
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 28

Registration of Deeds Regulations (Northern Ireland) 1997

Part III

MATRIMONIAL CHARGES

Registration, etc., of matrimonial charges

13.—(1) The documents to be lodged in the registry of deeds under Article 6(6) of the 1984 Order for or in connection with—

- (a) the registration of a matrimonial charge to which Article 6(1)(b) of the 1984 Order applies;
- (b) the renewal of such registration;
- (c) the vacation, release or variation of such registration or the postponement of the priority of a matrimonial charge so registered,

shall be in Forms 6, 7 and 8, respectively.

(2) Each document so lodged shall be accompanied by a copy certified as a true copy by the person lodging the document for registration or causing it to be so lodged, and such document shall, subject to regulation 4, be registered—

- (a) by filing the copy in the registry of deeds in sequence according to the serial number allocated to the document under regulations 5 and 6; and
- (b) by recording the document in an index kept in the registry of deeds for that purpose (“the Matrimonial Charges Index”).

Cancellation and vacation of registration on foot of subsequent registration

14.—(1) Where the Registrar of Titles or the registrar (as the case may be) is notified by a spouse pursuant to Article 7(3) of the 1984 Order of a subsisting registration of a matrimonial charge, then, upon the subsequent registration of a matrimonial charge in favour of that spouse in respect of another dwelling house, the Registrar of Titles or the registrar shall (as the circumstances require)—

- (a) cause the first mentioned registration (which has ceased to have effect by virtue of Article 7(2) of the 1984 Order) to be cancelled or vacated; or
- (b) cause a certificate in Form 9 to be transmitted to the registrar or the Registrar of Titles (as the case may be), who shall, on receipt of such certificate, cause the first mentioned registration to be cancelled or vacated.

(2) The registration of a matrimonial charge in the registry of deeds which has ceased to have effect by virtue of Article 7(2) of the 1984 Order shall be vacated (as the circumstances require) by—

- (a) making an entry in the Matrimonial Charges Index recording in relation to that registration a reference to the superseding registration in the registry of deeds; or

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- (b) filing a certificate made by or on behalf of the Registrar of Titles pursuant to paragraph (1) (b) in the registry of deeds in sequence according to the serial number allocated to it under regulations 5 and 6 and recording the certificate in the Matrimonial Charges Index.