



# Land Registration Act (Northern Ireland) 1970

## 1970 CHAPTER 18

### PART IV

#### DEALINGS WITH REGISTERED LAND

##### GENERAL PROVISIONS

#### **34 Transfers of registered land.**

- (1) Save as is otherwise provided by or under this Act or by any other statutory provision and subject, in the case of a limited owner, to the Settled Land Acts, a registered owner of any land may transfer the land, or any part thereof.
- (2) There shall be executed on any such transfer a document in the prescribed form, or in such other form as<sup>[F1]</sup> is approved or allowed by the Registrar.]
- (3) Any such transfer shall be completed by the registration of the transferee as owner of the land, but, until such registration, the document shall not operate to transfer the land.
- (4) On registration of a transferee of any land as full owner of the land, the document of transfer shall operate as a conveyance by deed within the meaning of the Conveyancing Acts, and there shall be vested in the registered transferee the land transferred, subject—
  - (a) to all registered burdens and to all other matters appearing from the register to affect the land;
  - (b) <sup>[F1]</sup>without prejudice to Schedule 5, Part II, paragraph 1,] to any Schedule 5 burdens affecting the land;
  - (c) if the transfer is made without valuable consideration, to subsection (5); and
  - (d) if the transferee holds the land as a trustee, to his liabilities and duties as such;but, subject to section 11(2) and (3), free from all other rights, including rights of the Crown.

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**Changes to legislation:** There are currently no known outstanding effects for the Land Registration Act (Northern Ireland) 1970, Section 34. (See end of Document for details)

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- (5) Where such a transfer is made without valuable consideration, it shall, so far as concerns the transferee and persons claiming under him otherwise than for valuable consideration, be subject to all unregistered rights subject to which the transferor held the land transferred.
- (6) The registration of a transferee as limited owner of any land shall have the same effect as registration of him as a full owner thereof, except that—
- (a) in the case of a transfer of a freehold estate, the fee simple; and
  - (b) in the case of a transfer of a leasehold estate, the leasehold estate;
- shall be vested in the transferee and the other persons entitled under the settlement in respect of which the transferee is registered as limited owner.
- Subs.(7) rep. by 1992 NI 7*
- (8) Land Registry Rules may provide for the modification of the provisions of this section in its application to the transfer of charges.

<b>F1</b> 1992 NI 7
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There are currently no known outstanding effects for the Land Registration Act (Northern Ireland) 1970, Section 34.