



Land Registration Act (Northern Ireland) 1970

CHAPTER 18

LAND REGISTRATION ACT (NORTHERN IRELAND) 1970

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Status: Point in time view as at 03/04/2006.

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

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- 20 Effect of first registration of leasehold estate with an absolute title.
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Status: Point in time view as at 03/04/2006.

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Status: Point in time view as at 03/04/2006.

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 - APPOINTMENT OF REGISTRAR OF TITLES (1) THE REGISTRAR SHALL BE APPOINTED BY THE MINISTRY AFTER...

APPOINTMENT OF REGISTRAR OF TITLES

- 1 The Registrar shall be appointed by the Ministry after consultation with the Lord Chief Justice.
- 2 A person shall not be appointed to be Registrar unless he is either a barrister...
- 3 For the purposes of paragraph 2, service by a barrister or a solicitor in the...

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OTHER OFFICIALS

- 4 The Ministry may, after consultation with the Lord Chief Justice, appoint such number of persons,...
- 5 The Ministry may appoint such other officers and persons as, in the opinion of the...

FUNCTIONS

- 6 Each assistant registrar appointed under paragraph 4 and each officer and other person appointed under...
- 7 An assistant registrar nominated by the Registrar may, in accordance with any general or specific...
- 8 Where the Registrar is absent from the Land Registry or the office of Registrar is...
- 9 All acts done by an assistant registrar under paragraph 7 or 8 shall, without proof...

THE OFFICIAL SEAL

- 10 The Land Registry shall have an official seal.
- 11 (1) Judicial notice shall be taken by all courts of the official seal of the...

SCHEDULE 1A — ELECTRONIC REGISTRATION

- 1 Interpretation of this Schedule
- 2 Validity of electronic documents
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SCHEDULE 2 — COMPULSORY REGISTRATION

PART I — COMPULSORY REGISTRATION AND EFFECT OF NON-REGISTRATION

PART II — POWER TO EXTEND TIME FOR FIRST COMPULSORY REGISTRATION

Notwithstanding the period of three months referred to in column 2 in respect of entry...

PART III — INTERPRETATION OF PART I

In Part I— “assignment on sale” means an assurance on sale by virtue whereof there...

PART IV — PROVISIONS RELATING TO CERTAIN LEASES

- 1 This Part applies to the estate created by a lease to which entry 4 in...
- 2 For the purpose of— (a) sections 72 and 73 of this Act (exemption from registration...
- 3 No notice of the registration of an estate to which this Part applies need be...
- 4 Pending registration of an estate to which this Part applies— (a) an order made by...
- 5 This Part does not prejudice the generality of section 72 (exemption from registration in the...

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SCHEDULE 3 — RECLASSIFICATION OF TITLE
— RECLASSIFICATION OF TITLES FORMERLY SUBJECT TO NOTES AS
TO EQUITIES AND DEEMED TO BE POSSESSORY...

RECLASSIFICATION OF TITLES FORMERLY SUBJECT TO NOTES
AS TO EQUITIES AND DEEMED TO BE POSSESSORY TITLES

- 1 Subject to paragraph 4, where the title to any registered land is deemed, by virtue...

RECLASSIFICATION OF TITLES ON EFFLUX OF TIME

- 2 Subject to paragraph 4, where a person is registered or deemed to be registered (otherwise...

RECLASSIFICATION OF TITLES IN OTHER CASES

- 3 Subject to paragraphs 4 and 5, where any person is registered with a title to...

ADVERSE CLAIMS

- 4 If any claim adverse to the title of the registered owner is made, the Registrar...

EVIDENCE OF TITLE AND NOTICES

- 5 In any case to which paragraph 3 applies, an applicant for re-classification shall produce such...

SCHEDULE 4 — TRANSMISSION OF REGISTERED LAND
— TRANSMISSION ON DEATH OF A FULL OWNER IN RESPECT OF
DEATHS AFTER COMMENCEMENT OF ACT...

TRANSMISSION ON DEATH OF A FULL OWNER IN
RESPECT OF DEATHS AFTER COMMENCEMENT OF ACT

- 1 (1) Without prejudice to the rights of the owner of any registered burden, on the...
- 2 Nothing in this Act or in any other statutory provision shall require the Registrar to...
- 3 The Registrar may enter on the title register a note of the fact of the...
- 4 The production of an assent or transfer in the prescribed form from the personal representatives...
- 5 On an application to the court under subsection (3) of section 34 of the Administration...

