



BELIZE

**GENERAL REGISTRY ACT
CHAPTER 327**

REVISED EDITION 2020

**SHOWING THE SUBSTANTIVE LAWS AS AT
31ST DECEMBER, 2020**

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2020.

This edition contains a consolidation of amendments made to the law by Act No. 18 of 2018.



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CHAPTER 327

GENERAL REGISTRY

ARRANGEMENT OF SECTIONS

PART I

Preliminary

1. Short title.
2. Interpretation.

PART II

Establishment, Powers and Functions, etc. of General Registry

3. Establishment of General Registry and appointment of officers.
4. Officers may perform Registrar's duties, unless otherwise provided.
5. Powers and duties of the Registrar.
6. Further powers and duties may be transferred to Registrar.
7. Validity of existing records.
8. Proof required under oath.
9. Penalty for untrue statement.
10. Allowance of access to records on payment of fees.

PART III

Establishment, Powers and Functions, etc., of Department of Land Registry

11. Establishment of Land Registry.
12. The "Land Title Register".
13. Interests for which certificates of title shall be issued.

14. Kinds of certificates of title.
15. Mode of preparing, registering and issuing certificate of title.
16. Noting of legal charges and incumbrances on certificate.
17. Date of commencement of registered title.
18. Dealing with the land after registration.
19. Contents of certificate and powers of registered proprietor.
20. Effects of first registration.
21. Issue of First Certificates to landowners registered at commencement of this Act.
22. Issue of First Certificate in other cases.
23. Application for the issue of First Certificate.
24. Notings on and numbering of First Certificate.
25. Mode of transferring land, etc.
26. Memorandum of transfer.
27. Noting of legal charges and incumbrances on certificate of title.
28. Transfer of portion only of land and necessary consent in some cases.
29. Transferee to be liable for legal charges, etc., noted on certificate of title.
30. Transfer of easements or incorporeal rights.
31. Provisions for transfer of land to trustees, and issue of new titles on death.
32. Title of Registered proprietor "as trustee".
33. New certificate to personal representative.
34. Issue of new certificate of title to devisee on death of registered proprietor.
35. Issue of new certificate of title to official administrator.
36. On issue of new certificate of title, all legal estates, charges and incumbrances to be noted.
37. Issue of new certificate to trustee in bankruptcy, etc.
38. Issue of new certificate of title to assignee, etc., of insolvent registered proprietor.
39. Transmissions of legal charge or incumbrance on death, bankruptcy, etc., of chargee or incumbrancee.
40. Particulars to be furnished for obtaining certificate of title for term of years.
41. Issue of certificate of title to term of years.
42. Requisites for obtaining certificate of title to easement.

43. Application of Limitation Act to registered land.

PART IV

Registration of Legal and Land Charges, Incumbrance, Assignment and Cancellation of the Charges, etc.

44. Form of the Register.
45. Creation of legal charges.
46. Registration of deeds creating legal charges.
47. Time of taking effect of legal charge.
48. Requisites for registration of deeds.
49. Registration of assignment of legal charges.
50. Incumbrances to be registered under this Act.
51. Mode of constituting incumbrances.
52. Noting of incumbrance on certificate of title.
53. Date of registration to be entered on certificate.
54. Registration of assignment of incumbrance.
55. Land Charges Assignment Register.
56. Date of assignment or incumbrance.
57. On payment and satisfaction of legal charge or an incumbrance, noting on certificate of title to be accordingly.
58. Transfer of lease.

PART V

Provisions Relating to Parts III and IV

59. Noting by Registrar.
60. Registrar may state a case for decision of court in questions arising under this Act.
61. Registrar to obtain direction of court upon questions of difficulty and powers of Court.
62. Party aggrieved by act of Registrar may bring question before the court.
63. In cases of error or fraud, the court may compel return of certificate of title to Registrar, etc.

64. Court may order cancellation or amendment of proprietor's duplicate.
65. Registrar may require production of proprietor's duplicate, and attendance of witnesses.
66. On proof of loss of proprietor's duplicate, new duplicate may be issued.
67. Nominal index of parties to instruments.
68. Persons entitled to prepare documents under this Act.
69. Offences.

PART VI

Recording of Deeds, Wills, and Effect thereof, etc.

70. Meaning of "deed".
71. Certain documents invalid unless recorded in a certain time.
72. Reference to order extending time.
73. Memorandum of acknowledgment, etc.
74. Summons to enforce production and recording.
75. Subpoena ad *testificandum*.
76. Proof where witnesses dead or living out of Belize.
77. Wills to be recorded.
78. Recording of deed executed under a power of attorney.
79. Registrar to examine execution of deeds and proof thereof.
80. Statement of number of folios.
81. File books, receipt, etc.
82. Certificate of Registrar.
83. When unrecorded deeds, and unwritten mortgages, void.
84. Presenting for record to date as recording.
85. Recorded deeds, records or certified copies of records, admissible in evidence.

PART VII

Miscellaneous

86. Cancellation, etc., of recorded deeds.

- 87. Any document may be recorded, if proved.
- 88. Perjury.
- 89. Certain documents may be received without proof.
- 90. Cancellation of record at suit of person injuriously affected.
- 91. Power of Registrar to make rules.

CHAPTER 327**GENERAL REGISTRY**

Ch. 327,
 R. L. 1958
 CAP. 258,
 R.E. 1980-1990.
 10 of 1958.
 40 of 1963.
 4 of 1967.
 13 of 1967.
 15 of 1968.
 7 of 1972.
 2 of 1977.
 18 of 2018.

[15th May, 1954]

PART I*Preliminary*

Short title. **1.** This Act may be cited as the General Registry Act.

Interpretation. **2.**—(1) In this Act, unless the context otherwise requires—

“certificate of title” means the instrument issued by the Registrar in duplicate declaring a person the registered proprietor of the land or interest in the land described therein;

“current volume” means the volume of any register in use during the current year which has not yet been bound up in accordance with this Act;

“dealing” means a dealing with land in any manner which requires an application to the Registrar to have the matter completed and made available by registration under this Act;

“duplicate certificate of title” means one or other of the duplicate certificates of title prepared by the Registrar;

“incumbrance” means any of the incumbrances mentioned in section 103 of the Law of Property Act;

CAP. 190.

“incumbrancee” means the person in whose favour an incumbrance is made, constituted or created under this Act;

“incumbrancer” means a registered proprietor who duly makes, constitutes or creates an incumbrance under the Law of Property Act and this Act;

CAP. 190.

“issued” means the placing in the register of one duplicate certificate of title and the delivery to a person of the other duplicate certificate of title which has been duly drawn up, signed and sealed by the Registrar in accordance with this Act;

“memorandum of transfer” means the document signed and executed by the registered proprietor of any legal estate, interest or right in land held under a certificate of title requesting the Registrar to transfer such legal estate, interest or right to another person;

“note” means the writing of the estates, interests, legal charges, incumbrances, transfers, assignments and discharges which the Registrar is required to make on a registered duplicate and on a proprietor’s duplicate to show the burdens and other matters affecting the land;

“plan”, “map” or “diagram” means a sketch or drawing made of the position of the land as it lies in regard to the lands of adjoining proprietors, and showing the length of the boundary lines, the angles at which they lie towards each other, the extent of the whole land and the various subdivisions thereof;

“proprietor’s duplicate” means the duplicate certificate of title of any kind issued to a registered proprietor;

“records” means the registers, books, instruments, indexes, writings, deeds and documents preserved in the Registry;

“register” means a register kept under this Act;

“registered” means the placing by the Registrar of a duplicate certificate of title, or a deed creating a legal charge, or a deed of incumbrance or other documents required to be registered, dated, signed and sealed, in the appropriate current volume of a register and marking thereon the number of the folio by which it is thereafter to be designated and referred to;

“registered duplicate” means the duplicate certificate of title of any kind placed in the register;

“registered incumbrance” means any incumbrance registered under this Act;

“registered land” means land or any interest in land in respect of which a certificate of title is issued under this Act;

“registered proprietor” means the person declared by a certificate of title of any kind to be the registered proprietor of the land or the interest in the land described therein;

“Registrar” means the Registrar General appointed under this Act;

“transfer” means the conveyance of the proprietorship in land or any interest in land from a proprietor to another person;

“transmission” means the passing of the proprietorship in land or any interest in land in consequence of any event or act other than a transfer under this Act.

CAP. 190.

(2) All words and expressions defined in the Law of Property Act shall have the same meaning in this Act as they have in that Act.

PART II

Establishment, Powers and Functions, etc. of General Registry

3.–(1) The office of the “Registrar General for the colony” provided under section 2 of the General Registry Act, Chapter 213 of the Consolidated Laws 1924, together with all its books, registers, records and equipment is hereby established a “General Registry” hereafter to be maintained and administered for the purposes defined, and in accordance with the provisions contained, in this Act, with such branches in other parts of Belize, as the Attorney General may from time to time consider necessary, the said purposes being—

Establishment of General Registry and appointment of officers.

- (a) the registering and recording of certificates of title, legal charges and incumbrances, leases, deeds and other documents required by law to be registered or recorded;
- (b) the preserving of all records in the General Registry maintained in Belize City at the commencement of this Act; and
- (c) the transacting, performing and exercising thereat by the Registrar and other officers of the several matters, duties and powers prescribed under and in accordance with this or any other Act.

(2) The Registry shall be under and in the charge of the Registrar who shall be a fit and proper person appointed by the Judicial and Legal Services Commission.

18 of 2018.

(3) The Judicial and Legal Services Commission may appoint a deputy registrar and such other fit and proper persons to be clerks, officers and messengers in the Registry as he deems necessary.

18 of 2018.

(4) The Judicial and Legal Services Commission may appoint a fit and proper person to act for the Registrar, the deputy registrar or any clerk or other officer when and so often as occasion requires in the event of the absence, sickness or other disability of any of them, and the acting officer shall have power and authority to do any act or thing which may lawfully be done by the officer for whom he is appointed to act.

(5) During any temporary absence of the Registrar from the Registry, the deputy registrar shall be capable of performing all the duties and exercising all the powers of the Registrar under this or any other Act.

(6) There shall be a seal carrying the words “General Registry of Belize” and of such design as may be approved by the Attorney General, which shall be kept in the possession of the Registrar at the Registry and be used by him in addition to his signature for the authentication of all certificates of titles, copies of documents and other instruments issued out of the General Registry.

(7) Until the seal is prepared, the seal presently used shall continue to be used for the purposes of this Act.

Officers may perform Registrar's duties, unless otherwise provided.

4.—(1) Except where otherwise specifically provided, the deputy registrar, clerks and officers may lawfully do and perform, subject to the directions and instructions of the Registrar, all or any of the things, duties and services which the Registrar is authorised to do and perform by this or by any other Act, and may lawfully demand and receive on behalf of the Registry the fees in respect of those duties and services.

(2) Each and every member of the staff shall perform all duties from time to time assigned to him by the Registrar.

Powers and duties of the Registrar.

5.—(1) The Registrar shall exercise and perform the powers and duties of—

- (a) the Registrar of the Supreme Court established under the Supreme Court of Judicature Act, Cap. 91;
- (b) *Repealed.* 18 of 2018.
- (c) *Repealed.* 18 of 2018.

(2) The Registrar shall also perform all such duties and exercise all such powers as may be imposed and conferred upon him by this or any other Act or law.

