

1995 No. 317

REGISTRATION OF DEEDS

Registration of Deeds (Fees) Order (Northern Ireland) 1995

Made 11th August 1995

Coming into operation 2nd October 1995

*To be laid before Parliament under paragraph 3(3) of
Schedule 1 to the Northern Ireland Act 1974*

The Department of the Environment, in exercise of the powers conferred by section 16(1) of the Registration of Deeds Act (Northern Ireland) 1970(a) and now vested in it(b) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Registration of Deeds (Fees) Order (Northern Ireland) 1995 and shall come into operation on 2nd October 1995.

Interpretation

2. In this Order—

“matrimonial charge” has the same meaning as in Article 5(1) of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984(c);

“Matrimonial Charges Index” has the same meaning as in regulation 3(2) of the Matrimonial Charges Regulations (Northern Ireland) 1989(d).

Fees

3. The fees to be taken in the registry of deeds in respect of the matters set out in column 1 of the Schedule shall be those set out opposite thereto in column 2 of that Schedule.

Exemption from payment of fees

4.—(1) A government department (including a department of the Government of the United Kingdom) shall not be required to pay the fee specified in the Schedule where that department furnishes to the registry of deeds a certificate that the registration required or entry, search, examination, inspection, certificate or copy made or other matter done in that registry under the Registration of Deeds Acts is required for the public service.

(a) 1970 c. 25 (N.I.)

(b) S.I. 1982/338 (N.I. 6) Article 5(b) and Schedule 1, Part II

(c) S.I. 1984/1984 (N.I. 14)

(d) S.R. 1989 No. 271

(2) This Article shall cease to have effect on 31st December 1995.

Revocation

5. The Registration of Deeds (Fees) Order (Northern Ireland) 1991(a) is hereby revoked.

Sealed with the Official Seal of the Department of the Environment on
11th August 1995.

(L.S.)

J. MacQuarrie

Assistant Secretary

<i>Column 1</i>	<i>Column 2</i>
1. REGISTRATION	<i>Fee</i>
(a) Upon every memorial received for the registration of a document ...	£14-00
(b) Upon every document lodged pursuant to Article 6(6) and (7) of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 and regulation 3 of the Matrimonial Charges Regulations (Northern Ireland) 1989 ...	£14-00
2. CERTIFICATES OF REGISTRATION	
For every special certificate of registration ...	£14-00
3. COMMON SEARCH OR NEGATIVE SEARCH MADE BY OFFICE UNDER A REQUISITION	
By time taken to produce each finished search for each half-hour or part thereof ...	£ 4-00
4. SEARCH BY MEMBERS OF THE PUBLIC	
Search by every person each half-hour or part thereof ...	£ 2-00
5. COPIES MADE IN REGISTRY OF DEEDS	
(a) For every copy of a memorial or affidavit of judgment (including the search for such memorial or affidavit of judgement and certificate of the office on the copy) ...	£ 5-50
(b) For every copy of a copy document filed pursuant to regulation 3(2)(a) of the Matrimonial Charges Regulations (Northern Ireland) 1989 (including the search for such copy document and certificate of the office on the copy) ...	£ 5-50
(c) For every copy of an abstract of a memorial or affidavit of judgment not included in a statement of a common search or a certificate of a negative search (including the search for such abstract and certificate of the office on the copy) ...	£ 5-50
(d) For every copy of a page of the Matrimonial Charges Index (including the search for such page and certificate of the office on the copy) ...	£ 5-50
(e) For every copy of any document held by the registry under the Registration of Deeds Acts and for which a fee has not otherwise been provided for in this Order (including the search for such document and certificate of the office on the copy) ...	£ 5-50
(f) For every uncertified copy of a memorial, affidavit, copy document, abstract, page or document referred to in sub-paragraphs (a) to (e) (excluding the search for such memorial, affidavit, copy document, abstract, page or document) ...	£ 1-50

6. ENTRY OF SATISFACTION OF MORTGAGE OR CHARGE		
(a) Entry of satisfaction of mortgage	...	£ 4.00
(b) Entry of satisfaction of order charging land	...	£ 4.00
7. ENTRY OF COURT OR OTHER CERTIFICATE		
Entry of vacation of registration	...	£ 4.00

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order increases the fees to be taken in respect of documents lodged for registration in the registry of deeds and for other matters done in that registry. The increases range from £1.50 to £2.00 per half-hour for a search made by a member of the public to an increase from £10 to £14 for each registration made in the registry. The average amount of the increase is in the region of 39%.

The Order also provides—

- (a) that the method of determining fees for common and negative searches be based on the time taken to produce the finished search, charged at a rate for each half-hour or part thereof;
- (b) for the payment of a fee for the provision of uncertified copies; and
- (c) for the exemption of government departments from the payment of fees to cease to have effect on 31st December 1995.

The Registration of Deeds (Fees) Order (Northern Ireland) 1991 is revoked.