
STATUTORY INSTRUMENTS

2005 No. 1452

The Law Reform (Miscellaneous
Provisions) (Northern Ireland) Order 2005

PART II

DEEDS AND OTHER INSTRUMENTS

Delivery of deed by agent

6.—(1) Any rule of law which requires authority by one person to another to deliver an instrument as a deed on his behalf to be given by deed is abolished.

(2) Where a solicitor, or an agent or employee of a solicitor, in the course of, or in connection with, a transaction involving the sale or other disposition of—

- (a) an estate in land; or
- (b) an interest in the proceeds of sale of land,

purports to deliver an instrument as a deed on behalf of a party to the instrument, it is to be conclusively presumed in favour of a purchaser that he is authorised so to deliver the instrument.

(3) In paragraph (2)—

“disposition” includes a conveyance and also a devise, bequest or appointment of property by will;

“purchaser” means a purchaser in good faith for valuable consideration and includes a lessee, mortgagee or other person who, for valuable consideration, acquires an estate in land or an interest in the proceeds of sale of land; and, in relation to a legal estate, includes a chargee by way of legal mortgage.

(4) Nothing in this Article applies in relation to instruments delivered as deeds before the coming into operation of this Article.