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TRANSMISSION OF ESTATE OF LIMITED OWNER ON DEATH, IN
RESPECT OF DEATHS AFTER COMMENCEMENT OF ACT, OR OTHERWISE

- 6 (1) Without prejudice to sub-paragraph (2) and paragraph 6A, on the determination of the estate...

FUNCTIONS OF REGISTRAR IN RELATION TO ASSENTS
OR TRANSFERS BY PERSONAL REPRESENTATIVES

- 6A Where an application for registration is made for the purposes of paragraph 4 or 6(2),...

APPLICATION OF PARAGRAPHS 1 TO 6A

- 7 Paragraphs 1 to 6A shall, in relation to transmissions on death, apply in the case...

TRANSMISSION OF REGISTERED LAND IN THE CASE OF
PERSONS DYING BEFORE THE COMMENCEMENT OF ACT

- 8 Subject to paragraph 9, the provisions of the law in force immediately before the commencement...
9 Nothing in paragraph 8 shall prevent— (a) the replacement (with or without amendment), by Land...

SCHEDULE 5 — BURDENS WHICH AFFECT REGISTERED LAND
WITHOUT REGISTRATION

PART I — LIST OF BURDENS WHICH AFFECT REGISTERED LAND
WITHOUT REGISTRATION

- 1 Crown rents.
- 2 Quit rents, tithe rent-charges and payments in lieu of tithe or tithe rent-charges created before...
- 3 Annuities or rent-charges for the repayment of advances made under any of the Land Purchase...
- 4 Annuities charged under section 27 of the Landlord and Tenant (Ireland) Act 1870, where...
- 5 Any statutory provision by which the alienation, assignment, subdivision or sub-letting of any land is...
- 6 In the case of a registered leasehold estate, all express and implied covenants, conditions and...
- 7 Rights of the public or of any class of the public.
- 8 Customary rights, franchises and liabilities arising from tenure.
- 9 Easements and profits à prendre, unless they are created by express grant or reservation after...
- 10 Any rights to or in relation to mines and minerals or petroleum vested in the...
- 11 Where a person is registered as owner of any land . . . but the...
- 12 Any lease where the term granted does not exceed twenty-one years (or, in the case...

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- 13 In the case of any land in respect of which the owner is registered with...
- 14 Subject to the provisions of this Act, all rights acquired, or in the course of...
- 15 The right of every person in actual occupation of the land or in receipt of...
- 16 Any covenant (within the meaning of the Property (Northern Ireland) Order 1997) which continues to...

PART II — PROVISIONS AFFECTING SCHEDULE 5 BURDENS

- 1 Where it is proved to the satisfaction of the Registrar that any land registered or...
- 2 The Registrar shall note on the title register , in such manner as may be...

SCHEDULE 6 — REGISTRATION OF CERTAIN BURDENS

PART I — LIST OF BURDENS TO WHICH SECTION 39 APPLIES

- 1 Any charge on the land created after the first registration of the land.
- 2 Any rent-charge or perpetual rent (not being a rent-charge or rent which, by virtue of...
- 3 Any power to charge the land with the payment of money, whether created or arising...
- 4 Any trust for securing money on the land created or arising before or after the...
- 5 Any lien on the land for unpaid purchase money, whether existing before or after the...
- 6 Any lease of the land where the term granted— Para.(a) rep. by 1997 NI 8...
- 7 Any judgment other than a bankruptcy order , or any enforcement order within the meaning...
- 8 Any pending action relating to the land, whether existing before or after the first registration...
- 8A Any bankruptcy petition relating to the land whether existing before or after the first registration...
- 9 Any charge relating to the land imposed under [Article 46 of the said Order...
- 10 Any notice under [Article 48 of the said Order of 1981] relating to a...
- 11 Any easement or profit à prendre affecting the land created by express grant or reservation...
- 12 Any covenant or condition relating to the use or enjoyment of the land, whether created...
- 13 Any estate in dower affecting the land arising before the 1st January 1956, whether existing...
- 14 Any right referred to in section 47(a) or (b).
- 14A Any matrimonial or civil partnership charge (within the meaning of the Family Homes and...
- 15 Any incumbrance on the land (not being a burden referred to in entries 1 to...
- 16 Any other matter affecting the land which may be prescribed pursuant to Land Registry Rules.

