



Registration of Deeds Act (Northern Ireland) 1970

1970 CHAPTER 25

General

17 Remedy for breach of statutory duty by registry officials.

- (1) Any person who suffers loss by reason of the breach of any duty imposed under the Registration of Deeds Acts upon an officer or servant of the Ministry may, by action—
 - (a) where the amount claimed does not exceed^[F1] £10,000, in the county court; or
 - (b) where the amount claimed exceeds^[F1] £10,000, in the High Court;recover damages from the Ministry for the loss so suffered.
- (2) Damages recovered from the Ministry under subsection (1) shall be defrayed out of moneys provided by Parliament.

F1 SR 1992/372

18 Procuring registration of false document.

Any person who procures or attempts to procure the registration under the Registration of Deeds Acts of any document—

- (a) knowing the same to be false in any material particular; or
- (b) knowing any signature thereon to be false;

shall be guilty of an offence and shall be liable—

- (i) on summary conviction, to imprisonment for a term not exceeding one year or to a fine not exceeding^[F2] level 4 on the standard scale, or to both; and
- (ii) on conviction on indictment, to imprisonment for a term not exceeding three years or to^[F2] an unlimited fine, or to both.

F2 1984 NI 3

Status: Point in time view as at 01/01/2006.

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

19 Regulations.

- (1) The Ministry may make regulations prescribing anything that under this Act is to be, or may be, prescribed^[F3] and providing for anything for which provision is permitted or required by the Registration of Deeds Acts to be made by regulations].
- (2) All regulations under subsection (1) shall be subject to negative resolution.
- [^{F4}(3) The power of the Lord Chancellor, with the concurrence of the Department of Economic Development, to make rules under Article 359 of the Insolvency (Northern Ireland) Order 1989 shall include power to make rules as respects the registration and re#registration of a bankruptcy petition under section 3A and a bankruptcy order under section 3B, as if the registration and re#registration were required by that Order of 1989.
- (4) Any rules made by virtue of paragraph (3) shall be made with the concurrence of the Department.]

F3 1992 NI 7
F4 1989 NI 19

20 Interpretation.

- (1) In this Act—
 - [^{F5}“bankruptcy order” means an order adjudging an individual bankrupt;
 - “bankruptcy petition” means a petition to the High Court for a bankruptcy order;]
 - “document” includes a deed or conveyance, and any other document whether or not under seal, which may be registered in the registry of deeds under the Registration of Deeds Acts;
 - [^{F6}“insolvency administration” means the administration in bankruptcy of the insolvent estate of a deceased person;
 - “insolvency administration order” means an order for the administration in bankruptcy of the insolvent estate of a deceased debtor (being an individual at the date of his death);
 - “insolvency administration petition” means a petition for an insolvency administration order;
 - “the Judgments Enforcement Order” means the Judgments Enforcement (Northern Ireland) Order 1981;
 - “the Land Registration Act” means the Land Registration Act (Northern Ireland) 1970;]
 - “the Ministry” means the Ministry of Finance;
 - [^{F6}“the Order” means the Insolvency (Northern Ireland) Order 1989;]
 - “prescribed” means prescribed by regulations made by the Ministry;
 - “registered”, in relation to any document, means registered under the Registration of Deeds Acts.
 - [^{F6}“the Rules” means the Insolvency Rules (Northern Ireland) 1991;]
- (2) Any reference in any provision in the Registration of Deeds Acts to registering a memorial shall be construed as a reference to registering the document of which it is a memorial.

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- (3) References in any enactment to a document a memorial of which is registered in the registry of deeds shall be construed as including a reference to a document registered in the registry of deeds.

F5 1989 NI 19
F6 SR 1991/365

21 Repeals, amendments and transitional provisions.

Subs.(1), with Schedule 2, effects repeals; subs.(2) amends s.46 of 1954 c.33 (NI)

- (3) Nothing in this Act shall affect the registration or priority of any document—
- (a) lodged for registration before the coming into operation of this Act;
 - (b) registered, or a memorial of which was registered, under the Registration of Deeds Acts in accordance with the law in force at the time of such registration;
 - (c) deemed by any enactment repealed by this Act to have been validly registered under the Registration of Deeds Acts.
- (4) It shall continue not to be necessary to transcribe any memorials entered or registered in the registry of deeds and references in the Registration of Deeds Acts and in orders made thereunder to transcripts of memorials shall be construed as references to transcripts of memorials entered or registered before the 1st January 1958 (the date from which it became unnecessary to transcribe memorials).

[^{F7}21A The Crown.

This Act binds the Crown.]

F7 1992 NI 7

22 Short title and commencement.

- (1) This Act may be cited as the Registration of Deeds Act (Northern Ireland) 1970.
- (2) This section shall come into operation on the passing of this Act and the other provisions of this Act other than section 3 shall come into operation on such day or days as the Minister of Finance may, by order, appoint.

Status:

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