(3) Subject to this Act and the rules, the Registrar shall have the following duties—

- (a) to take charge of and preserve the records in the possession of the Registrar in the General Registry at the commencement of this Act;
- (b) to examine, certify and register or record transfers or leases and to issue certificates of title; 10 of 1958.
- (c) to examine, certify and register or record mortgage deeds and any assignment or cancellation thereof; 10 of 1958.
- (d) to examine and check and to satisfy himself as to the sufficiency and correctness of all titles relating to registered land tendered in support of any transfer, mortgage charge, lease or any other dealing provided for in this or any other Act; 10 of 1958.
- (e) to examine all descriptions of registered land dealt with so as to ensure that they are definitely and clearly set out especially with regard to locality, boundaries, area or any condition or limitation attached thereto, and to

see that each description has reference, if the Court or Registrar so requires, to a plan, map or diagram thereof recorded in the Department of the Commissioner of Lands and Surveys or in the Registry, and to do everything necessary to obtain a full and complete identification of the property or right therein forming the subject of the dealing;

- (f) to register or record assignments, bonds, cancellations, cessions, contracts, deeds, donations, inventories, memoranda, plans, maps or diagrams, powers of attorney, security, bonds, substitutions and all other documents required by any law to be registered or recorded;
- (g) at the request in writing of the parties concerned, to record any deed cancelling in whole or in part, any registered bond, deed or document other than a certificate of title, lease, mortgage or charge, or record any deed releasing from the operation of the bond the whole or any part of the property or things thereby charged or bound;
- (h) to register or record assignments of mortgage deeds;
- (i) to register, note or record in the proper books against any property registered in the Land Titles Register any lease, mortgage or other charge, easement, right, privilege or other registrable incumbrance;
- (j) to make all indorsements and annotations required by law on any certificate of title, deed or other instrument filed as of record in the Registry;

- (k) to keep all such registers, including the Land Titles Register and the Land Charges Register, as may be necessary for the due performance by him of any of his duties aforesaid and for the establishment of an efficient system of registration and recording and the securing of the proper registration of titles to, and incumbrances on, land;
- (l) to keep a register of all orders of court served upon him affecting the transfer of rights registered or recorded in the Registry;
- (m) to make a return to the Commissioner of Lands and Surveys of all transfers, mortgages or leases made under the provisions of this or any other Act which affect land held under title from the Government;
- (n) to permit members of the public upon payment of the prescribed fees to have any inspection of records and to obtain from the Registry any copies of and information concerning them allowed by law, rule or regulation under this or any other Act;
- (o) generally, to exercise all powers and discharge all duties, including the drawing of any instrument or document afore-mentioned or any other document, by law or custom exercised by and required of and from the Registrar.

6. Subject to any other functions and powers of a registrar appointed under any other law, the Judicial and Legal Services Commission may from time to time by Order published in the *Gazette* transfer to the Registrar such powers and duties of a Government department or officer as appear to it to relate to the conservation of public records and to direct the transmission to

Further powers and duties may be transferred to Registrar.
18 of 2018.

and deposit in the General Registry of all books, papers, documents and other records which it may deem proper.

Validity of existing records.

7. The books, registers and records heretofore and at present existing in the office of the General Registry of Belize shall, subject to all legal objections, be considered and taken, and they are hereby declared, to be valid and legal records, and all authenticated copies thereof, or extracts therefrom, shall be taken and received in all courts as *prima facie* evidence, which, if not rebutted, shall be as good evidence as the originals of which those records purport to be records.

Proof required under oath.

8. The Registrar may require, and any person may tender, proof under oath of any material fact which the Registrar considers necessary to be established in connection with any matter or thing sought to be done or transacted in the Registry, and the oath may be administered and the fact sworn before any justice of the peace or any other person lawfully authorised to receive oaths.

Penalty for untrue statement.

9. Everyone who makes a statement under oath or affirmation for the purposes of section 8 knowing it to be untrue in any material particular shall be deemed to be guilty of perjury, and shall upon conviction undergo the punishment by law provided therefor.

Allowance of access to records on payment of fees.

10.—(1) Every person may, upon payment of the prescribed fees, ask for and obtain access to each and every register or record in the Registry and obtain copies thereof or of any part or portion thereof.

(2) No person shall be allowed access to any register or record except in the presence of the Registrar or some clerk thereto duly authorised by the Registrar.

(3) The fees payable for any search or inspection or copies shall be paid in advance.

PART III

Establishment, Powers and Functions, etc., of Department of Land Registry.

11.—(1) From and after the commencement of this Act, there shall be established at the Registry a “Land Titles Department” in which the Registrar shall at the expense of Belize provide and keep such books, registers and other records as may be necessary for the registration therein of titles, estates, interests, powers and rights in and affecting land in Belize in accordance with this Act.

Establishment of Land Registry.

(2) The Registrar shall register all titles to land and make such entries of estates, interests, powers and rights in the said books as may be required by this or any other Act.

(3) The books, registers and other records formerly kept under the Land Titles Registry Act, Ch. 215, C. L. 1924, for the registration of title to land or estates, interests, powers and rights affecting land shall be preserved and kept by the Registrar in the Registry for affording such information concerning such land, estates, interests, powers and rights as may be required for the operation of this Act and for other purposes.

12.—(1) There shall be kept in the department a “Land Titles Register” consisting of certificates of title issued and bound together in accordance with this Act.

The “Land Title Register”.

(2) The said register shall be divided into three separate parts relating respectively to “Freeholds”, “Leaseholds” and “Easements, Rights and Privileges”.

13.—(1) From and after the commencement of this Act, a legal title to land or any estate or interest therein mentioned in subsection (3) of this section, may be created by a certificate of title.

Interests for which certificates of title shall be issued.

10 of 1958.

(2) Where such title or any estate or interest therein has been so created, it shall only be granted or transferred by a certificate of title.

(3) Certificates of title shall be issued only in respect of—

- (a) titles to land held in fee simple absolute in possession;
- (b) titles to land held for terms of ten years and upwards absolute;
- (c) titles to easements, rights and privileges in or over land for an interest equivalent to an estate in fee simple absolute in possession or to a term of ten years and upwards absolute,

CAP. 190.

which under section 3 of the Law of Property Act are capable of subsisting or of being created or transferred at law.

Kinds of certificates of title.

14. A certificate of title may be a First Certificate of title or a Transfer Certificate of title.

Mode of preparing, registering and issuing certificate of title.

15.—(1) Every certificate of title shall be prepared in duplicate by the Registrar in the prescribed form and shall be registered by placing one duplicate in the order of its date in the current volume of the register which shall be bound annually or at such other times as the Registrar, with the approval of the Chief Justice, may determine.

(2) The other duplicate certificate of title shall be issued and delivered to the registered proprietor, who shall be bound to produce it whenever he desires thereafter to transfer or otherwise deal with the land.

(3) Every proprietor's duplicate, whether a First Certificate of title or a Transfer Certificate of title delivered to the registered proprietor, shall be an exact copy, and so far as possible an exact

facsimile, of the duplicate certificate of title placed on the register.

16. The Registrar shall—

- (a) before the issue of any certificate of title, note thereon in a brief, clear and legible manner in the prescribed form, all certificates of titles to terms of ten years or upwards or to easements, rights and privileges issued under section 13 of this Act and all registered legal charges and registered incumbrances affecting the land in the order of their dates;
- (b) number the certificate of title as a folio of the current register; and
- (c) place the same number on the duplicate certificate to be issued to the registered proprietor.

Noting of legal charges and incumbrances on certificate.

17. The date of every First Certificate of title shall be the day and hour at which the Registrar places the certificate of title in the current volume of the register and, subject to the provisions of section 41 of the Law of Property Act, the title of the former registered proprietor shall continue to exist up to that time, but immediately thereafter shall cease and determine.

Date of commencement of registered title.
CAP. 190.

18.—(1) From and after the time when a First Certificate of title is issued under this Act, all dealings with the land described therein shall be governed by the Law of Property Act and all such dealings shall take effect from the date and act of registration, and not from the date of execution or delivery of any instrument or document or otherwise, except as may be provided by this Act.

Dealing with the land after registration.
CAP. 190.

(2) It shall not be necessary to record under Part VI any dealing with land which has been registered under any other provision of this or any other Act.

10 of 1958. (3) Dealings with registered land which are not in accordance with the provisions of this Act shall operate as contracts only and shall not confer any legal estate or interest in or over the land, but may create contractual rights or equitable interests in or over the land.

Contents of certificate and powers of registered proprietor.

19. In every certificate of title, the names, occupations or calling, the addresses of the registered proprietor or proprietors and the full description of the land passing thereunder shall be set forth, and such registered proprietor or proprietors shall have the absolute power to deal with the land in any manner in which land may be dealt with under this or any other Act.

Effect of first registration.

20. Where the land is a freehold estate capable of subsisting at law, the registration of a person as proprietor under a First Certificate of title shall vest in that person an estate in fee simple absolute in possession in the land, together with all rights, privileges and appurtenances belonging or appurtenant thereto, subject to the following rights and interests in or over that land, that is to say—

- (a) all terms of ten years and upwards absolute for which a First Certificate of title is issued under this Act;
- (b) all easements, rights or privileges in or over land for an interest equivalent to an estate in fee simple absolute in possession;
- (c) all registered legal charges; and
- (d) all registered incumbrances,

but free from all other estates and interests whatever, including estates and interests of the Government.

21.—(1) The Registrar shall issue to every person who, according to the entries made in the register kept under the Land Titles Registry Ordinance, Ch. 215, CL. 1924, appears to be entitled to the fee simple in any land, a First Certificate of title in respect of that land.

Issue of First Certificates to landowners registered at commencement of this Act.

(2) If any dispute arises as to whether the person whose name appears in the said register is the beneficial owner thereof and so entitled to have a First Certificate of title issued to him, any other person claiming to be the rightful owner of the land may apply by summons to a judge in chambers, supported by an affidavit of the facts, and the judge shall have power, after hearing all parties concerned, to determine the person to whom the Registrar shall issue the certificate of title.

(3) The practice and procedure upon any such application shall be prescribed.

22. The Registrar shall issue a First Certificate of title—

Issue of First Certificate in other cases.

(a) to any person in whose favour the court may make a declaration of title to land based on long possession in accordance with section 42 of the Law of Property Act;

CAP. 190.

(b) to any person entitled to a mahogany or logwood work, whether by location or purchase, who by himself solely or by himself and by his predecessor or predecessors in title have been in undisturbed possession thereof for thirty years, notwithstanding that such possession commenced before the passing of a resolution of the public meeting made the 25th July 1787, and the title or transfer thereof remained unrecorded;

(c) to any person who makes out by deed and other documents a good title to the land at common law for thirty years prior to any

application for the issue of a First Certificate;
and

CAP. 190.

- (d) to any grantee from the Crown or the Government of free-hold land equivalent to a fee simple absolute in possession under the Law of Property Act, who elects to have, *in lieu* of the Crown or Government grant therefore, a First Certificate of title issued under this Act.

Application for the issue of First Certificate.

23. Application shall be made for the issue of a First Certificate of title under sections 21 and 22 of this Act in such manner and form as may be prescribed.

Notings on and numbering of First Certificate.

24. Before issuing any First Certificate of title, the Registrar shall comply with all the provisions of section 16 of this Act (which relate to the noting thereon of certificate of title to terms of years, easements, rights and privileges, registered legal charges and registered incumbrances, the numbering of the certificate of title in the current volume and the placing of the same number on the duplicate certificate to be issued to the registered proprietor).

Mode of transferring land, etc.
10 of 1958.

25.—(1) From and after the commencement of this Act, every transfer of the legal title to registered land by one person to another shall be made under and in accordance with this Act.

10 of 1958.

(2) A deed of conveyance purporting to transfer any registered land, or any estate or interest therein, which is required to be transferred by a certificate of title under this Act shall not vest in the intended transferee the legal title to such land, estate or interest therein, but shall operate to create in the intended transferee an equitable title only to the land, estate or interest.

10 of 1958.

(3) A person in whom the equitable title to any registered land, or any estate or interest therein is beneficially vested by virtue of a deed of conveyance or his assignee may, after

demand in writing made upon the person who holds the legal title to such land, estate or interest, by action claim transfer to himself by the latter person of the legal title to the said land, estate or right by means of a certificate of title.

