

1968. No. 92

[C]

**REGISTRATION OF DEEDS**

REGULATIONS, DATED 5TH APRIL 1968, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 13 OF THE REGISTRATION OF DEEDS (AMENDMENT) ACT (NORTHERN IRELAND) 1967.

The Ministry of Finance, in exercise of the powers conferred on it by Section 13 of the Registration of Deeds (Amendment) Act (Northern Ireland) 1967(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

*Citation*

1. These Regulations may be cited as the Registration of Deeds Regulations (Northern Ireland) 1968.

*Commencement and Revocation*

2. These Regulations shall come into operation on 1st May 1968 and the Regulations set out in the Schedule hereto shall, insofar as they remain in operation, be revoked as from that day.

*Series*

3. As documents are lodged for registration they shall be numbered in sequence in series from 1 to 300. Counterparts shall be given the same serial number as the original. The series shall commence at the beginning of each year, beginning with Book 1 Number 1 (or nearest uncanceled number to 1, and so on to Number 300) (or the nearest uncanceled number below 300), followed by Book 2 Number 1, and so on until the end of the year.

*Memorials*

4. Memorials shall be filed in sequence, according to the serial numbers allocated to the documents of which they are memorials. They shall be kept in series, each series being numbered from 1 to 300 (or nearest uncanceled number). The series shall commence at the beginning of each year, beginning with Book 1 Number 1, or the nearest uncanceled number, followed by Book 2 Number 1, and so on until the end of the year. If the final series is substantially below 300 in number, it may be filed with the penultimate series. The cover of each file or Book shall be clearly marked with the year and the Book number.

*Abstract Book*

5.—(1) As soon as convenient after the memorials are filed, an abstract or short statement shall be made of the effect of each registered document set forth in each memorial.

(2) The abstract shall contain:—

(i) the date of registration;

(ii) the serial number—i.e. the Book number and memorial number;

(iii) the names of all the grantors and of one or more of the grantees, except that where there are numerous grantors, these may be limited at the discretion of the Registrar of Deeds;

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(a) 1967. c. 30 (N.I.).

- (iv) the consideration;
- (v) the term, the rent, the renewal fines;
- (vi) in the case of county boroughs and the Scheduled Towns defined in Paragraph 3, the name of the county borough or scheduled town and the street, and in all other cases the county, town, barony and townland or street;
- (vii) the nature of the Instrument;

so far as the foregoing particulars are contained in the memorial.

- (3) The Scheduled Towns referred to in Paragraph 2 shall be:—

Antrim, Armagh, Augher, Carrickfergus, Clogher, Coleraine, Downpatrick, Dungannon, Enniskillen, Hillsborough, Limavady, Lisburn, Newry and Strabane.

(4) The abstracts shall be entered in Abstract Books in the order of the memorials to which they relate. Each abstract book shall be kept separate to correspond to the File or Book of Memorials to which it relates, and shall be clearly marked as to the year and Book Number.

#### *Index of Names*

6.—(1) The Index of Names shall consist of a series of loose-leaf lockable binders or books. Each series shall cover a period of five years. The leaves shall be filed in alphabetical order according to the surname and first forename of the grantor entered thereon, and shall contain an entry for each grantor appearing in a memorial.

(2) At the head of each leaf shall be entered the surname and first forename of a grantor. In the first column shall be entered the first forename of the grantor followed by the initial letter of each subsequent forename. In line with these particulars shall be entered:—

- (i) in the second column, the surname of a grantee followed by his first forename and initial letter of each subsequent forename, followed where there is more than one grantee by the words "and another" or "and others";
- (ii) in the third column, the county, county borough, or scheduled town in which any of the premises granted are situate;
- (iii) in the fourth column, the letter "G" for premises described in general words which cannot be allocated as in (ii);
- (iv) in the fifth column, the year of registration;
- (v) in the sixth column, the number of the File of Memorials and of the Abstract Book;
- (vi) in the seventh column, the Number of the Memorial in the File and in the Abstract Book.

(3) Where there is more than one grantor there shall be subjoined to the name of the first grantor "and another" or "and others", and a similar entry shall be made in respect of each additional grantor.

