
STATUTORY INSTRUMENTS

1992 No. 811

**The Registration (Land and Deeds)
(Northern Ireland) Order 1992**

PART II

LAND REGISTRATION

Administrative provisions

Fees

34.—(1) The amendments specified in paragraphs (2) and (3) shall be made in section 84 of the 1970 Act (so far as practicable, Land Registry fees are to be sufficient to pay the salaries and expenses under the Act and to make payments to the Insurance Fund).

(2) In subsection (1) for the words from “(a) to pay all salaries” onwards substitute “to meet so much of the operating expenses of the Land Registry as is attributable to its registration functions”.

(3) after subsection (1) insert:

“(1A) In subsection (1) “registration functions” means the functions of the Land Registry in registering any matter under this Act and its functions under section 81 and section 86(3), (4) and (5).”.

(4) An order under section 84 of the 1970 Act prescribing fees to be taken in the Land Registry may provide that, where directions promulgated by the Registrar under Article 15(2) with respect to dealings or other matters of any class are complied with in connection with a dealing or matter of that class, a lower fee shall be payable in connection with that dealing or matter than the fee which would have been payable if the directions had not been complied with.

Scope of Land Registry Rules

35.—(1) It is hereby declared that Land Registry Rules may make provision:

- (a) for the extension of any period specified in or by virtue of those Rules, notwithstanding that the period has already expired;
- (b) for the rectification of irregularities in procedure;
- (c) authorising the Registrar to disregard any failure to comply with a provision of the Rules relating to procedure.

(2) The amendments specified in paragraphs (3) to (5) shall be made in section 85(3) of the 1970 Act (matters with respect to which Land Registry Rules may be made).

(3) After paragraph (b) insert:

“(ba) authorising the Registrar to refuse to register the ownership of any unregistered land where this Act or some other statutory provision does not make it compulsory to register that ownership;”.

(4) After paragraph (e) insert:

“(ea) registration of a title by reference to a map other than the registry map pending the making of an entry on the registry map;”.

(5) After paragraph (s) insert:

“(t) regulating the manner in which documents lodged in the Land Registry are to be preserved or recorded, and the destruction of such documents where they have become superseded by entries in the title register or have ceased to have effect.”.

(6) In section 79(2) of the 1970 Act (Land Registry Rules relating to land certificates and certificates of charge), at the end, there shall be inserted:

“(g) provide for the cancellation and destruction of land certificates and certificates of charge which have been lodged in the Land Registry (whether or not new certificates are to be issued in their place).”.

Documents and records

36. The following section shall be inserted after section 85 of the 1970 Act:

“Documents and records.

85A.—(1) Any reference in this Act to a document includes a reference to information recorded in such non-legible form as may be prescribed.

(2) Records required or authorised to be kept under this Act by or on behalf of the Registrar may be kept in any form the Registrar thinks fit, if it is possible to inspect the information contained in them and to obtain a copy of it in legible form.

(3) Where any provision of this Act provides for a document to be given to or by the Land Registry or the Registrar, Land Registry Rules may make further provision in relation to the application of that provision to automated forms of communication.

(4) Land Registry Rules may authorise documents to be used for the purposes of this Act if they satisfy any prescribed conditions, notwithstanding that they are not original documents.

(5) In this section—

“document” includes information recorded in any form;

“inspect” includes inspect by automated means;

“legible” means capable of being read with the naked eye;

“record” includes the register, the Statutory Charges Register and an index.”.