26.—(1) Every person who desires to transfer to another the title to any land of which he is the registered proprietor shall execute a memorandum of transfer in the prescribed form and present it together with his duplicate certificate of title and any other necessary documents to the Registrar.

Memorandum of transfer.

(2) If the Registrar is satisfied with the sufficiency and correctness of the memorandum of transfer, he shall prepare in duplicate a new certificate of title to the land affected by the memorandum of transfer in favour of the person named as the transferee in the memorandum, and he shall before delivering the new duplicate to the new registered proprietor cancel the previous certificate of title by writing across the registered duplicate thereof in red ink the word “cancelled” and make a reference thereon to the folio and volume in which the new certificate of title is registered.

(3) The Registrar shall also make on both duplicates of the new certificate of title a reference to the certificate of title which has been cancelled by stating the folio and volume in which it was recorded.

(4) The duplicate certificate which was handed in by the transferor with the memorandum of transfer shall be cancelled and together with the memorandum and any other document be retained by the Registrar.

27.—(1) The Registrar shall note on both duplicates of the new certificate of title any certificates of title to terms of years or to easements, rights and privileges affecting the land and all undischarged legal charges and incumbrances which appeared on the cancelled certificate and also any new legal charge or incumbrance which has been created by the new registered proprietor on the occasion of the transfer.

Noting of legal charges and incumbrances on certificate of title.

(2) The Registrar shall record on the new duplicates the day and hour and, when such appears to the Registrar necessary, the minute of the change from one registered proprietor to another, and that date shall be the day on which the memorandum of transfer was presented to the Registrar.

Transfer of
portion only of
land and
necessary
consent in some
cases.

28.—(1) Subject to sub-sections (2) and (3) of this section, when a registered proprietor desires to transfer a portion only of the land contained in his certificate of title, it shall not be necessary to cancel the certificate of title, or to issue a new certificate of title for that portion of the land which is not being transferred, but the Registrar may issue to the transferee a new certificate of title in respect of the portion transferred, and note the particulars of the transfer on the margin of the certificate of title in the register and on the certificate of title of the registered proprietor

13 of 1967.

(2) If the registered proprietor so desires or if the Registrar is of opinion that the circumstances do not permit of particulars of the transfer being clearly noted on the certificate of title, such certificate shall be cancelled and the same procedure shall be followed, as nearly as circumstances will permit, as that set forth in section 24 of this Act, and the registered proprietor, on the original certificate of title being cancelled, shall receive a new certificate of title for the portion of land not transferred at the same time that the transferee receives his certificate of title for the portion of land transferred to him.

CAP. 58.

(3) The Registrar shall not issue to a transferee a new certificate of title to a portion not exceeding one hundred acres of any land contained in a certificate of title unless either there is attached to the memorandum of transfer a statement in writing under the hand of the Commissioner of Lands and Surveys either that the Minister under the powers conferred upon him by the Land Tax Act has consented to the subdivision evidenced by the memorandum of transfer and that any conditions to which such consent was subject have been complied with or that the subdivision evidenced by the memorandum of transfer does not require the consent of the Minister under the provisions of the

said Act or unless it is proved to his satisfaction that the transfer is in favour of a devise by a personal representative.

(4) Where a certificate of title is granted to a transferee in respect of a portion only of the land comprised in a certificate of title and no new certificate of title is granted to the transferor in respect of the remaining portion of such land, the new certificate of title granted to the transferee shall be connected up with the certificate of title for the whole land by reference to the folio and volume in which the certificate of title to the whole land is contained.

(5) Where legal charges or incumbrances are noted upon the certificate of title to land so proposed to be subdivided, the Registrar shall not accept a memorandum of transfer of such land without the consent in writing of the chargees or incumbrancees, and this consent shall be filed with the memorandum of transfer.

13 of 1967.

29.—(1) Where any legal charges or incumbrances are noted on a certificate of title issued to a transferee, there shall be implied a covenant by the transferee that he has accepted the land subject to such legal charges and incumbrances, and that he will pay the interest accruing thereon, and discharge the principal sums for which such legal charges or incumbrances have been granted, and indemnify the transferor from the payment of the same in all time to come.

Transferee to be liable for legal charges, etc., noted on certificate of title.

(2) Nothing contained in this section shall operate to deprive a chargee or incumbrancee of any priority with respect to any legal charge or incumbrance which he may have with regard to other legal charges and incumbrances upon the said land, or his right to an order for sale in realisation of his legal charge or incumbrance under the Law of Property Act or his right to sue the former registered proprietor upon the personal covenant contained in any mortgage deed making him liable to pay any sum of money charged upon the land transferred.

CAP. 190.

Transfer of easements or incorporeal rights.
10 of 1958.

30.—(1) Whenever any easement, right or privilege in or over any registered land is to be added to any land contained in a certificate of title, the person creating, selling or transferring such right shall execute a memorandum in the prescribed form, and the Registrar shall file it when presented, and either grant a new certificate of title to the registered proprietor, with the easement, right or privilege mentioned therein added to the land, whenever required to do so, or shall note the acquisition of the easement, right or privilege on the existing certificate of title of the land to which it is to be thenceforth added.

(2) The Registrar shall in every case referred to in subsection (1) of this section note on the certificate of title relating to the servient land the easement, right or privilege created on that land by the registered proprietor thereof.

Provisions for transfer of land to trustees, and issue of new titles on death.

31.—(1) Where the registered proprietor of any land desires to transfer it to trustees, he may record, under Part VI the deed or document constituting the trust, and he shall, on the same day, present to the Registrar a memorandum of transfer to the persons named as trustees, in the ordinary form of an absolute transfer to individuals, with the words “as trustees” added to their description.

(2) The Registrar shall thereupon issue to the transferees a certificate of title with the words “as trustees” added to the description of the registered proprietors and, subject to subsection (6) of this section, there shall be no other reference therein to the trust deed.

(3) Where in the trust deed trustees are named with the right in the survivor or survivors to act after the death of one or more of their number, the survivor or survivors may require the Registrar to issue to him or them a new certificate of title in his or their names as registered proprietor or proprietors of the land, and every such certificate of title shall have the words “as trustee” or “as trustees” added to the description of the registered proprietor or proprietors.

(4) Where a new trustee or trustees is or are substituted for a deceased trustee or trustees under the trust deed or pursuant to any statutory provisions, the Registrar shall issue a new proprietor’s duplicate of title in the names of all the trustees subsisting at the date of the application therefor.

(5) Notwithstanding anything contained in this section, a certificate of title shall not be issued to more than four registered proprietors “as trustees” and if the number of trustees appointed under a trust deed exceeds four, a certificate of title shall be issued to the first four trustees named in the trust deed.

(6) Every certificate of title issued to a registered proprietor “as trustee” shall be connected with the trust deed relating to it by reference to the folio and volume in which the trust deed is recorded in the Registry.

32. A registered proprietor or proprietors “as trustee” or “as trustees” shall, as regards any dealings with the land, be subject to the provisions of the trust deed affecting the land transferred by the certificate of title, but shall be the absolute registered proprietor or proprietors of the said land, as regards the records of title, as fully as any other registered proprietor or proprietors.

Title of Registered proprietor “as trustee”.

33.—(1) Where a registered proprietor dies, whether he leaves a will or not, his personal representative shall apply for a new certificate of title in his own name “as executor” or “as administrator” of the estate of the deceased registered proprietor, and no dealing with the land of any deceased registered proprietor shall take place until the title thereto has been transferred to the personal representative.

New certificate to personal representative.

(2) A certificate under this section shall not be granted to more than four personal representatives.

34.—(1) Whenever a registered proprietor dies, leaving a will disposing of any land by way of specific devise to another person, and the personal representative of such registered proprietor either assents to the devise or does not require it as

Issue of new certificate of title to devisee on death of registered proprietor.

assets for payment of the testator's funeral and testamentary expenses and his lawful debts, he shall deliver to the Registrar a memorandum of assent together with the proprietor's duplicate, the probate and an office copy of the will and any other necessary documents for the purpose of transferring the title of the land to the devisee.

(2) If any person, other than the personal representative, is in possession of the proprietor's duplicate, he shall deliver it up to the Registrar at the latter's request for the purpose of the transfer being made and the Registrar shall make the said transfer in accordance with the provisions for transferring land under this Act.

(3) The Registrar shall, before delivering the new proprietor's duplicate issued in the name of the devisee, note on the registered duplicate of the deceased proprietor the date of the will, the date of the death and such reference to the register of probate of wills as may enable it to be readily found and shall cancel the duplicate in the name of the deceased.

(4) Except for the name and description of the devisee, the new duplicates shall be a complete facsimile of the cancelled duplicates showing the notings of all legal estates and interests, legal charges and incumbrances thereon.

(5) Where the person other than the personal representative who had possession of the proprietor's duplicate of the deceased's certificate of title was lawfully in possession thereof, the Registrar shall deliver to him the new proprietor's duplicate.

Issue of new
certificate of title
to official
administrator.
10 of 1958.

35.—(1) An official or other person charged with the duty of administering the estate of a deceased person in respect of which there is no personal representative may require the Registrar to issue to him a certificate of title of any kind relating to any registered land forming part of that estate.

(2) The Registrar shall issue such certificate in accordance with this Act relating to the transmission of title to registered land to executors and administrators.

10 of 1958.

36. In all cases where a new certificate of title has been issued *in lieu* of a certificate of title in favour of a deceased registered proprietor, the Registrar shall note on the new certificate of title issued all legal estates and interests, legal charges and incumbrances affecting the land to which it relates.

On issue of new certificate of title, all legal estates, charges and incumbrances to be noted.

37.—(1) Where a registered proprietor, chargee or incumbrancee of any registered land has been adjudicated bankrupt, or where the estate of a registered proprietor, chargee or incumbrancee has become subject of liquidation by arrangement under the Bankruptcy Act, the land, legal charge or incumbrance, as the case may be, shall transmit to the trustee of the estate, in the case of bankruptcy as from the date of the order of adjudication, and in the case of liquidation by arrangement as from the date of the appointment of the trustee of the estate.

Issue of new certificate to trustee in bankruptcy, etc.
10 of 1958.
CAP. 244.

(2) The Registrar shall, upon the request of any such trustee as aforesaid, accompanied by the documents proving the facts being presented to him, issue to the trustee a certificate of title *in lieu* of that in favour of the registered proprietor so adjudged bankrupt or whose estate is in liquidation, as the case may be, and the duplicate copy of the certificate of title in the hands of such registered proprietor shall be delivered up to be cancelled.

(3) The same procedure shall be followed in the issue of the new certificate, as far as the circumstances will permit, as is prescribed in section 33 in the case of the issue of a new certificate to a personal representative.

38. Where any person has become insolvent and has, either under the authority of the court or voluntarily, assigned the whole of his property to any assignee, administrator or trustee on behalf of his creditors, any land of which he is the registered proprietor shall transmit to the said assignee, administrator or trustee, and such assignee, administrator or trustee shall request

Issue of new certificate of title to assignee, etc., of insolvent registered proprietor.

a certificate of title to be issued in his name and the Registrar shall, upon such request being presented to him with the deed or instrument of assignment, or such office copy thereof as he may consider sufficient, issue a new certificate of title to such assignee, administrator or trustee in the manner hereinbefore provided as nearly as circumstances will permit.

Transmissions of legal charge or incumbrance on death, bankruptcy, etc., of chargee or incumbrancee.

39.—(1) Whenever any legal charge or incumbrance has been transmitted in any of the manners above set forth, the person in whose favour it has been transmitted shall be entitled to present to the Registrar a request, accompanied by the deed, document or writing, or certificate of death upon which such request is founded, to alter the noting or marking of any legal charge or incumbrance upon any certificate of title, from the name of the previous chargee or incumbrancee to the name of such person as being the person then entitled to the legal charge or incumbrance.

