

SCHEDULE 2

Article 6

MATTERS WHICH ARE EXEMPT FROM FEES BY VIRTUE OF ARTICLE 6

1. Registration as a burden under Schedule 6 to the 1970 Act, at the time of first registration of the title, of a charge for payment of money which arose before first registration other than a charge for payment of money affecting a leasehold estate where the ownership of the leasehold estate will be registered in accordance with rule 82(2) or 83.

2. Registration on a folio of the ownership of a burden where such registration is made at the time of its registration as a burden.

3. Registration of a burden created or granted in a document of transfer or lease where such burden is registered at the time of registration of the transfer or lease.

4. Registration of an appurtenance where the easement is created or granted in a document of transfer or lease and such registration is made at the time of registration of the transfer or lease.

5. Registration of a burden created by the will of a registered owner or in a deed of settlement or of a charge under section 7 of the Administration of Estates Act (Northern Ireland) 1955⁽¹⁾ where such burden is registered at the time of registration of a change in ownership of the land which is the subject of the burden.

6. Registration of a charge created by an order charging land made under Article 46 of the Judgments Enforcement (Northern Ireland) Order 1981⁽²⁾ where notice of that Order has been entered on the title register under Article 48 of that Order or paragraph 4 or Part IV of Schedule 2 to the 1970 Act⁽³⁾ or cancellation of such notice upon registration of such a charge.

7. Entry of notice of the existence of a burden specified in entry 5 of Part I of Schedule 5 to the 1970 Act, or cancellation of any burden specified in entry 3, 4 or 5 of Part I of that Schedule.

8. Reclassification of a title on the initiative of the Registrar under paragraph 3 of Schedule 3 to the Act.

9. Rectification of the register or the Statutory Charges Register where the rectification is made in consequence of an error made in the Registry.

10. Entry of an inhibition by the Registrar under section 68⁽⁴⁾ of the 1970 Act.

11. Alteration by the Registrar of the description of land registered in a folio.

12. Approval of an estate development or building plan intended for use in a series of dealings.

13. Registration of an existing charge or other burden on a superior estate consequent on the extinguishment of an inferior estate.

14. Entry of notice of the deposit of a certificate of title to secure the payment of money where that notice has been lodged in the Registry under rules 129(5) and 137(1) in response to an order made by the Registrar for the production of certificate of title.

15. Registration of the devolution of the title of any person entitled to be registered as owner but not so registered, where application has been made for the registration of ownership on transmission on the death of a full owner or on cessation of a limited ownership. (eg Presentation of two Assents,

(1) 1955 c.24 (N.I.).

(2) S.I. 1981/226 (N.I. 6); Article 46 was amended by Article 10(3) of the Registration (Lands and Deeds) (Northern Ireland) Order 1992, (S.I. 1992/811 (N.I. 7)) and Article 48 was amended by Article 51 of, and paragraph 6(1) of Schedule 1 to, that Order.

(3) Part IV of Schedule 2 was inserted into the Land Registration Act (Northern Ireland) 1970, 1970 c.18 (N.I.), by Article 10(2) of the Registration (Land and Deeds) (Northern Ireland) Order 1992, (S.I. 1992/811 (N.I. 7)).

(4) Section 68 was amended by Article 51 of, and paragraphs 1, 2(1), (3) and 4(5) of Schedule 1 to, the Registration (Land and Deeds) (Northern Ireland) Order 1992, (S.I. 1992/811 (N.I. 7)).

Status: This is the original version (as it was originally made).

one in the estate of deceased registered owner not previously presented for registration accompanied by Assent in estate of person who should have been registered attracts only one registration fee, the first dealing being exempt from fees)

16. The cancellation of a caution, inhibition, notice of pending action or any charge.

17. The renewal or cancellation of an entry of notice of the presenting of a bankruptcy petition referred to in section 67A(1)(5) of the 1970 Act.

18. Amendment of the title register pursuant to rule 164.

19. The release from a charge of part only of the land charged.

20. Registration of bankruptcy petition or bankruptcy inhibition.

21. Alteration of the address of description of a person appearing in a folio or alteration of such person's name consequent on marriage, where the application for such alteration is made at the same time as an application for the registration of a transfer or charge relating to the land in that folio.

22. Cancellation of the registration of a lease as a burden consequent upon the extinguishment of the lease by virtue of the sealing of a certificate of redemption, where the application for such cancellation is made at the same time as an application for the registration of the certificate of redemption.

(5) Section 67A was inserted into the Land Registration Act (Northern Ireland) 1970, 1970 c.18 (N.I.), by Article 381(2) of, and paragraph 72 of Part II of Schedule 9 to, the Insolvency (Northern Ireland) Order 1989, (S.I. 1989/2405 (N.I. 19))⁰ and was amended by Article 51 of, and paragraphs 2(1) and 4(4) of Schedule 1 to, the Registration (Land and Deeds) (Northern Ireland) Order 1992, (S.I. 1992/811 (N.I. 7)).