
Changes to legislation: There are currently no known outstanding effects for the Land Registration Act (Northern Ireland) 1970, SCHEDULE 13. (See end of Document for details)

SCHEDULES

SCHEDULE 13

Section 96.

TRANSITIONAL AND SAVING PROVISIONS

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 with a qualified or a possessory title, such owner shall be deemed to be registered with a qualified or, as the case may be, a possessory title within the meaning of this Act.

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 freehold estate was noted as being subject to any rights or equities pursuant to section 29(3) of the Act of 1891, the title to the estate shall be deemed to be a possessory title within the meaning of this Act.

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 estate was not noted as being subject to any rights or equities, the title to the estate shall, subject to paragraph 1, be deemed to be an absolute title within the meaning of this Act.

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 registration of the ownership of a leasehold estate, a note to the effect that the title of the lessor had been examined and found to be good and valid, the title shall be deemed to be an absolute title within the meaning of this Act.

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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 estate contained no such note as is referred to in paragraph 4, the title shall, subject to paragraph 1, be deemed to be a good leasehold title within the meaning of this Act.

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 was entered in the register of proprietors maintained under the Small Dwellings Acquisition Acts (Northern Ireland) 1899 to 1948, such registration shall, subject to Land Registry Rules, be deemed to have been made in the register of freeholders or in the register of leaseholders, as the circumstances of the case may require.

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 in a local office, such registration shall, subject as may be prescribed, be transferred to the central office, and, for the purpose of this paragraph, a duplicate folio of any land so registered maintained in the central office shall be deemed to be the original folio.

STATUTORY CHARGES UNDER THE ACT OF 1951

- 8 Every amendment to Schedule 11 to this Act shall, so long as section 2 of the Statutory Charges Register Act (Northern Ireland) 1951 remains unrepealed in part, be deemed to constitute an amendment to that section so far as it is so unrepealed.

CONSTRUCTION OF CERTAIN CROSS-REFERENCES

- 9 References in any statutory provision to the Act of 1891 shall be construed as references to this Act, and references in any statutory provision to any provision in the Act of 1891 shall be construed as references to the provision as re-enacted (with or without modification) in this Act.
- 10 References in any statutory provision to a registering authority under the Act of 1891 shall be construed as references to the Registrar within the meaning of this Act.

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) 1923, direct that all or any of the books, documents and papers

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formerly in the possession of the Record of Title Office, or of any person by reason of his employment in or in aid of that Office, and directed by order of the Land Judge pursuant to section 18(4) of the Act of 1891 to be transferred to the Land Registry, be removed to the Public Records Office of Northern Ireland, and any books, documents or papers directed to be so removed shall be dealt with in accordance with the said Act of 1923 and with any rules made thereunder.

PART II

SAVINGS

CONSENT TO ALIENATION, ETC.

- 1 Nothing in this Act (except the provisions relating to statutory charges) shall affect any statutory provision by which the alienation, assignment, sub-division or sub-letting of any land is prohibited or in any way restricted.

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 Interpretation Act (Northern Ireland) 1954 (effect of repeals and of substituting provisions).

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