



# Registration of Deeds Act (Northern Ireland) 1970

## 1970 CHAPTER 25

### *Registration*

#### **3 Pending actions relating to land.**

- (1) A pending action shall not bind or affect a purchaser of any unregistered land, which is the subject of the pending action, who has not actual knowledge of that action, unless and until the pending action has been registered in the registry of deeds in accordance with the succeeding provisions of this section.
  - (2) A pending action may be registered by the lodgment in the registry of deeds of two copies of a document, stating such matters as may be prescribed, one of which copies shall be certified by the court before whom the action is pending.
  - (3) The certified copy of the document referred to in subsection (2) shall, for the purposes of the Registration of Deeds Acts, be treated as the document to be registered and the other copy thereof shall, subject to section 12 and to any regulations made thereunder, be treated for those purposes as the memorial of that document.
  - (4) The registration of a pending action may be vacated by the lodgment in the registry of deeds of a certificate of the appropriate court stating such matters as may be prescribed.
- [<sup>F1</sup>(4A) The registration of a pending action may also be vacated by lodging in the registry of deeds a certificate stating such matters as may be prescribed—
- (a) which is signed by—
    - (i) the person on whose behalf the pending action was registered, or
    - (ii) a solicitor acting for that person or, if that person is dead, for his personal representatives; and
  - (b) except where that person is a body corporate, which has its execution attested by two witnesses whose names and addresses and occupations or descriptions are subscribed to the certificate or attested by one witness who is a solicitor and whose name, address and description as a solicitor are subscribed to the certificate.]

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**Changes to legislation:** There are currently no known outstanding effects for the Registration of Deeds Act (Northern Ireland) 1970, Section 3. (See end of Document for details)

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- (5) A pending action validly registered or re-registered in the judgments registry or in the registry of deeds under any statutory provision (within the meaning of section 1(*f*) of the Interpretation Act (Northern Ireland) 1954 ) immediately before the coming into force of this section shall be deemed to have been validly registered in accordance with this section with effect from the date on which it was so registered or re-registered, as the case may be.
- (6) Without prejudice to subsection (4)<sup>[F1</sup> or (4A)], the registration of a pending action shall cease to have effect at the expiration of five years from the date of registration, but may be renewed from time to time, and, if renewed, shall have effect for five years from the date of renewal.
- (7) In this section—
- “pending action” means any action or proceeding pending in the [<sup>F2</sup> High Court or the Court of Appeal] or in a county court relating to any unregistered land;
- “purchaser” means—
- (a) any person (including a mortgagee or lessee) who, for valuable consideration, takes any estate in any unregistered land; and
- (b) the agent, within the meaning of section 4(4), of any such person.
- Subs.(8)(9) rep. by 1981 NI 6*

**F1** 1992 NI 7

**F2** 1978 c.23

**Changes to legislation:**

There are currently no known outstanding effects for the Registration of Deeds Act (Northern Ireland) 1970, Section 3.