(2) In dealing with such request, the Registrar shall proceed, as far as circumstances will permit, in the manner hereinbefore provided in regard to transmissions of land, and shall make such noting or marking upon the registered duplicate certificate of title of such land and on the proprietor's duplicate as shall set forth the parties truly entitled to such legal charge or incumbrance.

(3) For the purposes of this section, the Registrar shall have power to call in and demand the delivery to him of the proprietor's duplicate, whether it is in the hands of the registered proprietor or any other person.

(4) The Registrar shall cancel any former noting, and shall either re- issue the same proprietor's duplicate to the party entitled thereto, or issue a new proprietor's duplicate, as appears to the Registrar desirable and proper.

40.—(1) An application for a certificate of title to a term of years shall be made by presenting to the Registrar a deed of lease in the prescribed form—

Particulars to be furnished for obtaining certificate of title for term of years.

- (a) containing the names of the parties to the lease, their description and addresses;
- (b) showing the number of years for which the term is granted;
- (c) expressing the consideration for which the term is granted; and
- (d) setting out all the covenants, agreements, conditions and stipulations to be observed and performed by each party to the lease.

(2) The deed of lease shall be executed by the parties and may be attested by two witnesses or by the Registrar at the Registry.

41.—(1) The Registrar shall, upon being satisfied that the deed is executed by the parties purporting to execute it, prepare in favour of the lessee a certificate of title to the term of years mentioned in the deed in the same manner and form in which he is directed by this Act to prepare and issue a certificate of title to freehold land, and he shall attach the deed to the registered duplicate, and a certified copy of the deed to the proprietor's duplicate of the certificate of title.

Issue of certificate of title to term of years.

(2) All the provisions of this Act relating to the preparation and issue of the certificate of title to freehold land and the noting of legal charges and incumbrances thereon and the issue of new certificates of title on the transfer or transmission of the title thereto shall apply *mutatis mutandis* to a certificate of title to a term of years.

Requisites for
obtaining
Certificate of
title to easement.

42.—(1) In order to obtain the issue of a certificate of title to any easement, right or privilege in or over land which is capable of subsisting or of being created or transferred at law, the proprietor of the servient land shall execute a deed defining the easement, right or privilege in favour of the proprietor of the dominant tenement and, on that deed being presented to the Registrar, he shall prepare and issue a certificate of title to the easement, right or privilege in favour of the proprietor of the dominant tenement.

(2) The deed shall contain a description of the easement, right or privilege granted over and with respect to the servient land and all the agreements, terms and conditions affecting it and intended to bind the parties and their respective tenements, and reference to that deed shall be indorsed on the certificate of title to the land subject to the easement, right or privilege.

(3) All the provisions of this Act relating to the preparation and issue of the certificate of title to freehold land, the noting of legal charges and incumbrances thereon and the issue of new certificates of title on the transfer or transmission of the title thereto, shall apply *mutatis mutandis* to a certificate of title to an easement, right or privilege.

Application of
Limitation Act to
registered land.
CAP. 170.

43.—(1) The Limitation Act shall apply to land registered under this Act in the same manner and to the same extent as that Act applies to land not registered, except that where, if the land were not registered, the estate of the person registered as proprietor would be extinguished, such estate shall not be extinguished but shall be deemed to be held by the proprietor for the time being in trust for the person who, by virtue of the said Act, has acquired the title against any proprietor, but without prejudice to the estates and interests of any other person interested in the land whose estate or interest is not extinguished by that Act.

CAP. 170.

(2) Any person who claims to have acquired a title under the Limitation Act to a registered estate in the land may apply to the Supreme Court for a declaration of his title, and if the court declares that he has acquired such title, the Registrar shall enter

the applicant as a registered proprietor, but without prejudice to any estate or interest noted on the certificate of title of the person whose title has been extinguished under the said Act.

(3) Rules of court may be made for the purpose of regulating the practice and procedure on any application for a declaration that a person has acquired such title.

PART IV

Registration of Legal and Land Charges, Incumbrance, Assignment and Cancellation of the Charges, etc.

44.—(1) There shall be kept in the department a “Land Charges Register” consisting of deeds creating legal charges and deeds creating incumbrances on or over registered land bound together in the same manner as certificates of title are required to be bound together under this Act.

Form of the Register.
10 of 1958.

(2) The said Register shall be divided into two separate parts relating respectively to “Legal Charges” and “Incumbrances”.

45.—(1) The legal charges on or over registered land to be registered under this Act shall be created in the manner provided by the Law of Property Act.

Creation of legal charges.
10 of 1958.
10 of 1958.
CAP. 190.

(2) Every such legal charge shall be registered by the production to the Registrar of the original deed creating the charge and a duplicate copy thereof.

(3) If the deed creating such charge is signed and executed outside the Registry, the identity of the parties and due execution and attestation of the deed by two credible witnesses shall be sufficiently proved to the Registrar in such manner as may be prescribed.

10 of 1958.

(4) A deed creating such a legal charge may be signed and executed by the person giving the charge before and in the

10 of 1958.

presence of the Registrar who shall attest the same as such Registrar.

Registration of deeds creating legal charges.
10 of 1958.

46.—(1) If, in the case of a deed creating a legal charge on or over registered land which is signed and executed outside the Registry, the Registrar is satisfied that the deed has been signed and executed by the party who purports to grant the charge, he shall register the deed in the same manner as a certificate of title is registered under this Act.

10 of 1958.

(2) A deed creating such a legal charge which is signed and executed before and in the presence of the Registrar in the Registry shall, without further proof of execution, be registered in the same manner as a certificate of title is registered under this Act.

Time of taking effect of legal charge.
10 of 1958.
CAP. 190.

47.—(1) So soon as the Registrar has registered a deed creating a legal charge on or over registered land, the land described in the deed shall stand charged with the payment of the principal sum and other sums secured under the deed and be subject to the provisions contained in the deed and in the Law of Property Act.

(2) The Registrar shall be deemed to have registered a legal charge at the time when the instrument creating it is delivered to him in such a condition as to enable him to register it in accordance with this Part.

Requisites for registration of deeds.

48. Upon the presentation of a deed creating a legal charge for registration in the Land Charges Register, the person creating the charge shall produce to the Registrar his certificate of title to the land, estate or interest charged by the deed and the Registrar shall, after registering the legal charge, note on the registered certificate of title and also on the proprietor's duplicate the particular kind of charge created by the deed affecting the land, estate or interest charged and the day and hour on and at which the deed was registered.

49. An assignment of any legal charge on or over registered land may be registered in the same manner as if it were a deed creating such a legal charge and all the provisions of this Act relating to signing and execution and to registration of such a deed shall apply to such an assignment.

Registration of assignment of legal charges.
10 of 1958.

50.—(1) The incumbrances mentioned in section 103 of the Law of Property Act shall, in relation to registered land, be registered in the Land Charges Register upon such evidence produced to the Registrar as may be prescribed,

Incumbrances to be registered under this Act.
10 of 1958.
CAP. 190.

Provided that where a legal estate or interest in land in respect of which a certificate of title is issued under Part III is an incumbrance affecting land registered under this Act it shall not be registered under this Part but shall be noted on both duplicates of the certificate of title to the land affected thereby as in the case of a legal charge.

(2) The provisions of this Act relating to the signing and execution and the registration of a legal charge shall apply to an incumbrance to be registered under this Act.

51. An incumbrance on or over registered land shall be made, constituted or created by a deed of incumbrance which shall be presented to the Registrar who shall, upon obtaining the same proof of the signing and execution of the deed as in the case of a deed creating a legal charge on or over registered land, register the deed in the Land Charges Register.

Mode of constituting incumbrances.
10 of 1958.

52. Section 48 shall apply *mutatis mutandis* to the registration of an incumbrance and the noting thereof on the registered certificate of title and the proprietor's duplicate affected thereby as fully and effectively as it does to the registration of a legal charge and the noting thereof on the registered certificate of title and on the proprietor's duplicate affected by the legal charge.

Noting of incumbrance on certificate of title.
10 of 1958.

Date of registration to be entered on certificate.

53. The date of registration shall be entered in the note of the incumbrance by the Registrar upon the certificate of title.

Registration of assignment of incumbrance.
10 of 1958.

54. A deed of assignment of any legal charge or incumbrance on or over registered land may be registered in the same manner as if it were a deed creating a legal charge or incumbrance on or over registered land and all the provisions of this Part relating to signing and execution, registering and noting on the certificates of title shall apply and have effect in case of such assignment.

Land Charges Assignment Register.
10 of 1958.

55. When such a deed of assignment has been presented to the Registrar, he shall enter it in a “Land Charges Assignment Register” consisting of deeds of assignment of legal charges and incumbrances on or over registered land, and bound together in the same manner as certificates of title are required to be bound together under this Act.

Date of Assignment or incumbrance.
10 of 1958.

56.—(1) The date of the presentation of such deed shall be the date of the assignment, and immediately thereafter the assignee shall enter into the whole rights of the assignor under the legal charge or incumbrance.

10 of 1958.

(2) The assignee may, in respect of registered land, demand from the Registrar a certified copy of the deed of assignment, together with a certified copy of the noting thereof upon the certificate of title, with such reference thereon to the volume and folio of the register where the certificate of title is registered as to permit easy reference thereto.

On payment and satisfaction of legal charge or an incumbrance, noting on certificate of title to be accordingly.
10 of 1958.

57. When a legal charge or incumbrance on or over registered land has been paid off and discharged, the person entitled to the legal charge or incumbrance shall sign the prescribed instrument and, when it is presented to the Registrar, he shall cancel the noting of the legal charge or incumbrance upon the certificate of title, and file the instrument, in his office as his warrant for making the cancellation.

Transfer of lease.
10 of 1958.

58.—(1) Subject to sub-section (2), a lease of registered land, or any estate or interest therein, may be transferred by a deed of

transfer in the prescribed form, and the noting thereof by the Registrar on the certificate of title to the land affected thereby.

(2) Nothing in this section shall authorise the transfer of a lease of registered land for ten years and upwards otherwise than by a transfer in accordance with Part III and the issue of a certificate of title therefor.

10 of 1958.

PART V

Provisions Relating to Parts III and IV

59. All notings by the Registrar may be made either by his own hand, or by the hand of one of his clerks if such notings be duly signed and authenticated by the Registrar.

Notings by Registrar.

60.—(1) Whenever any question arises with regard to the performance of any of the duties, or the exercise of any of the functions imposed by this Act, or conferred upon the Registrar, or if, in the exercise of any of those duties or powers, any question of difficulty or importance arises, it shall be competent for him to state a case for the consideration of the court.

Registrar may state a case for decision of court in questions arising under this Act.

(2) The court, after hearing the Registrar and all interested parties upon such case, shall give such order and directions thereupon as appears just.

61.—(1) The Registrar may at all times take the advice, opinion or direction of the court upon questions of difficulty, notwithstanding that there are no contending parties, and may request that such advice, opinion or direction be given in writing to be preserved along with the papers connected with the issue of a certificate of title, or noting of legal charges or incumbrances.

Registrar to obtain direction of court upon questions of difficulty and powers of Court.

(2) Where no special procedure has been provided by this Act for any case with regard to placing on the register, or removing therefrom, the title of any person to any land, or any

legal charge or incumbrance, or any fact in regard thereto which ought to be registered, or the registration of which ought to be altered, the court shall give directions in regard thereto, according to the intent and meaning of this Act.

Party aggrieved by act of Registrar may bring question before the court.

