
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 28

Registration of Deeds Regulations (Northern Ireland) 1997

Part V

SEARCHES

Requisitions for searches

22.—(1) A requisition for a common search made under section 13(1) of the Act shall be in Form 17 and a requisition for a negative search made under that section shall be in Form 18.

(2) Requisitions referred to in paragraph (1) shall be written on paper of durable quality with dimensions of 297 mm deep by 210 mm wide.

(3) Subject to paragraph (6), requisitions for common searches shall be kept in the registry of deeds in sequential order in accordance with serial numbers allocated to them and the relevant serial number shall be endorsed on each requisition.

(4) Requisitions for searches shall be recorded pursuant to Section 13(2) of the Act in the manner set out in paragraph (5) in files or books each consisting of a series covering a maximum period of five years in which each requisition shall be recorded in sequence according to the date on which it is received.

(5) The entry in respect of each requisition in the files or books referred to in paragraph (4) shall consist of the following particulars—

- (i) the date on which the requisition was received;
- (ii) the serial number allocated to it;
- (iii) the name of the applicant for the search;
- (iv) the date of completion of the search; and
- (v) the letter “C” if the requisition relates to a common search or the letter “N” if the requisition relates to a negative search.

(6) A requisition under paragraph (1) or a record thereof under paragraph (4) shall be kept in the registry of deeds for a period of not less than 20 years.

Common search, negative search and public search

23.—(1) A common search shall be carried out in accordance with the requisition to which it relates by one officer of the registry of deeds.

(2) A negative search shall be carried out in accordance with the requisition to which it relates by two officers of the registry of deeds (independently of each other), who shall agree as to the result.

(3) Any person may—

- (a) during the hours when the registry of deeds is open to the public for the transaction of business⁽¹⁾, and
 - (b) in the presence of any officer of that registry,
- search, inspect and examine, and make extracts from or short notes of, the indices, abstracts, transcript books and files and books of memorials and of other documents registered under the Registration of Deeds Acts.

Statement of common search and certificate of negative search

24.—(1) The statement to be issued on the completion of a common search shall be in Form 19 and the certificate to be issued on the completion of a negative search shall be in Form 20.

(2) The particulars of each memorial set forth in that statement or certificate shall contain the same particulars as an abstract under regulations 8 and 21(2) and the particulars so set forth of each document relating to a matrimonial charge shall contain—

- (a) the name of the person against whom the charge is registered;
- (b) the name of the person in whose favour the charge is registered;
- (c) the identification of the dwelling house affected by the charge; and
- (d) the nature of the document and its date of registration and serial number.

(3) Where—

- (a) a note has been made pursuant to Article 3(6) of the Property (Discharge of Mortgage by Receipt) (Northern Ireland) Order 1983⁽²⁾ that a receipt has been given in satisfaction of a mortgage; or
- (b) an order charging land has been cancelled pursuant to Article 132(1) of the Judgments Enforcement (Northern Ireland) Order 1981⁽³⁾,

any statement of the result of a common search or certificate of the result of a negative search which includes details of such mortgage or order shall include reference to the relevant satisfaction or cancellation.

⁽¹⁾ See the Registry of Deeds (Days and Hours of Business) Order 1958 (S.R. & O. (N.I.) 1958 No. 193)

⁽²⁾ S.I. 1983/766 (N.I. 9)

⁽³⁾ S.I. 1981/226 (N.I. 6)