PART II — PROVISIONS AFFECTING REGISTRATION OF SCHEDULE 6 BURDENS

Status: Point in time view as at 03/04/2006.

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

REGISTRATION OF BURDENS

- 1 The ownership of Schedule 6 burdens may, and shall if so required by section 41...
- 2 . . . , a Schedule 6 burden shall be entered as a burden on...
Paras 3, 4 rep. by 1992 NI 7

NOTE OF INDEMNITY IN RESPECT OF RENT REGISTERED AS A BURDEN

- 5 Where any rent is entered on the title register as a Schedule 6 burden and...

REGISTRATION OF PENDING ACTIONS TO LAPSE AFTER FIVE YEARS

- 6 The registration of a pending action shall cease to have effect at the expiration of...

REGISTRATION OF BANKRUPTCY PETITIONS

- 6A Paragraph 6 shall apply to the registration of a bankruptcy petition as it applies to...
Para. 7 rep. by 1992 NI 7

SCHEDULE 7 — PROVISIONS RELATING TO CHARGES ON REGISTERED LAND

PART I — GENERAL PROVISIONS

REGISTRATION OF CHARGES

- 1 (1) Subject to paragraphs 2 and 3, every deed of charge by a registered owner...
- 2 The registered land comprised in a charge created by deed after the commencement of this...
- 3 A deed of charge shall not refer to any other burden affecting the land which...
- 4 When it is expressed in a deed of charge that any person covenants for payment...

EFFECT OF REGISTRATION OF OWNERSHIP OF CHARGE

- 5 (1) On registration of an owner of a charge on registered land for the payment...
- 6 If the registered owner of a charge on land sells the land in pursuance of...
- 7 When a purchaser from the registered owner of a charge is registered, under paragraph 6,...

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8 Nothing in paragraph 7 shall operate so as to discharge any entry made or deemed...

9 On registration of the owner of a charge by way of annuity, the owner of...

PART II — SPECIAL PROVISIONS RELATING TO CERTAIN CHARGES
IN RESPECT OF SETTLED LAND

PART III — VALIDITY OF CERTAIN CHARGES PURPORTING TO BE
REGISTERED AT 28TH JULY 1957

1 (1) Notwithstanding anything to the contrary contained in this Act or in any other statutory...

2 Except as provided by paragraph 3, paragraph 1 shall not affect any order or judgment...

3 Paragraph 2— (a) shall not apply to any order or judgment specified in that paragraph...

SCHEDULE 8 — SPECIAL PROVISIONS RELATING TO SETTLED LAND
AND TO CHARITABLE TRUSTS, ETC.

PART I — SETTLED LAND

1 The Registrar may register in respect of any settled land— (a) the owner of the...

2 Where a person is registered as limited owner under a settlement, the names of the...

3 The registration of a person as limited owner of settled land in pursuance of this...

4 (1) Where a person is, by operation of law or otherwise, assignee of a person...

5 Where a new trustee of a settlement to which paragraph 2 relates is appointed, the...

6 The provisions of this Act with respect to the registration of limited owners shall not...

7 Where an order referred to in paragraph 6 is made with respect to registered land,...

8 A person shall not be affected by notice of the trusts of any settlement by...

PART II — CHARITABLE AND CERTAIN OTHER TRUSTS

REGISTRATION AS OWNERS OF TRUSTEES APPOINTED PURSUANT
TO THE TRUSTEE APPOINTMENT ACTS 1850 AND 1890

1 Where the Registrar decides that any registered land would, had it been unregistered land, have...

REGISTRATION AS OWNERS OF PERSONS IN WHOM REGISTERED LAND IS VESTED BY
AN ORDER UNDER SECTION 12 OF THE CHARITIES ACT (NORTHERN IRELAND) 1964

2 Where any registered land becomes vested by an order under section 12 of the Charities...

SCHEDULE 9 — COMPENSATION PAYABLE UNDER THE ACT
— RIGHT TO COMPENSATION (1) (1) SUBJECT TO PARAGRAPHS 2, 3,
4, AND 5, COMPENSATION SHALL...

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RIGHT TO COMPENSATION

- 1 (1) Subject to paragraphs 2, 3, 4, and 5, compensation shall be payable to any...
- 2 Subject to paragraphs 3, 4 and 5, the owner of any land claiming in good...
- 3 Compensation shall not be payable— (a) where the claimant has himself or by his agent...
- 3A Where lack of proper care on the part of the claimant or his agent has... This div-1 has a number but no title; creating a P1 group with an empty Title
- 4A (1) Sub-paragraph (2) applies where— (a) there is mediation in relation to a relevant cross...
- 5 In any case of the rectification, pursuant to section 69, of an error, the costs...