62. If any person is dissatisfied with any act, omission, refusal, decision, direction, order, noting or other completed proceeding of the Registrar affecting the right of such person to any land, or any legal charge or incumbrance thereon, such person may apply to the Registrar to set forth in writing the grounds upon which he proceeded and, thereupon, such person may bring any question in relation thereto before the court by summons served on the Registrar, and the court shall hear and determine the question at issue, and give such order and directions thereupon as may appear just.

In cases of error or fraud, the court may compel return of certificate of title to Registrar, etc.

63.—(1) In case it appears to the Registrar that any certificate of title has been issued in error, or contains any mis-description of land or boundaries, or that any noting of any legal charge or incumbrance or otherwise has been made in error, either wholly or as to any part thereof, or that the certificate of title, or noting thereon, has been obtained by fraud, or that any certificate of title has been fraudulently obtained or is fraudulently retained, he may require the proprietor's duplicate to be returned for correction, or to be delivered up to the true owner thereof and, if the person so required fails to return the proprietor's duplicate, or to deliver it up to the true owner, the Registrar may apply to the court for a summons to bring the person before the court for examination.

(2) The court may thereupon examine the person, and may direct the proprietor's duplicate to be given up to the Registrar or to the true owner thereof, or may grant a warrant for searching for and recovering it.

(3) If the said person refuses to be examined, or to deliver up the proprietor's duplicate, or deliver it up to the true owner, either then or at any time ordered by the court, the court may

commit the said person to prison for any term not exceeding six months.

64. At the request of the Registrar upon petition or case stated, or in any proceeding respecting any registered land, or in respect of any contract or transaction relating thereto, or in respect of any instrument or dealing with registered land, the court may by decree or order direct the Registrar to cancel, correct, substitute or issue any certificate of title, or make any noting or entry thereon, and to do such acts as may be necessary to carry into effect any judgment of the court.

Court may order cancellation of proprietor's duplicate.
10 of 1958.

65. The Registrar may require any person, for the purposes of this Act, to produce the proprietor's duplicate, and may make inquiry into any matter affecting titles to registered land and the accuracy of the register, and may summon any person before him for the purpose of giving evidence and explanation in regard to any such matter, and any person who refuses to appear to answer to such summons may be proceeded against in the same manner as a person refusing to give evidence before the court.

Registrar may require production of proprietor's duplicate and attendance of witnesses.
10 of 1958.

66.—(1) If a proprietor's duplicate is lost or destroyed, the Registrar may make such inquiries as he thinks necessary in regard thereto, and if he comes to the conclusion that it is irrecoverably lost or destroyed by misadventure, or if the court so determines then, without public notice, or after such public intimation as may be considered reasonable and safe, he may issue a new proprietor's duplicate in place of the one lost or destroyed.

On proof of loss of proprietor's duplicate, new duplicate may be issued.

(2) Every new proprietor's duplicate issued in place of one lost or destroyed shall be an exact facsimile of the registered certificate of title and the Registrar shall add thereto a note to the effect that the new proprietor's duplicate has been issued in place of the one lost or destroyed, dating the note on the day on which he issues the new proprietor's duplicate.

67. In order to facilitate reference and search where one person is proprietor of the lands contained in more than one

Nominal index of parties to instruments.

certificate of title, and where various legal charges, incumbrances and other securities have been granted, the Registrar shall enter in a nominal index every instrument presented to him, both under the names of the grantors and grantees.

Persons entitled to prepare documents under this Act.

68.—(1) All forms and instruments prescribed shall be printed and may be publicly sold, and any person, if he so chooses, may himself fill up the form of instrument he desires to present to the Registrar.

(2) If any such party employs another person who is not an attorney-at-law to prepare any document under this Act for reward, that person shall be compellable to refund any money received by him by summary order of the Chief Justice on the complaint of any interested person.

(3) Nothing in sub-section (2) of this section shall be deemed to relieve any such person from any proceedings which may be taken against him under the Supreme Court of Judicature Act.

CAP. 91.

Offences.

69. Every person who—

- (a) fraudulently procures, or assists in fraudulently procuring, the issue of any certificate of title or other instrument required under the Law of Property Act;
- (b) fraudulently obtains, or assists in fraudulently obtaining, the delivery of a proprietor's duplicate or other instrument to any person not entitled thereto; or
- (c) makes, or assists in making, any false noting on or entry in any certificate or register in respect of any dealing with land,

CAP. 190.

commits a misdemeanour, and on indictment shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding fifteen hundred dollars.

PART VI

Recording of Deeds, Wills, and Effect thereof, etc.

70. In this Part, “deed” means—

Meaning of
“deed”.

- (a) with respect to transactions entered into and concluded before the passing of this Act, any document, wholly or partly printed or written, other than a will or codicil whether under seal or not, by which land in Belize or rights in relation thereto were conveyed, mortgaged, leased or in any other way affected;
- (b) after the commencement of this Act, any document, other than a will or codicil or an instrument required to be registered under Parts III and IV, whether under seal or not, by which estates, interests and rights in or over land may be created, transferred, charged, incumbered or otherwise affected in Belize.

71. No deed executed after 14th December, 1888, shall have any validity or effect unless it is lodged for record in the office of the Registrar, within one month after the date thereof if executed within Belize, and within three months after the date thereof if executed out of Belize,

Provided that—

- (a) the Chief justice may, in his discretion, in any particular case, extend the time for lodging such document for record, upon such terms and conditions as he may judge reasonable, if

satisfied upon petition filed in the Supreme Court and evidence given thereon by affidavit or otherwise that the failure to lodge such document within the time specified in this section was un-avoidable or arose from no negligence, and that no person is likely to be injured or prejudiced by such extension of time;

CAP. 147.
R.E. 1980-1990.
CAP. 191.

- (b) all entries in the crown lands books and certified duplicates or certified copies thereof, and all certified duplicates of plans, under the Crown Lands Act or the National Lands Act, and all titles, transfers and other entries in the books of the Belize Lands Titles' Registry and certificates thereof by the Registrar under any law in force immediately before the commencement of this Act, shall be deemed duly recorded for all purposes, and no further recording thereof under this Part shall be necessary;
- (c) in the case of a series of debentures in identical terms issued by a company creating a charge on its real estate, it shall be sufficient to record under this section one of such series, together with a statement of the numbers and amounts secured of the remaining debentures, and the names and addresses of the holders thereof.

Reference to
order extending
time.

72. Where any extension of time is granted, reference to the order shall be made in the margin of the record book and indorsed on the document lodged for record.

Memorandum of
acknowledgement, etc.
CAP. 95.

73. A memorandum of acknowledgment referred to in section 17 of the Evidence Act or a memorandum of proof of the deed, as the case may be, in the prescribed form, shall be indorsed upon or annexed to such deed, and such memorandum

shall in every case be signed by the officer taking the acknowledgment or administering the oath,

Provided that the public seal of Belize shall be sufficient evidence of the due execution of any letters patent or other deed whereunto it is set or affixed.

74.—(1) The production of any deed for proof and recording may be enforced by a summons issued to any person who is in possession of or has control over any deed, and upon the hearing of such summons the Chief Justice may make such order for the delivery up of such deed to the Registrar for the purpose of recording it as he may think expedient, and the costs of and incidental to such summons shall likewise be in his discretion.

Summons to enforce production and recording.

(2) Any order made pursuant to sub-section (1) of this section, may be enforced in like manner as orders of the Supreme Court are enforceable under the Supreme Court Rules, or any other such rules.

(3) A person taking out a summons under this section shall satisfy the Chief Justice that he is materially interested in the production and recording of such deed.

75.—(1) If any person, being a subscribing witness to a deed, upon being applied to do so, refuses to make oath of the due execution or otherwise of such deed, then, upon an affidavit proving such application and refusal as aforesaid, the Chief Justice may direct that a *subpoena ad testificandum* be issued, made returnable before himself in chambers at such time as he may think reasonable.

Subpoena ad testificandum.

(2) Every person served with such *subpoena* shall be subsequently dealt with in like manner as witnesses may be dealt with under the Supreme Court of Judicature Act,

CAP. 91.

Provided that—

- (a) such person shall not be entitled to any allowances as a witness unless the Chief Justice otherwise expressly orders; and
- (b) the attendance of such person may be excused upon cause being shown to the satisfaction of the Chief Justice.

Proof where witnesses dead or living out of Belize.

76. If, when any deed is presented for recording, it appears upon affidavit sworn as aforesaid indorsed upon or annexed to such deed that the witnesses thereto, if any, are dead or living without the limits of Belize, and that the party or parties by whom it was executed is or are dead or without the limits of Belize, and that the handwriting of any of the attesting witnesses thereto or of the party or parties executing it from whom interest passes is established and identified, then and in such case the deed shall be deemed to have been duly executed, and the formal proof thereof shall be dispensed with.

Wills to be recorded.

77. No will or codicil by which lands in Belize or rights in relation thereto are affected shall be pleaded or admitted as

CAP. 197.

evidence in any court until probate thereof has been granted by the Supreme Court under the Administration of Estates Act or any other law in force prior to that Act, and no further proof of the due execution thereof or recording shall be necessary under this Part.

Recording of deed executed under a power of attorney.

78. Where a deed is executed under a power of attorney, it shall be incumbent on the person who produces such deed for registration also to produce the power of attorney by the authority of which the deed produced purports to have been executed, and the Registrar shall not record the deed without recording the power of attorney, unless such power is already recorded at the time, and the execution of such power of attorney shall be proved in like manner as any other deed.

79.—(1) The Registrar shall examine every document brought to be recorded and satisfy himself—

Registrar to examine execution of deeds and proof thereof.

- (a) that it has been properly executed; and
- (b) that such execution is duly proved in accordance with this Part.

(2) The Registrar may apply to the Chief Justice in chambers for his opinion in writing whenever he may entertain any serious doubt as to whether a document should or should not be recorded, and the opinion of the Chief Justice shall be regarded as final and conclusive.

80.—(1) The Registrar shall not receive any document to be recorded in his office unless it is accompanied by a statement written on the back thereof or annexed thereto of the number of sheets of seventy-two words each contained therein, every figure therein being counted as one word.

Statement of number of folios.

(2) Every person who misstates the number of folios contained in any document shall be subject, by way of penalty, to the payment of double fees on any excess in the number contained over that stated.

(3) No document whatever shall be received by the Registrar for recording or otherwise being dealt with in the Registry unless the document contains on the back or at the foot thereof a statement—

- (a) by an attorney that it was prepared and drawn by him in his office as attorney for one of the parties concerned therein;
- (b) by an appropriate officer, that it was prepared by himself and not by some person not entitled to prepare or draw legal documents; or

- (c) by an appropriate officer, in the case of a person unable to read or write, that it was prepared and drawn by him on behalf of the parties concerned.

13 of 1967.

(4) No document which purports to create or transfer any interest in land not exceeding one hundred acres shall be received by the Registrar for recording or otherwise being dealt with in the Registry unless either there is attached to such document a statement in writing under the hand of the Commissioner of Lands and Survey either that the Minister under the powers conferred upon him by the Land Tax Act, has consented to the interest specified in such document being created or transferred and that any conditions to which such consent was made subject have been complied with or that the interest specified in such document does not require the consent of the Minister to be created or transferred under the provisions of the said Act or it is proved to his satisfaction that the interest is being created in favour of or transferred to a devisee by a personal representative.

CAP. 58.

7 of 1972.
CAP. 58.

(5) No document which purports to create or transfer any interest in land situate outside the boundaries of a town as defined by the Land Tax Act shall be received by the Registrar for registering or recording or otherwise being dealt with in the

CAP. 58.

Registry unless the document is accompanied by a certificate that the tax payable under the Land Tax Act in respect of the land to which the document relates has been paid, such a certificate being issued by the Commissioner of Lands and Surveys.

(6) If the Registrar has reason to suspect that a document was prepared or drawn by a person not entitled to do so, he may withhold the recording or registration thereof until he can make enquiries upon the matter, and may refer any case for the directions of the Chief Justice.

