

being officers of the Ministry of Finance, to authenticate the seal of the said Ministry, where a certificate under the said seal is required for the purpose of section forty-nine of the Landlord and Tenant (Ireland) Act, 1870, or of section twenty or section twenty-eight of the Land Law (Ireland) Act, 1887.

Statutory Rule and Order, 1951, No. 105, dated the 14th June, 1951, is hereby revoked.

Given under my hand this 8th day of February, 1954.

Brian Maginess.

Land Registry, Northern Ireland

Costs

ORDER, DATED 21ST MAY, 1954, MADE BY THE LORD CHIEF JUSTICE AND THE CHANCERY JUDGE UNDER SECTION NINETY-FOUR OF THE LOCAL REGISTRATION OF TITLE (IRELAND) ACT, 1891 (a), AS AMENDED BY SECTION THREE OF THE ADMINISTRATIVE AND FINANCIAL PROVISIONS ACT (NORTHERN IRELAND), 1951 (b).

1954. No. 72

We, the Lord Chief Justice and the Chancery Judge, after consultation with the President of the Incorporated Law Society of Northern Ireland, the Taxing Master of the Supreme Court of Judicature of Northern Ireland and the Registrar of Titles in Northern Ireland, and in exercise of the powers conferred upon us by section ninety-four of the Local Registration of Title (Ireland) Act, 1891, as amended by the Northern Ireland (Land Registry) (Adaptation of Enactments) Order, 1948 (c) and section three of the Administrative and Financial Provisions Act (Northern Ireland), 1951, do hereby make the following Order:—

1. The Schedule of Costs referred to in the Land Registry (Costs) Order (Northern Ireland), 1953 (d) is hereby annulled save in respect of business completed prior to the first day of July, 1954, and there shall be substituted therefor the Schedule of Costs hereto annexed, which shall apply subject to the regulations therein mentioned.

2. The Schedule of Costs hereto annexed shall apply to all business completed on or after the date on which this Order comes into force.

3. This Order, which may be cited as the Land Registry (Costs) Order (Northern Ireland), 1954, shall come into force on the first day of July, 1954.

Dated this 21st day of May, 1954.

(Signed) *MacDermott*,
Lord Chief Justice.

(Signed) *L. E. Curran*,
Chancery Judge.

(a) 54 & 55. Vic.c.66.

(b) 15 & 16. Geo.6.c.5.

(c) S.I.1948, No. 485.

(d) S.R. & O. (N.I.) 1953, No. 23.

SCHEDULE OF COSTS

TO BE ALLOWED TO SOLICITORS IN THE UNDERMENTIONED
DEALINGS AND PROCEEDINGS

PART I

FIRST REGISTRATION—VOLUNTARY

For completing the first registration, where such registration is voluntary, the charge shall be the same as in proceedings before the Chancery Judge.

PART II

FIRST REGISTRATION—COMPULSORY

For completing the first registration, where such registration is compulsory, the charges shall be as follows, viz.:—

For instructions, preparation of draft application, engrossing the same, verification, lodgment, perusing rulings on title, furnishing all searches directed, lodgment of all necessary documents which are in the possession of the applicant, and preparation, engrossment and filing of an affidavit of discovery.

(i) Where the title is registered subject to equities £5 5 0

Provided that if the application was for registration discharged from equities and the Registrar is satisfied that the failure to show sufficient title so to complete the registration was not due to any default on the part of the Solicitor, he may certify for such additional remuneration as he thinks just.

(ii) Where the title is registered discharged from equities there may be charged in addition the same fees as those set out in Part III E. (i).