QUANTUM OF COMPENSATION

- 6 When compensation is payable under this Schedule, the amount thereof (excluding costs) shall not exceed—...
- 7 Except for the purposes of paragraph 6, compensation payable under this Schedule shall include any...

SPECIAL PROVISIONS IN RESPECT OF SETTLED LAND

- 8 Where compensation is paid in respect of settled land, and not in respect of any...

PROCEDURE FOR CLAIMING COMPENSATION

- 9 The Department shall be the respondent to every claim for compensation made under this Schedule;...
- 10 Where any question arising as to whether a person is entitled to compensation, or as...
- 11 Before or instead of determining a question referred to it under paragraph 10, the Lands...

SCHEDULE 10 — SPECIAL PROVISIONS RELATING TO CERTAIN VESTING ORDERS AND FIATS UNDER THE LAND PURCHASE ACTS

— APPLICATION OF SCHEDULE (1) THIS SCHEDULE APPLIES TO—
(A) ANY VESTING ORDER MADE IN THE...

APPLICATION OF SCHEDULE

- 1 This Schedule applies to— (a) any vesting order made in the exercise of powers conferred...

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VESTING NOT TO BE INVALIDATED BY DEATH

- 2 A vesting order shall not be void by reason of the death before the making...
- 3 Any entry shown on the title register as the first registration of any land shall...

PROCEDURE FOR CORRECTIONS CONSEQUENT UPON ERRORS IN VESTING ORDERS

- 4 Subject to paragraph 5, where an error is found to have been made in a...
- 5 Notwithstanding anything contained in section 69(2), where the error in a vesting order consists only...
- 6 Nothing in paragraphs 4 and 5 shall confer upon any person a right to make...

SCHEDULE 11 — MATTERS WHICH REQUIRE TO BE REGISTERED IN THE STATUTORY CHARGES REGISTER

- 1 Any charge acquired before, on or after the 2nd April 1951 by a local authority...
- 2 Any prohibition of or restriction on the user or mode of user of land imposed...
- 3 Any regulations made by the Ministry of Agriculture under section 21 of the Irish Land...
Para.4 rep. by 1971 c.17 (NI
Paras.5#7 rep. by 1992 NI 15
- 8 Any statutory conditions attached by virtue of section 7 of the Housing (No.2) Act (Northern...
- 9 Any conditions applied to a cottage by virtue of regulations under section 10 of the...
Para.10 rep. by 1993 NI 15
- 11 Any improvement notice for the time being in force under Part II of the Agriculture...
Para. 12 rep. by 1972 c.3 (NI
Para. 13 rep. by 1992 NI 15
Para. 14 rep. by 1971 c.16 (NI
- 15 Any wayleave order made under section 14 of the Land Powers (Defence) Act 1958 and...
- 16 Any notice under section 1 of the Rights of Light Act (Northern Ireland) 1961 .
Para. 17 rep. by 1992 NI 15
- 18 Any of the following matters under the Private Streets Act (Northern Ireland) 1964 (a) notices...
- 18A Any of the following matters under the Private Streets (Northern Ireland) Order 1980 (a) notices...
- 19 Any agreement or covenant under section 2(1), or any waiver under section 2(3), or an...
- 20 Any condition attached by virtue of subsection (1) of section 24 of the Land Development...
- 21 Any condition applied to a unit of land under Schedule 3 to the Agriculture Act...

