



Land Registration Act (Northern Ireland) 1970

1970 CHAPTER 18

PART III

REGISTRATION OF OWNERSHIP

EXAMINATION OF TITLE

28 Examination of title by Registrar.

Subject to the following provisions,^{[F1} where the examination of any title is required under this Act or is necessary to facilitate any registration, such examination] shall be conducted in such manner as may be prescribed—

- (a) due notice shall be given, where the giving of such notice is prescribed, and^{[F1}, where notice is given, an] opportunity shall be afforded to any person desirous of objecting to^{[F1} submit] his objections to the Registrar;
- (b) the Registrar shall have jurisdiction to hear and determine any such objection;
- (c) if the Registrar^{F1}. . . is of opinion that the title is, notwithstanding a defect therein, a title the holding under which will not be disturbed, he may, in his discretion,^{[F1} register] such title, or may require the applicant to apply to the court, upon a statement signed by the Registrar, for its sanction to the registration.

F1 1992 NI 7

Changes to legislation: Land Registration Act (Northern Ireland) 1970 is up to date with all changes known to be in force on or before 22 July 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

29 Affidavit required before registration.

- (1) Before the completion of the registration of any person as owner of any land^{F2} . . . , the applicant for registration^{F2} or his solicitor shall], if so required by the Registrar, make an affidavit that, to the best of his knowledge and belief—
 - (a) all deeds, wills and other documents of title affecting the title the subject of the application;
 - (b) all incumbrances affecting such title; and
 - (c) all facts material to such title;
 have been disclosed in the^{F2} documentation lodged in connection with the particular application for registration].
- (2) The Registrar may require any person making an affidavit in pursuance of subsection (1) to state in his affidavit what means he has had of becoming acquainted with the several matters referred to in that subsection.
- (3) Without prejudice to subsections (1) and (2), the Registrar may, if he is of the opinion that any further or other evidence is necessary or desirable before completing the registration, refuse to complete the registration until such further or other evidence is produced.

F2 [1992 NI 7](#)

30 Production of deeds, etc.

- (1) When an application has been made to the Registrar^{F3} and] the examination of any title to land^{F3} is necessary to facilitate registration], then, if any person has in his possession or custody any document or evidence of title relating to or affecting that title, to the production of which the applicant or any trustee for him is entitled, the Registrar may require that person to show cause, within a specified time, why he should not produce such document or evidence of title to the Registrar, or otherwise as the Registrar may think fit.
- (2) Unless, in such case, cause is shown to the satisfaction of the Registrar within the time specified, he may order the document or evidence of title to be produced, at the expense of the applicant, at such time and place, and in such manner and on such terms, as the Registrar thinks fit^{F3} (and may do so notwithstanding that any such document is subject to a lien)].

F3 [1992 NI 7](#)

31 Deeds, etc., to be marked with notice of registration.

A person shall not be registered as owner of any land until he has produced to the Registrar, if so required by the Registrar, such documents of title as, in the opinion of the Registrar, ought to be endorsed with a note of the fact of such registration in order that such fact cannot be concealed from a purchaser or other person dealing with the land.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 11 para. 53 inserted by [2018 c. 5 Sch. 12 para. 1](#)