PART III

DEALINGS WITH REGISTERED LAND, OR OTHER
REGISTERED INTERESTSA. *Transfers, Settlements, Charges and Transfers of Charges.*

Subject to the regulations applicable to this part of the Schedule, the charges of the Solicitor having the conduct of the business, whether for the Vendor, Purchaser, Settler, Borrower, or Lender, shall be as follows:—

	£	s.	d.
Where the value does not exceed £100 ...	3	10	0
Where the value exceeds £100, but does not exceed £300 ...	6	0	0
Where the value exceeds £300, but does not exceed £1,000, For every additional £100 or part thereof over £300, add ...	1	15	0

Where the value exceeds £1,000, but does not exceed £3,000,			
For every additional £100 or part thereof over £1,000, add ...	...	...	1 2 6
Where the value exceeds £3,000, but does not exceed £10,000,			
For every additional £100 or part thereof over £3,000, add ...	...	...	10 0
Where the value exceeds £10,000,			
For every additional £100 or part thereof over £10,000, add ...	...	...	6 0

B. Fee Farm Grants and Leases.

For the preparation and perusal of Leases and agreements for Leases or Fee Farm Grants (including registration of same as a burden or otherwise), the same remuneration (excluding fee on registration) as if the lands were unregistered, provided that said Leases, Agreements or Fee Farm Grants are not void under section 30 of the Northern Ireland Land Act, 1925.

C. Discharge of Burdens.

In the case of money charges—

For all proceedings to procure the discharge ... £3 13 6

Provided that where it shall be necessary to make application to the Court or Registrar in order to procure such discharge, there may be charged in respect thereof, in addition, the same fees as in proceedings before the Chancery Judge.

In the case of life annuities, rights of residence, and the like—

For all proceedings to procure the discharge:—

£1 15s. 0d., together with such further charges for obtaining any evidence required as to the payment of arrears, death duties, and the like, as are reasonable and proper.

NOTE: A Solicitor approving of and obtaining the execution and verification of any receipt, release, or postponement, may charge:—

	£	s.	d.
Where the value of the charge does not exceed £500 ...	...	...	1 15 0
Where the value of the charge exceeds £500	3	10	0

D. Transmissions on Death.

The charges for the registration of the beneficiaries under the will or intestacy of a deceased registered owner, including the registration of any charges under the will, shall be as follows:—

	£	s.	d.
Where the value does not exceed £100	1 16 9
Where the value exceeds £100, but does not exceed £1,000,			
For every additional £100 or part thereof over £100, add	17 6

Where the value exceeds £1,000,
For every additional £100 or part thereof over
£1,000, add 8 9

And in addition:—

For the preparation, engrossing and filing of
any necessary application or assent ... 3 10 0

E. Discharge of Equities.

For procuring the cancellation of the note as to equities in the manner provided by Order V, the charges shall be as follows, provided that the charge in any case shall not exceed £50 0s. 0d. unless by special direction of the Court:—

(i) Where the case is governed by Rule 1 or Rule 2 of Order V:—

	£	s.	d.
Where the value of the land does not exceed £500	6	0	0
Where the value of the land exceeds £500, but not £1,000	10	0	0
Where the value of the land exceeds £1,000, but not £1,500	15	0	0
Where the value of the land exceeds £1,500, but not £2,000	20	0	0
Where the value of the land exceeds £2,000, For every additional £100 or part thereof, add	1	0	0

(ii) Where the case is governed by Rule 3 of Order V (omitting the proviso thereto):—

	£	s.	d.
Where the value of the land does not exceed £500	4	0	0
Where the value of the land exceeds £500, but not £1,000	6	0	0
Where the value of the land exceeds £1,000, but not £3,000	10	0	0
Where the value of the land exceeds £3,000	15	0	0

(iii) Where the case is governed by the proviso to Rule 3 of Order V:—

	£	s.	d.
Where the value of the land does not exceed £500	2	0	0
Where the value of the land exceeds £500, but not £1,000	4	0	0
Where the value of the land exceeds £1,000, but not £3,000	6	0	0
Where the value of the land exceeds £3,000	10	0	0