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- 22 Any of the following matters under the Historic Monuments and Archaeological Objects (Northern Ireland) Order...
Para. 23 rep. by 1992 NI 15
- 24 A grant or agreement referred to in section 55(5) of Civil Aviation Act 1982.
- 25 Any order under Article 7 or 8 of the Airports (Northern Ireland) Order 1994.
- 26 Any Part I or Part II conditions, within the meaning of the Housing on Farms...
- 27 Any of the following matters under the Planning (Northern Ireland) Order 1991— (a) an entry...
This div-1 has a number but no title; creating a P1 group with an empty Title
- 31 Particulars specified in Article 11(4) of the Land Acquisition and Compensation (Northern Ireland) Order 1973...
- 32 Any of the following matters under the Roads (Northern Ireland) Order 1993— (a) a notice...
Paras. 33, 34 rep. by 1992 NI 15
- 35 An Order under Article 39(2)(a) of the Matrimonial Causes (Northern Ireland) Order 1978 to the...
- 36 An occupation order under the Family Homes and Domestic Violence (Northern Ireland) Order 1998 to...
- 37 Any of the following matters under the Housing (Northern Ireland) Order 1981 (a) any clearance...
Para. 37A rep. by 1992 NI 15
- 38 Any of the following matters under the Access to the Countryside (Northern Ireland) Order 1983—...
- 39 Any agreement, covenant or waiver under Article 8(1), 9, or 17 of the Nature Conservation...
- 40 Any conditions imposed under Article 4(1) of the Social Need (Northern Ireland) Order 1986 for...
- 41 Any of the following matters under the Housing (Northern Ireland) Order 1992— (a) the statutory...
- 42 Any agreement under regulation 13 of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland)...
- 43 Any declaration under Article 46 of the Street Works (Northern Ireland) Order 1995.
- 43 Any declaration under Article 28(1) of the Environment (Northern Ireland) Order 2002, any management agreement...
- 44 Any charge under Article 61 of the Waste and Contaminated Land (Northern Ireland) Order 1997.
- 45 Any of the following matters under Part III of the Housing (Northern Ireland) Order 2003—...
- 46 An order under paragraph 67(2) of Schedule 15 to the Civil Partnership Act 2004 to...
- 47 Any charge created under Article 25(6) of the Private Tenancies (Northern Ireland) Order 2006.
- 48 Any agreement under regulations under Article 29A of the Rates (Northern Ireland) Order 1977.

— Schedule 12 #Amendments

SCHEDULE 13 — TRANSITIONAL AND SAVING PROVISIONS

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PART I — TRANSITIONAL PROVISIONS

EFFECT OF PREVIOUS REGISTRATION WITH A QUALIFIED OR POSSESSORY TITLE

- 1 Where, immediately before the commencement of this Act, the owner of any land was registered...

EFFECT OF PREVIOUS REGISTRATION SUBJECT TO NOTE AS TO EQUITIES

- 2 Where, immediately before the commencement of this Act, the registration of the ownership of a...

EFFECT OF PREVIOUS REGISTRATION NOT SUBJECT TO NOTE AS TO EQUITIES

- 3 Where, immediately before the commencement of this Act, the registration of ownership of a freehold...

EFFECT OF PREVIOUS REGISTRATION WITH A NOTE TO THE EFFECT THAT THE TITLE OF LESSOR HAS BEEN EXAMINED AND FOUND TO BE GOOD AND VALID

- 4 Where, immediately before the commencement of this Act, there was entered, in relation to the...

EFFECT OF PREVIOUS REGISTRATION WITHOUT A NOTE RELATING TO THE TITLE OF LESSOR

- 5 Where, immediately before the commencement of this Act, the registration of ownership of a leasehold...

EFFECT OF PREVIOUS REGISTRATION IN THE REGISTER OF PROPRIETORS

- 6 Where, immediately before the commencement of this Act, registration of the ownership of any land...

TRANSFERS OF REGISTRATIONS FROM LOCAL REGISTRIES TO CENTRAL OFFICE

- 7 Where, immediately before the commencement of this Act, the title to any land was registered...

STATUTORY CHARGES UNDER THE ACT OF 1951

- 8 Every amendment to Schedule 11 to this Act shall, so long as section 2 of...

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CONSTRUCTION OF CERTAIN CROSS-REFERENCES

- 9 References in any statutory provision to the Act of 1891 shall be construed as references...
- 10 References in any statutory provision to a registering authority under the Act of 1891 shall...

DISPOSAL OF CERTAIN BOOKS, ETC., RELATING TO RECORD OF TITLE

- 11 The Ministry may, subject to any rules made under the Public Records Act (Northern Ireland)...

PART II — SAVINGS

CONSENT TO ALIENATION, ETC.

- 1 Nothing in this Act (except the provisions relating to statutory charges) shall affect any statutory...

PROVISIONS OF INTERPRETATION ACT (NORTHERN IRELAND) 1954 RELATING TO REPEALS AND SUBSTITUTING PROVISIONS

- 2 Nothing in this Act shall affect the provisions of sections 28 and 29 of the...

— Schedule 14#Repeals

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