APPOINT
 of
 to be my attorney and generally in relation to my interest in the land
 comprised in the above-mentioned parcel to do anything and everything
 that I myself could do, and for me and in my name to execute all such
 instruments and to do all such acts, matters and things as may be necessary
 or expedient for carrying out the powers hereby given.

*[If the power is to be limited to particular acts only, delete everything
 after the word "attorney" and set out below what powers are to be
 conferred].*

Dated this day of 20.....

Signed by the Donor }
 in the presence of— }

Form R.L.18

NOTICE OF REVOCATION OF A POWER OF ATTORNEY

TITLE NUMBER	SECTION	ISLAND
.....

I
 HEREBY GIVE NOTICE THAT the Power of Attorney filed in the register
 of Powers of Attorney as number.....has been revoked—

- (a) by me; or
- (b) by (death) (bankruptcy) (disability) of the donor, or
- (c) by the death (disability) of the attorney,

[and I attach the following documents in support thereof].

Dated this day of 20.....

Signed in the presence of— }

Form R.L.19

APPLICATION TO BE REGISTERED AS PROPRIETOR BY TRANSMISSION

TITLE NUMBER	SECTION	ISLAND
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.....

I/WE
as personal representative of
deceased **HEREBY APPLY** to be registered by transmission as proprietor
in place of the deceased of his interest in the land comprised in the above-
mentioned parcel and in support thereof attach the Grant as required by
section 117 of the Registered Land Ordinance.

Dated this day of 20.....

Signed by the Representative }
in the presence of— }

Form R.L.20

CAUTION

TITLE NUMBER	SECTION	ISLAND
--------------	---------	--------

.....

I
of
claim an interest as.....
in the land comprised in the above-mentioned parcel and forbid the
registration of dealings and the making of entries in the register relating
thereto [altogether] *or* to the following extent—

without my consent, until this caution has been withdrawn by me or
removed by order of the Court or of the Registrar.

Dated this day of 20.....

Signed in the presence of— }

Form R.L.21

NOTICE OF INTENTION TO APPEAL TO SUPREME COURT

TITLE NUMBER	SECTION	ISLAND
.....

I
HEREBY GIVE NOTICE that I intend to appeal to the Supreme Court in respect of the following matter—

[Here set out briefly the direction, decision, order, determination or award of the Registrar in question].

My grounds of appeal are as follows—

Dated this day of 20.....

.....
Signature of Appellant.

Form R.L.22

APPLICATION TO INSPECT THE REGISTER

TITLE NUMBER	SECTION	ISLAND
.....

I
HEREBY APPLY to inspect the register relating to the above-mentioned parcel.

Signature

Address

.....
Date

Conditions

1. Persons inspecting the register may take brief notes in pencil, but no document shall be copied.
2. In no circumstances may any note or mark be made on any register, document or file produced for inspection.
3. The counter clerk's duty does not extend to answering questions on matters to title, and no responsibility is accepted for any opinion which may be expressed by him.

Form R.L.23

APPLICATION FOR CERTIFIED COPY

TITLE NUMBER SECTION ISLAND

.....

I

HEREBY APPLY for certified copy/copies of the following—

Signature

Address

Date

Form R.L.24

APPLICATION FOR OFFICIAL SEARCH

TITLE NUMBER SECTION ISLAND

.....

I

HEREBY APPLY for an official search of the register relating to the above-mentioned parcel.

*I propose [*or* proposes]

to

and application is hereby made for a stay of registration in accordance with section 42(1) of the Registered Land Ordinance. The written consent of the proprietor accompanies this application.

Date 20.....

Signature of applicant or his legal practitioner

Address

* Delete if not applicable.

To be submitted in duplicate.

Form R.L.25

CERTIFICATE OF OFFICIAL SEARCH

[to be printed on the back of Form R.L.24]

TITLE NUMBER	SECTION	ISLAND
.....

On the day of 20....., the following were the subsisting entries on the register relating to the above-mentioned parcel:

PART A—Property Section.

PART B—Proprietorship.

PART C—Encumbrances Section.

The following applications are pending—

A stay of registration has been noted in the register, which expires on the day of 20.....

Dated this day of 20.....

.....
Registrar.

LRS/SVY/Form 8

REQUISITION FOR ALTERATION OF REGISTRY MAP

REQUISITION FOR ALTERATION OF REGISTRY MAP. Mutation No.:

Turks & Caicos Land Registry

Group Area Block Parcel(s)

REGISTRATION SECTION

State action required

To Land Surveyor:

.....
Land Registrar/...../20.....

Number and Area of New Parcels (Use of L.S. Office)

State number and areas of new parcels and (where required) distribution of old parcels. Insert headings as necessary

Additional Survey Information—

Area Computed by/...../ 20.....
Checked by/...../ 20.....

To L.R.: Action taken L.S.
To L.S.: Entered in Register..... L.R.
To L.R.: Plan Altered..... L.S.

SCHEDULE 4*(Rule 5)***VERIFICATION OF INSTRUMENTS
PRESCRIBED OFFICERS AND OTHER PERSONS**

The following persons are prescribed Officers: Administrative Officers, Magistrates, Members of the Cabinet, Notaries Public, Recognised Ministers of Religion and Justices of the Peace.

(Amended by L.N.30/2000)