

SCHEDULE 2

PROCEDURAL MATTERS

PART 8

UNREGISTERED AND REGISTERED LAND

Registration of court order

28.—(1) Where the court makes a recognition order in respect of a foreign main proceeding or an order suspending the right to transfer, encumber or otherwise dispose of any assets of the debtor being unregistered land, the Master shall certify one copy of the order in fulfilment of the requirement under section 2(3)(a) of the Registration of Deeds Act (Northern Ireland) 1970⁽¹⁾. The court shall forthwith send the certified copy of the order along with one uncertified copy to the Registry of Deeds to be registered under section 2(3) of the Registration of Deeds Act (Northern Ireland) 1970.

(2) Where the court makes a modification or termination order the Master shall certify one copy of the order in fulfilment of the requirement under section 2(3)(a) of the Registration of Deeds Act (Northern Ireland) 1970. The court shall forthwith send the certified copy of the order along with one uncertified copy to the Registry of Deeds to be registered under section 2(3) of the Registration of Deeds Act (Northern Ireland) 1970.

(3) Registration of a recognition order in respect of a foreign main proceeding or an order suspending the right to transfer, encumber or otherwise dispose of any assets of the debtor being unregistered land shall be vacated on registration of a termination order.

(4) Where the court makes any order in proceedings under these regulations which is capable of giving rise to an application under the Land Registration Act (Northern Ireland) 1970⁽²⁾ and the debtor is the registered owner of, or has a registered charge over, any land, the foreign representative may make the appropriate application or applications to the Registrar of Titles.

(5) In sub-paragraph (4) an appropriate application is—

- (a) where the order is a recognition order in respect of a foreign main proceeding or an order suspending the right to transfer, encumber or otherwise dispose of any assets of the debtor, an application under section 67(1) of the Land Registration Act (Northern Ireland) 1970 for an entry to be made inhibiting any dealing with the land; and
- (b) in any other case, an application under section 9(1) of the Land Registration Act (Northern Ireland) 1970 for such entry in the individual register or registers in which title to the land is registered as shall be necessary to reflect the effect of the court order under these Regulations.

(1) 1970 c.25 (N.I.)

(2) 1970 c.18 (N.I.)