PART IV

MISCELLANEOUS

<i>Item</i>	£	s.	d.
1. Preparing Requisition desiring the opinion of the Court	1	15	0
2. Bespeaking, taking out, and handing to owner a Land Certificate, or a Certificate of Charge, a copy of a Folio, or Map, or other document	11	8	
3. Attendance to Search Registers and Indexes or to examine Registry Maps, per hour reasonably spent	11	8	
4. Preparation, verification, and lodgment of Caution or Application for an Inhibition	1	15	0
5. Registering a Judgment Mortgage, Recognizance, or Crown Bond (excluding the cost of work done prior to such registration)	1	15	0
6. Registering a Lis Pendens	1	15	0
7. Preparing Summons requiring the attendance of a witness before the Court or Registrar	7	6	
Each copy	1	9	
8. Necessary attendance before the Court or Registrar:—			
When on Notice	1	11	6
When not on Notice		15	0
9. Preparing Writ of Fi. Fa. or other Writ	11	8	
10. Obtaining an Entry on the Register as to the existence or non-existence of any of the burdens mentioned in Section 47 of the Act of 1891	1	15	0
If more than one such burden is dealt with at the same time:—			
For the second and each subsequent burden	17	6	
11. Obtaining an Entry on the Register of Notice of the deposit of a Land Certificate or Certificate of Charge as security for money	1	15	0
12. Producing Land Certificate or Certificate of Charge in obedience to Order in Form No. 34	17	6	
13. Obtaining a note of the death of a registered owner and of the grant of probate or letters of administration:—			
Where the value does not exceed £500	17	6	
Where the value exceeds £500	1	15	0
14. Obtaining a note of persons appointed trustees under the Settled Land Acts subsequent to any registration under the settlement:—			
Where the value does not exceed £500	17	6	
Where the value exceeds £500	1	15	0
15. Closing of the Register pursuant to Section 20 of the Act of 1891:—			

(a) Preparation, engrossment and lodgment of the requisition and consent of the registered owner and other interested parties:—			
Where the value does not exceed £1,000 ...	17	6	
Where the value exceeds £1,000 ...	1	6	3
(b) Preparation, engrossment and lodgment of memorial of closing:—			
Where the value does not exceed £1,000 ...	1	15	0
Where the value exceeds £1,000 ...	2	12	6
(c) Attendances on necessary parties to procure signatures:—			
For each party signing ...	11	8	
(d) Each affidavit verifying signatures ...	11	8	

REGULATIONS AS REGARDS COSTS

1. Where a Solicitor acting for one of the parties negotiates the sale, purchase, or loan, or conducts the sale by auction, he may charge, in addition, the following rates of commission on the actual amount of the purchase money or loan:—

	s.	d.	
Where the purchase money or loan exceeds £300, but does not exceed £3,000 ...	17	6	per cent.
Where the purchase money or loan exceeds £3,000, but does not exceed £10,000, On the excess over £3,000, add ...	10	0	per cent.
Where the purchase money or loan exceeds £10,000, On the excess over £10,000, add ...	5	0	per cent.

The scale for negotiating the loan may be charged on transfers of charges where it is applicable.

2. Where a Solicitor has been instructed to carry out a sale by auction, and has taken the necessary preliminary steps, but the sale by auction has proved abortive, the charges shall be at the rate of three-fourths of the fees which would have been chargeable by him if the sale had been completed at the reserve price. For every subsequent ineffectual auction conducted by the same Solicitor, he may charge fees at the rate of half of the fees chargeable on the reserve price. Should a sale be subsequently successfully conducted by him either by auction or by private contract, he may charge fees at the full rate provided by Part III of this Schedule, less one half of the fees charged for the first abortive sale.

3. For the purposes of this Schedule the term "value" shall mean:—

(a) In cases within Part II of this Schedule:—

The amount certified by a competent valuer to be the value of the lands; or

The amount of the consideration expressed in any instrument of conveyance on sale dated not more than five years prior to the lodgment of the application; or

Fifty times the Poor Law Valuation of the lands.