(7) Every person who falsely represents that a document was drawn by him commits an offence and shall on summary conviction be liable to a fine not exceeding two hundred and fifty dollars.

81.—(1) Any person who desires to record a deed under this Part shall present the original deed and a true copy thereof to the Registrar.

File books,
receipt, etc.
10 of 1958.

(2) The Registrar shall—

- (a) immediately upon any deed being presented to him for recording, make an entry of the presentation of it in a book to be by him constantly kept in his office, and to be entitled “File Book of Deeds, etc.”;
- (b) sign and give a receipt to the person presenting the deed;
- (c) give a receipt for the money paid for recording;
- (d) immediately underwrite or indorse upon such deed and the copy thereof the day and hour when it was presented to him for recording as aforesaid;
- (e) if he is satisfied that the copy presented is a true copy of the original, and that the deed otherwise complies with the provisions of this Act or any other Act, file and keep the copy as a record; and
- (f) after recording the copy, return the deed to the person presenting it.

(3) If any deed presented for recording is in a foreign language, the copy shall be in both that language and the English language.

(4) All deeds recorded during any calendar year shall be bound together in one or more volumes consecutively as regards the dates when they were recorded, and the volumes thereof, if more than one, shall be marked "Volume of 19-" or "Volume of 20-" and so on according to the number of volumes for the year, the folios of the said volume or volumes being numbered consecutively commencing from the figure "1".

Certificate of Registrar.

82.—(1) All documents shall be recorded in the order in which they are received by the Registrar, but no document shall be received unless the recording fee is paid.

(2) When the recording of a document is completed, the Registrar shall further indorse thereon a certificate setting forth the particular book in which such document is recorded, and the page or pages containing such record, and that such document has been proved and recorded in strict conformity with this Part, which certificate shall be dated with the day of the month and year in which the record was completed, and shall be subscribed by the Registrar in his proper handwriting, and such certificate shall be received and admitted in all courts in Belize as conclusive proof of the matter certified therein.

When unrecorded deeds, and unwritten mortgages, void.

83. All deeds made prior to 15th December, 1888, but after 18th February, 1857, and not duly proved and recorded, and every mortgage by deposit of deeds without writing shall be judged fraudulent and void in any court of Belize against any subsequent purchaser or mortgagee for valuable consideration who first records his deed or against any creditor who has actually seized or levied execution under any process of law.

Presenting for record to date as recording.

84. Every document shall be held to be duly recorded from the moment that the Registrar indorses thereon the day and hour when it was presented to him for recording.

85. Every document, certified as aforesaid as having been proved and recorded under this Part, shall be admitted as evidence in any court without any further or other proof of the execution thereof, and every record of a document made under the authority of this Part, and all copies of records duly certified by the Registrar to be true copies, shall be admitted as evidence in any court, as aforesaid, in the same manner as the deed of which it purports to be a record, or copy of a record, is hereinbefore directed to be admitted, as aforesaid as having been proved and recorded under this Part.

Recorded deeds, records or certified copies of records, admissible in evidence.

PART VII

Miscellaneous

86. Where by any decree or judgment of the Supreme Court a deed is set aside or cancelled, the court may by such decree or judgment, order that the record of such deed be likewise cancelled, and in such case the Registrar shall in the margin of the Book of Records insert the name of the suit and the date of the decree of judgment by which he was ordered to cancel such record.

Cancellations, etc., of recorded deeds.

87.—(1) All powers of attorney shall, and any other document not required to be registered by any law and whether under seal or not may, be recorded upon proof of due execution thereof in manner hereinbefore provided for the recording of a deed.

Any document may be recorded, if proved.

(2) Section 85 shall apply and have effect *mutatis mutandis* with regard to powers of attorney and other documents presented for recording under this section.

88. Every person who wilfully and knowingly makes any false statement in any acknowledgment or affidavit made under this Part shall, on conviction thereof, be liable to the penalty for perjury.

Perjury.

Certain documents may be received without proof. 40 of 1963.

89. Notwithstanding anything contained in this Act, the Registrar shall record—

(a) when produced and delivered to him, any orders of the Supreme Court, transfers by the Registrar made under any Act and any documents purporting to be signed by magistrates under the provisions of any law for the time being in force, without proof of the sealing or signing thereof by the several officers mentioned herein; and

CAP. 187.

(b) any document under the hand of the Minister purporting to be a certificate issued pursuant to the Land Surveyors Act without proof of execution.

Cancellation of record at suit of person injuriously affected.

90.—(1) Any person injuriously affected by any document recorded under this Part may bring an action in the Supreme Court claiming to have the record of such document cancelled.

(2) In every such action the burden of proof that such document was rightly recorded shall lie upon the defendant, but every affidavit, declaration, oath and acknowledgment made in accordance with this Part and recorded with such document and the record or a copy certified by the Registrar to be correct of such affidavit, declaration, oath or acknowledgment shall be admissible in evidence—

(a) in proof that the person by whom such affidavit, declaration, oath or acknowledgment was made is dead; and

(b) in every other case in which the Court under special circumstances thinks fit.

(3) The court shall adjudge whether such record shall be cancelled or not.

(4) If the court orders any such record to be cancelled, the Registrar shall cancel it accordingly and shall on or by the side of such record write the name and number of the suit in which such order was made and the date of such order.

91.—(1) The Registrar may from time to time make rules for the purpose of—

Power of Registrar to make rules.

(a) ensuring the good order and management of the Registry, carrying into effect the objects for which it is established and preserving the records therein;

4 of 1967.

(b) prescribing the manner and form in which any information required by law to be furnished to the Registrar shall be furnished, verified, recorded or noted in the Registry;

(c) supplementing the provisions of Parts III, IV, V and VI;

(d) regulating the functions of the Registrar under Parts III, IV, V and VI;

(e) prescribing, subject to this Act, the manner whereby certificates of title, transfers, deeds creating legal charges and incumbrances and other deeds, memoranda, plans, maps, diagrams and documents, required to be registered or recorded, or used in the Registry are prepared, executed, attested, verified and filed;

(f) prescribing all the forms necessary for carrying the Law of Property Act and this Act into effect;

CAP. 190.

- (g) regulating the procedure on application for a new proprietor's certificate in place of the one lost or destroyed;
 - (h) prescribing the form of cancellation of bonds or other deeds of any kind;
 - (i) prescribing the fees to be paid in the Registry in matters of all kinds and the costs payable to attorneys in respect of any matter or thing to be done under this Act;
 - CAP. 190. (j) prescribing any matter which may be prescribed under the Law of Property Act and this Act;
 - CAP. 190. (k) prescribing the procedure in any proceedings to be taken either in the court or in the Registry under the Law of Property Act and this Act; and
 - (l) carrying into effect the provisions of all Parts of this Act.
- 4 of 1967. (2) All such rules shall be approved by the Minister.



BELIZE

**GENERAL REGISTRY ACT
CHAPTER 327**

REVISED EDITION 2020

**SHOWING THE SUBSIDIARY LAWS AS AT
31ST DECEMBER, 2020**

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2020.

This edition contains a consolidation of the following laws–	Page
1. GENERAL REGISTRY (AMENDMENT) ACT (COMMENCEMENT) ORDER	3
2. GENERAL REGISTRY RULES	5

CHAPTER 327

**GENERAL REGISTRY (AMENDMENT) ACT
(COMMENCEMENT) ORDER**

ARRANGEMENT OF PARAGRAPHS

1. Citation.
2. Commencement of Act No. 18 of 2018.

CHAPTER 327

71 of 2018.
Ch. 327.
R.E. 2020.

**GENERAL REGISTRY (AMENDMENT) ACT
(COMMENCEMENT) ORDER**

(Gazetted 22nd October, 2018)

Citation.

1. This Order may be cited as the—

**GENERAL REGISTRY (AMENDMENT) ACT
(COMMENCEMENT) ORDER.**

Commencement
of Act No. 18 of
2018.

2. I, **MICHAEL PEYREFITTE**, Attorney General, hereby appoint the 22nd of October, 2018, as the day on which the General Registry (Amendment) Act, 2018 (No. 18 of 2018), shall come into force.

MADE by the Minister this 17th day of October, 2018.

(MICHAEL PEYREFITTE)

Attorney General

(Minister responsible for General Registry)

CHAPTER 327

GENERAL REGISTRY RULES

ARRANGEMENT OF RULES

PART I

Preliminary

1. Short title.
2. Interpretation.

PART II

Regulation of the Filing of Documents

3. Quality of paper.
4. Size of document.
5. Margin to the left.
6. Mode of filling in forms.
7. Power of Registrar to reject document.

PART III

Application for First Certificate of Title

8. Forms of application.
9. Documents to be delivered with application for first certificate of title.
10. Description of land in first certificate of title.

11. Application in case of prescriptive title.
12. Application in case of mahogany work
13. Application for first certificate of title to land, etc., based on conveyance by deed, etc.
14. Application for first certificate of title to crown lands.
15. Notice of application to be given to adjoining owners.
16. Right to examine application filed in Registry.
17. Notice of objection to issue of first certificate of title.
18. Hearing of objection.
19. Noting of existing legal charges and incumbrances recorded under the Recording of Deeds Act.
20. Form of first certificate of title.

PART IV

Transfer of Land Titles

21. First certificate of title to be issued before transfer of land.
22. Application to transfer land, etc.
23. Documents to accompany application to transfer.
24. Form of transfer certificate of title.

PART V

*Creation and Transfer of Terms of Ten Years or Upwards
Absolute*

25. First certificate of title to the foundation of title to term.
26. Certificate of title for term of ten years or upwards.
27. Deeds of lease to be attached to certificates of title.
28. Form of certificate of title.
29. Transfer of a term of years.

PART VI

Creation and Transfer of Easements, Rights and Privileges

30. First certificate to be foundation of title to easements, etc.
31. Certificate of title for easement, right or privilege.
32. Deed creating easement, etc., to be attached to certificate of title
33. Form of certificate of title to easement, etc.
34. Transfer of easement, right or privilege.

PART VII

Registration of Legal Charges and Incumbrances

35. Form of deed of mortgage.
36. Application to register legal charge.

37. Form of assignment of mortgage.

38. Form of deed of incumbrance.

PART VIII

Miscellaneous

39. Power of Registrar to alter.

40. Description of land, etc., in first certificates of title.

41. Map or plan to be annexed to first certificate of title.

42. Registers to be kept in Registry.

43. Death of a joint proprietor.

44. Death of official administrator or trustee in bankruptcy.

45. Lost certificates.

46. Cost of transfers, mortgages, etc.

47. Settlement of matters not provided for.

PART IX

Fees and Costs

48. Fees and costs.

FIRST SCHEDULE

SECOND SCHEDULE

CHAPTER 327

GENERAL REGISTRY RULES

128 of 2002.
Ch. 258.
Ch. 327.
R.E. 2003.
R.E. 2020.

(Section 91)

PART I

Preliminary

1. These Rules may be cited as the—

Short title.

GENERAL REGISTRY RULES.

2. In these Rules, “the Act” means the General Registry Act, and references to Forms are to the Forms in the First Schedule to these Rules.

Interpretation.

PART II

Regulation of the Filing of Documents

3. Every document presented to the Registrar for filing, registration or recording in the General Registry shall be written on strong and durable paper to the satisfaction of the Registrar.

Quality of paper.

4. The paper on which a document is written shall be approximately eight and a half inches by eleven inches or such other dimensions as the Registrar may approve.

Size of document.
128 of 2002.

5. Every document shall have a margin of two inches on the left-hand side to enable it to be properly bound together with other documents without obscuring any portion of the writing on the document.

Margin to the left.

6. Where printed forms under these Rules are being used, they shall be filled in with typescript, but the Registrar may accept any such form filled in with clear and legible handwriting.