(4) All such entries shall when practicable be made and completed before the time of opening of the Registry of Deeds to the public on the third morning after the day on which such memorial was lodged for registration. If it is impracticable to make and complete the entries within this time, the Registrar shall cause a public notice to be posted in a conspicuous part of the Registry of Deeds stating to what day such entries are then made and completed.

*Requisitions for Searches*

7.—(1) A requisition for a Common Search shall be in writing, and to the following effect:

Requisition for a Common Search

Search on Index of Names only (or Indexes of Names and Lands) for all acts by ..... from ..... until ..... affecting land or premises situate in ....., Town of ..... Barony of ....., County .....; except (here insert the date and description of the Instrument and the names of the parties).

Name and address of Solicitor or person requisitioning the Search.

Date .....

(2) A requisition for a Negative Search shall be in writing on the prescribed paper, and to the following effect:

To the Registrar of Deeds in Northern Ireland

Requisition for a Negative Search

I/We require an Abstract of every Memorial filed in the Registry of Deeds appearing on a Negative Search on the Index of Names only (or Indexes of Names and Lands) of all acts by (name of person) affecting (name of street or lands, Town, Barony, in the County of ..... from ..... until .....; except of the memorial of the following instrument (here insert the date and description of the instrument and the names of the parties).

Name and address of Solicitor or person making the requisition.

Date .....

(3) Requisitions for Negative Searches shall be given a Serial Number and filed in the order received.

*Common Search, Negative Search, and Public Search*

8.—(1) A Common Search shall be carried out by one officer of the Registry of Deeds. A copy of the abstract of every memorial found to come within the terms of the requisition shall be made with all convenient speed, signed by the officer who made the search and initialled by the Registrar or Assistant Registrar.

(2) A Negative Search shall be carried out by two officers of the Registry of Deeds, independently of each other, who shall agree as to the result.

(3) During the hours in which the Registry of Deeds is open to the public any person interested in making searches in the Registry of Deeds shall, upon paying the fee for searching in the Registry of Deeds, have full liberty, in the presence of an officer of the Registry of Deeds, to search, inspect, and examine the indexes, abstracts, transcript books and memorials thereof, and to take abstracts or other short notes of any of the matters in such abstracts, books or memorials.

*Certificates of Negative Searches*

9.—(1) Every Negative Search made by the Registry of Deeds shall be given to the person making such requisition; and shall bear a certificate to the following effect:

“After diligent search made in the Registry of Deeds, upon a requisition of which the following is a copy .....  
I certify that there is not any memorial registered in the said Registry which comes within the terms of the said requisition whereof an abstract is not in this certificate truly set forth.

Dated this .....

Signed ..... Registrar or Assistant Registrar.”

(2) The abstract of each memorial inscribed in such certificate shall be in or to the effect of the form of abstract required under Regulation 4 and shall set forth as far as may be done from the memorial the particulars mentioned in that form.

(3) Such certificates shall according to the contents thereof be evidence against the Registrar or Assistant Registrar signing the same of the extent and nature of the requisition and of the execution of the search.

#### *Court Certificate vacating registration*

10. The registration of a judgment, decree, or order of a court may be vacated by the lodgment of a certificate, signed by the proper Officer of the court or under the seal of the court in which the said judgment, decree, or order was entered, stating that such judgment, decree or order has been satisfied or has otherwise ceased to have effect. Upon receipt of such certificate the Registrar shall make or cause to be made in the records of the Registry of Deeds a memorandum in accordance with the terms of such certificate, and thereafter such memorandum shall be recorded on any certificate of search on which reference to any corresponding memorial shall appear.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 5th day of April 1968 in the presence of

(L.S.)

*James Reid,*

Assistant Secretary.

#### SCHEDULE

- S.R. & O. 1904, No. 1385 Order dated 21st July 1904—Form of Indexes.  
S.R. & O. 1923, No. 799 Order dated 17th July 1923—Indexes of lands and names in Belfast Registry.  
S.R. & O. 1929, No. 1206 Order dated 31st December 1929—Loose leaf index, paper for lands index.

## EXPLANATORY NOTE

*(This note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations prescribe the series of serial numbers to be allocated to documents lodged for registration, the Indexes and Record Books which are to be kept in the Registry of Deeds and the form these will take, the searches that may be made, and the certificates that may be issued.