(b) In cases within Part III, subhead A. of this Schedule:—

Transfers on sales and charges:—

The actual amount of the purchase money, charge or loan, together with, in the case of sales, the amount of any incumbrances subject to which the land is sold, other than the redemption value of the annuity.

Transfers other than for money consideration, and settlements:—

Fifty times the Poor Law Valuation of the land.

Life annuities:—

Twelve times the amount of the annuity.

(c) In cases within Part III, subhead D. of this Schedule:—

Where the entire interest in the land or charge passes:—

Fifty times the Poor Law Valuation of the lands, or the amount due on foot of the charge.

Where only a share of the land or charge passes:—

An amount bearing the same proportion to fifty times the Poor Law Valuation of the land, or to the amount due on foot of the charge, as the share passing bears to the entire interest.

(d) In cases within Part III, subhead E. of this Schedule:—

Fifty times the Poor Law Valuation of the land.

(e) In cases within Part IV of this Schedule:—

Fifty times the Poor Law Valuation of the land.

4. Where a sale is made under the Settled Land Acts by a person registered as limited owner, a fee of £1 15s. 0d. may be charged in addition to those prescribed in this Schedule.

5. Where a sale is made by a personal representative fees may be charged for the lodgment of the grant of probate or letters of administration, as in item 13 of Part IV of this Schedule, in addition to the transfer fees hereby prescribed, unless such grant has already been noted on the Register.

6. Where the Solicitor conducting the business acts on behalf of several parties having distinct interests, other than the persons named in the next paragraph, he may in a proper case be allowed for each party after the first an additional fee of £1 15s. 0d.

7. Where a Solicitor is concerned for any two of the following parties, viz.:—vendor, purchaser, borrower, or lender, his charges shall be as follows, namely:—Full charges for the purchaser or borrower, and half charges for the vendor or lender.

8. (i) In cases coming within subhead A. of Part III, the charges therein set out shall be subject to a deduction of one-fourth, if, prior to the time of registration of the transaction in respect of which the charge is made the note as to equities has already been discharged.

(ii) Where land is registered subject to equities, and at the time of the registration of any transaction the note as to equities is discharged, fees may be charged both for the transaction and for the discharge of equities as in Part III, subhead E. of this Schedule.

9. In any case in which Item 11 of Part IV of this Schedule is charged for, Item 12 shall not be charged for.

10. The charges prescribed by this Schedule shall include the preparation of, and attendance to swear, the affidavit verifying any deed, application, assent or other document, but shall not include extra work relative to sub-divisions, or to the assessment of death duties, or other extraneous business of a similar character incidental to registration, for which such further fee may be charged as is reasonable and proper.

11. The charges prescribed under subhead A. of Part III of this Schedule shall apply to all cases in which a portion only of the land registered in any folio is dealt with, but in such case the Solicitor shall be entitled to charge, in addition, under paragraph 10 hereof in respect of the extra work occasioned thereby.

12. The remuneration of Solicitors in respect of business incidental to, or consequential on registration not provided for by this Schedule shall be as prescribed in proceedings before the Chancery Judge.

LOCAL GOVERNMENT

Qualifications of Officers:
Borough and Urban District
Councils, p. 396
Rural District Councils,
p. 397

Superannuation, p. 398

Qualifications of Officers

Borough and Urban District Councils

REGULATIONS, DATED 9TH NOVEMBER, 1954, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION EIGHTEEN OF THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND), 1934.

1954. No. 164

The Ministry of Health and Local Government for Northern Ireland (in these Regulations referred to as "the Ministry"), in exercise of the powers vested in it by section eighteen of the Local Government Act (Northern Ireland), 1934 and of every other power in that behalf enabling the Ministry, hereby makes the following regulations:—

1.—(1) These Regulations may be cited as the Borough and Urban District Councils (Officers Qualifications) Regulations (Northern Ireland), 1954.

(2) The Interpretation Act, 1921 shall apply for the purpose of the interpretation of these Regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.