Mode of filling in forms.

Power of Registrar to reject document.

7. The Registrar shall refuse to accept any document which does not comply with these Rules.

PART III

Application for First Certificate of Title

Forms of application.

8. Application for a first certificate of title shall be made by delivering at the Registry a written application to the effect of Forms 1, 2, 3, 4 or 5, as the case may require.

Documents to be delivered with application for first certificate of title.

9.—(1) The application shall be accompanied, in the case of any land, estate, interest, power or right, the title to which was entered in the register kept under the Lands Titles Registry Ordinance and in respect of which a certificate of title may be issued under section 41 of the Law of Property Act, by—

1924. Rev.
CAP. 215.
CAP. 190.

(a) a certified extract from the register showing the entry therein, which under section 31 of the former Ordinance was the evidence of the foundation of the title to the land registered under that Ordinance;

1924. Rev.
CAP. 215.

(b) an affidavit of the identity of all parties alleged to be and to have been entitled to the land under the said Ordinance and giving proof of all such particulars as are necessary to establish descent, devolution, transmission or transfer of the land to the applicant.

CAP. 327.

(2) Any dispute contemplated by subsection (2) of section 21 of the Act shall be settled and determined in accordance with the procedure prescribed in rules 1 to 17 inclusive of Order VI of the Supreme Court Rules.

Description of land in first certificate of title.
CAP.

10. The description of the land, estate, interest, power or right in respect of which a first certificate of title may be issued under section 41 of the Law of Property Act, to be comprised in the first certificate of title applied for, shall follow the description

entered in the register pursuant to section 27 of the Lands Titles Registry Ordinance, and a copy of the plan or portion of the plan entered in the register (if any) shall be attached thereto.

1924. Rev.
CAP. 215.

11. The application shall be accompanied, in the case of any land, estate, interest, power or right in respect of which a certificate of title may be issued under section 41 of the Law of Property Act, the title to which arises under a declaration of the Court upon long possession in accordance with section 42 of the Law of Property Act by a certified copy of the order of the Court declaring the applicant to be entitled to the fee simple absolute in the land.

Application in
case of
prescriptive title.
CAP. 190.
CAP. 190.

12. The application shall be accompanied, in the case of a mahogany or logwood work referred to under paragraph (b) of section 22 of the Act, by such sworn evidence as the Registrar may require as proof that the applicant is entitled to have the first certificate of title.

Application in
case if mahogany
work.

13.—(1) The application shall be accompanied, in the case of any land, estate, interest, power or right in respect of which a certificate of title may be issued under section 41 of the Law of Property Act, alleged to be based upon a conveyance by deed and other documents pursuant to paragraph (c) of section 22 of the Act, by—

Application for
first certificate of
title to land, etc.,
based on
conveyance by
deed, etc.
CAP. 190.
CAP. 327.

- (a) all such original deeds and other documents relating to the title as the applicant has in his possession or under his control, including opinions of counsel, abstracts of title, contracts for or conditions of sale, requisitions, replies and other like documents, in regard to the title;
- (b) a list of all such documents delivered;
- (c) sufficient particulars appearing on or from any plan, map or diagram or otherwise, to enable the land to be clearly identified;

- (d) an affidavit proving that the applicant has served on all proprietors of adjoining lands notice of his intending application.

(2) Service of the notice may be effected on the proprietors of the adjoining lands by—

- (a) handing them the notice personally and informing them of the nature and purport thereof; or
- (b) leaving the notice at their last and most usual places of abode; or
- (c) affixing the notice to some conspicuous place on the adjoining lands if they cannot with reasonable diligence be found.

(3) In this rule, “proprietors of adjoining lands” means the legal owners of the lands or the occupiers or the persons in possession of the lands situate on and adjoining all boundaries of the land in respect of which the certificate of title is being applied for.

Application for first certificate of title to crown lands. CAP.327.

14. The application shall be accompanied, in the case of Crown land referred to under paragraph (d) of section 22 of the Act, by—

- (a) the Crown grant relating to the land; and
- (b) such other evidence as the Registrar may require.

Notice of application to be given to adjoining owners.

15. In the case of an application for a first certificate of title based upon a conveyance by deeds and other documents the Registrar shall cause—

- (a) notice of the application to be exhibited outside the main door of the General Registry

for at least fourteen days prior to the issue of the first certificate of title;

- (b) an advertisement of the fact of such application to be inserted in the *Gazette* giving the name and address of the person to be registered as proprietor, a short description of the land and the situation thereof,

and such advertisement shall require objections (if any) to be made before the expiration of fourteen days from the appearance of the advertisement in the *Gazette*.

16. Any person shall be entitled to examine any application and other documents delivered by the applicant and obtain copies thereof upon payment of the prescribed fees.

Right to examine application filed in Registry.

17.—(1) Any person claiming to be entitled to the land, estate, interest, power or right mentioned in the advertisement, or that he would be unlawfully prejudiced by the issue of a first certificate of title to the applicant may, by notice in writing signed by himself or his Attorney-at-Law and delivered to the Registry before the issue of the first certificate of title object to the issue of the first certificate of title.

Notice of objection to issue of first certificate of title.

(2) Such notice shall state fully the grounds of the objection and give an address in Belize to which all notices and other communications to the objector may be sent through the post or otherwise.

18.—(1) The application with all accompanying documents and the notice of objection shall be laid forthwith before the Chief Justice who shall determine all disputes between the parties, and the first certificate of title shall not be issued until the objection has been withdrawn or otherwise disposed of.

Hearing of objection.

(2) The applicant or the objector may obtain through the Registrar an appointment before the Chief Justice in chambers for the

hearing of any objection, and the opposite party shall be given at least seven clear days' notice of such appointment.

Noting of existing legal charges and incumbrances recorded under the Recording of Deeds Act.

19.—(1) All applications for first certificates of title shall be accompanied by a written statement disclosing truly and accurately all existing legal charges and incumbrances affecting the land, estate, interest, power or right to be comprised in the certificate of title which had been recorded under the Recording of Deeds Ordinance, and which if they were created after the commencement of these Rules, would be required to be registered in the Lands Charges Register.

1924. Rev.
CAP. 214.

(2) The Registrar shall before the issue of any first certificate of title note thereon all legal charges and incumbrances disclosed in such statement or which may otherwise come to his knowledge if such legal charges and incumbrances are registrable under the Law of Property Act, and the Act.

CAP. 190.
CAP. 327.

Form of first certificate of title.

20. A first certificate of title shall be in Form 14 varied as the circumstances of the case require.

PART IV

Transfer of Land Titles

First certificate of title to be issued before transfer of land.

21. No transfer of the legal title to any land, estate, interest, power or right shall be effected unless a first certificate of title has previously been issued in respect of such land, estate, interest, power or right.

Application to transfer land, etc.

22. Application for the transfer of the title to any land, estate, interest, power or right comprised in a certificate of title shall be made by delivering at the Registry a written application to the effect of Form 15.

Documents to accompany application to transfer.

23.—(1) The application shall be accompanied by—

- (a) a memorandum of transfer to the effect of Form 16 or Form 17 as the case may be;

- (b) the certificate of title showing the title of the transferor;
- (c) where the transfer is being made pursuant to a sale, an affidavit by the seller and an affidavit by the purchaser showing the true purchase money or other consideration received by the seller and paid or given by the purchaser for the transfer to the effect of Form 18 or Form 19 as the case may be;
- (d) where no consideration passes from the transferee to the transferor, an affidavit showing the true market value of the land, estate, interest, power or right to be transferred;
- (e) any other facts or particulars which the Registrar may require.

(2) No affidavit of the value of the land, estate, interest, power or right shall be required where the certificate of title is to be issued under sections 31, 33, 34, 35, 37 or 38 of the Act.

CAP 327.

24. A transfer certificate of title shall be in Form 20 varied as the circumstances of the case require.

Form of transfer certificate of title.

PART V

Creation and Transfer of Terms of Ten Years or Upwards Absolute

25. No legal term of ten years or upwards shall be created unless a first certificate of title to the land, estate or interest has previously been issued in respect thereof.

First certificate of title to the foundation of title to term.

26. Application for certificates of title to terms of ten years or upwards absolute shall be accompanied by—

Certificate of title for term of ten years or upwards.

- (a) the certificate of title to the land, estate or interest proposed, to be demised;
- CAP. 327. (b) the deed of lease pursuant to section 40 of the Act;
1924. Rev. CAP. 214. (c) a statement of existing legal charges and incumbrances affecting the land to be demised which had been recorded under the Recording of Deeds Ordinance.
- Deeds of lease to be attached to certificates of title. **27.** The deed of lease granting the term shall be in Form 21 and shall be attached to the registered duplicate of the certificate of title and a copy of the deed of lease certified by the Registrar to be a true copy shall be attached to the proprietor's duplicate.
- Form of certificate of title. **28.** A certificate of title to a term of ten years or upwards shall be in Form 22 varied as the circumstances of the case require.
- Transfer of a term of years. CAP. 327. **29.** Application to transfer a term of ten years or upwards comprised in a certificate of title issued under the Act shall be accompanied by—
- (a) the certificate of title to the term;
- (b) a memorandum of transfer by the registered proprietor (the lessee) to the transferee, and the new certificate transferring the term of years shall have attached to each duplicate a certified copy of the deed of lease.

PART VI

Creation and Transfer of Easements, Rights and Privileges

- First Certificate to be foundation of title to easement, etc. **30.** No easement, right or privilege in or over land equivalent to a legal estate in fee simple absolute in possession or to a legal term of ten years or upwards absolute shall be created unless a first certificate of title to the lands, estates or interests, to be

affected by the easement, right or privilege has previously been issued in respect thereof.

31. Application for certificates of title to an easement, right or privilege affecting lands, estates and interests shall be accompanied by—

Certificate of title for easement, right or privilege.

- (a) the certificates of title to the dominant and the servient tenements;
- (b) the deed creating the easement, right or privilege granted;
- (c) a statement of existing legal charges and incumbrances affecting the dominant land.

32. The deed creating the easement, right or privilege shall be in Form 23 and shall be attached to the registered duplicate of the certificate of title, and a copy of the deed certified by the Registrar to be a true copy shall be attached to the proprietor's duplicate.

Deed creating easement, etc., to be attached to certificate of title.

33. A certificate of title to an easement, right or privilege shall be in Form 24 varied as the circumstances of the case require.

Form of certificate of title to easement, etc.

34. Application to transfer an easement, right or privilege comprised in a certificate of title issued under the Act shall be accompanied by—

Transfer of easement, right or privilege.

- (a) the certificate of title to the easement, right or privilege;
- (b) a memorandum of transfer in Form 25 by the registered proprietor of the easement, right or privilege to the transferee,

and the new certificate transferring the easement, right or privilege shall have attached to each duplicate a certificate copy of the deed creating the easement, right or privilege.

PART VII

Registration of Legal Charges and Incumbrances

Form of deed of mortgage.

35. A deed creating a charge by way of legal mortgage shall be in Form 26 which shall be varied to meet the case of any other legal charge.

Application to register legal charge.

36.—(1) An application to register a legal charge or incumbrance shall be in writing in Form 27 and shall be signed by both the chargor and the chargee or incumbrancer and the incumbrancee.

(2) The application shall be accompanied by—

- (a) the deed charging the land, estate or interest;
- (b) the certificate of title of the chargor.

Form of assignment of mortgage.

37. An assignment of a mortgage or other charge shall be in Form 28 and a deed cancelling the mortgage shall be in Form 29 which shall be varied to meet the case of the cancellation of any other legal charge.

Form of deed of incumbrance.

38. A deed of incumbrance shall be in Form 30.

PART VIII

Miscellaneous

Power of Registrar to alter.

39. The Registrar may alter the description of any land, estate, interest, power or right given by the applicant in his application for a first certificate of title in order to effect a true and accurate description of the land, estate, interest, power or right to be vested in the applicant and to make it conform to the existing facts and conditions of the locality.

Description of land, etc., in first certificates of title.

40. The Registrar shall have power on ascertaining the identity of any land or the nature of the estate, interest, power or right to be vested in the applicant to prepare a true and accurate

description thereof for inclusion in the first certificate of title and he may describe the land by reference to—

- (a) a plan, map or diagram in the office of the Commissioner of Lands and Surveys or in the Registry; or
- (b) measurements of the land by some competent person on the spot and the position of the existing boundary fences on the land; or
- (c) any plan, map or diagram prepared by a surveyor authorized by law to survey land which plan, map or diagram he may require the applicant to procure.

41. Where the description of the land comprised in the first certificate of title is founded upon a plan, map or diagram, a true copy of such plan, map or diagram shall be attached to the first certificate of title, and to every transfer certificate of title to the land subsequently issued.

Map or plan to be annexed to first certificate of title.

42.—(1) The Registrar shall keep separate registers made out in alphabetical order showing—

Registers to be kept in Registry.

- (a) the names of registered proprietors holding first certificates of title and the short particulars of such certificates;
- (b) the names of registered proprietors holding transfer certificates of title and the short particulars of such certificates;
- (c) the names of mortgagees and other chargees and incumbrances in whose favour legal charges and other incumbrances have been registered and the short particulars of such legal charges and incumbrances;

- (d) the names of mortgagors and other persons against whom legal charges and other incumbrances have been registered and the short particulars of such legal charges and incumbrances;
- (e) the names of all persons holding powers of attorney and the names of their constituents and the dates and countries of execution;
- (f) the names, addresses and descriptions of persons who are parties to other instruments registered under the Act and the dates of execution of such instruments;
- (g) the names of the parties to all deeds recorded under PART V of the Act and the Short particulars of such deeds.

CAP. 327.

(2) The information in such registers shall be the latest affecting the land, estate, interest, power or right referred to in the entries in such registers

(3) Such registers shall be made and kept in duplicate, and one copy thereof shall be kept on the counter in the Registry open to the public for inspection without fee, and the other away in the vault for reference.

(4) The Registrar shall make and keep registers showing such other particulars as may be directed by the Chief Justice.

Death of a joint proprietor.

43. If one of two or more joint registered proprietors of a legal charge dies, his name shall be withdrawn from the register on proof of death, or on production of probate or letters of administration, together with such other evidence (if any) as the Registrar may require.

44. On the death of a registered proprietor registered as an official, or other like person charged with administering the estate of a deceased person in case where there is no personal representative or trustee in bankruptcy, his personal representative shall not be registered, but proceedings shall be taken in accordance with these Rules to register his successor in office.

Death of official administrator or trustee in bankruptcy.

45. Any notice of a lost or destroyed certificate given under section 66 of the Act shall give the name and address of the registered proprietor and the description of the land, and shall state that it is proposed to issue a new certificate of title and shall request any person in whose possession the certificate may be, or who has any objection to such issue, to inform the Registrar of the fact.

Lost certificates. CAP. 327.

46.—(1) Where under subsection (3) of section 25 of the Act, a person in whom the equitable title to any land, estate, or interest is beneficially vested by or through a deed of conveyance makes demand upon the person who holds the legal title to the land, estate or interest for a transfer to himself of the legal title to such land, estate or interest, the transfer shall be made, unless the parties otherwise agree, at the expense of the person demanding the legal title to such land, estate or interest.

Cost of transfers, mortgages, etc. CAP. 327.

(2) A conveyance of the title to any land, estate or interest from one person to another shall be, unless the parties otherwise agree, at the expense of the parties in equal shares.

(3) The expense of the preparation and registration of a legal charge and incumbrance or of the cancellation thereof shall be borne by the chargor or the incumbrancer, unless the parties otherwise agree.

(4) In this rule, “the expense”, means—

(a) attorney-at-law’s costs, charges and expenses;

Second
Schedule.

- (b) fees payable to the Registrar in accordance with the Second Schedule to these Rules; and
- (c) stamp duties or other tax payable on the transaction.

Settlement of
matters not
provided for.

47.—(1) Any matter arising upon the registration of any title to land or any charge or incumbrance upon any land, estate or interest in respect of which no provision is made by these Rules shall be settled and carried out in accordance with any direction given by the Chief Justice.

(2) Where no form is provided in respect of any act or proceeding to be done or taken under the Act or these Rules, a form framed on the analogy of a corresponding form in these Rules shall be used.

PART IX

Fees and Costs

Fees and costs.
Second
Schedule.

48. The fees prescribed in Part I of the Second Schedule to those Rules shall be charged and collected by the Registrar in respect of the several matters and services performed by him in the Registry, and the costs set out in Part II of the said Schedule shall be chargeable by Attorney-at-Law in respect of work done and services rendered under and pursuant to the Act and these Rules.

BELIZE

FIRST SCHEDULE

Forms

FORM 1

[Rule 8]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Application for the issue of a First Certificate of Title to Land
Registered under the Land Titles Registry Ordinance*

1924 Rev.
Cap. 215

I,
hereby apply for the issue in my name of a first certificate of
title to the land, estate, interest, power or right entered in the
register formerly kept under the Land Titles Registry Ordinance
and I submit in support of my application the following
documents—

State name,
address and
occupation of
applicant.
1924 Rev.
Cap. 215.

- (a) a certified extract from the said register showing the entry on which my title to the said land, estate, interest, power or right is based
- (b) an affidavit of proof of identity and of the necessary facts establishing my title to the land, estate, interest, power or right;
- (c) a written statement of legal charges and incumbrances affecting the said land, etc.

SCHEDULE

Dated this day of 20 .
Applicant

Here describe
land, etc.

BELIZE

FORM 2

*[Rule 8]*GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES*Application for the issue of a First Certificate of Title to Land
Based upon undisturbed Possession for thirty years and
upwards*State name,
address and
occupation of
applicant.I,
hereby apply for the issue in my name of a first certificate of
title to the land, estate, interest, power or right mentioned in the
Schedule below, and I submit in support of my application the
following—

- (a) an order of the Court declaring my title to the
land, estate, interest, power or right;
- (b) a written statement of the legal charges and
incumbrances affecting the said land.

SCHEDULE

Here describe
land, etc.

Dated this

day of

20

. *Applicant*

BELIZE

FORM 3

[Rule 8]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Application for the issue of a First Certificate of Title to a
Mahogany or Logwood Work*

I,
hereby apply for the issue in my name of a first certificate of
title to the land or estate described in the Schedule hereto now
(or formerly) used as a mahogany or logwood work, the title to
which accrues under paragraph (b) of section 22 of the General
Registry Act, and I submit in support of my application the
following—

State name,
address and
occupation of
applicant.

- (a) an affidavit of the facts which are the foundation of my title;
- (b) a written statement of the legal charges and incumbrances affecting the said land.

SCHEDULE

Dated this day of 20 .
Applicant

Here describe
land, etc.

BELIZE

FORM 4

[Rule 8]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Application for the issue of a First Certificate of Title to Land
held under a Conveyance by Deed*

State name,
address and
occupation of
applicant.

I,
hereby apply for the issue in my name of a first certificate of
title to the land, estate, interest, power or right mentioned in the
Schedule below, the title to which I have acquired by
conveyance by deed and other documents and I submit in
support of my application the following—

- (a) the original deeds and other documents on
which my title to the land, estate, interest,
power or right is founded;
- (b) a plan, map or diagram in which the land is
shown;
- (c) a list of all the documents delivered;
- (d) an affidavit in proof of service of notice or
application for first certificate of title upon the
proprietors of adjoining lands;
- (e) a written statement of the legal charges and
incumbrances affecting the said land.

SCHEDULE

Here describe
land, etc.

Dated this

day of

20

. *Applicant*

BELIZE

FORM 5

[Rule 8]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Application for the issue of a First Certificate of Title to Land
held under a Crown Grant*

I,
hereby apply for the issue in my name of a first certificate of
title to the land held by me under the Crown Grant described in
the Schedule to this application, and I submit in support of this
application the following—

State name,
address and
occupation of
applicant.

- (a) the original Crown Grant (or other authorized copy *in lieu* thereof) on which my title is founded;
- (b) written statement of legal charges and incumbrances affecting the said land.

SCHEDULE

Dated this day of 20 .
Applicant

Here describe
land, etc.

BELIZE

FOLIO NO.
VOLUME

FORM 6

*[Rule 9]*GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES*Extract from the Lands Titles Register formerly kept under the
Lands Titles Registry Ordinance*

IT is HEREBY CERTIFIED THAT the underwritten extract has been duly taken from the Lands Titles Register formerly kept under the Lands Titles Registry Ordinance and compared with the entry, and that such extract is a true copy of the said entry.

Dated this day of 20 .
Registrar General

Names of person entitled	Description of property	Date of title accruing	Reference to transfer of registered property

BELIZE

FORM 7

[Rule 9]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Affidavit of Identity

I,
make oath and say as follows:

State name,
address and
occupation of
applicant.

1. I am the person referred to by the name

State name in
extract.

in the certified extract from the register formerly kept under the
Lands Titles Registry Ordinance, 1924 Rev. Ch. 215, the certified
copy of which is attached hereto.

2.

If there are other
facts and
particulars to be
proved to
establish a title
resulting from
marriage, birth of
issue, death,
wills, intestacy or
other events state
them so as to
prove the title.

Sworn to by the said

at on the day of 20 , before me

A Commissioner for Oaths

or

A Justice of the Peace

BELIZE

FORM 8

[Rule 13]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Notice to Proprietors of Adjoining Lands of Intending
Application for a First Certificate of Title*

Insert name of adjoining proprietor. Insert the description of adjoining land

To:
the proprietor of

Insert full description of land for which certificate of title is being applied.

TAKE NOTICE THAT I intend to apply to the Registrar General on the day of 20 , for a first certificate of title to the following land, estate or interest,

ALL for your information and guidance.

Dated this day of 20 .

Applicant

FOR EXPLANATIONS SEE BACK

Back of Form

TAKE NOTICE that, if you have any claim to or interest in the land or any part thereof mentioned herein or if the boundaries of the said land as specified herein show any encroachment on your land or property, you are required to file an objection to the issue of the first certificate of title herein applied for.

Any objection should be filed at the General Registry, Belize City, within fourteen days from the date of the service of this notice upon you, and a copy served on the person making application for the first certificate of title.

An objection must state fully the grounds of the objection and give an address in Belize to which all notices or summonses may be sent through the post or otherwise.

Forms of Notice of Objection (Form 12) may be obtained at the General Registry at 5c each.

BELIZE

FORM 9

[Rule 13]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Affidavit of Service of Notice of Intending Application for a
First Certificate of Title*

Insert name,
address and
occupation of
person serving
notice.

I,
make oath and say as follows:

1. That I did on the day of 20 .

Name of
proprietor of
adjoining land.

the proprietor of the land on the boundary of the land
described in the Schedule hereto, and

Name of
proprietor of
adjoining land.

the proprietor of the land on the boundary of the land
described in the Schedule hereto, and

Name of
proprietor of
adjoining land.

the proprietor of the land on the boundary of the land
described in the Schedule hereto, and

Name of
proprietor of
adjoining land.

the proprietor of the land on the boundary of the land
described in the Schedule hereto, with written notices of the
intention of

Name of
applicant for
certificate.
Places of service
of the several
notices.

to apply for a first certificate of title to the land in the Schedule
hereto by handing the same to them personally at
and informing them of the nature and purport thereof, or by
leaving the same at their last known and most usual places of
abode, namely,

FORM 9

(Cont.)

or by affixing the same to a tree, house or building (as the case may be) on the adjoining land, diligent inquiry having been made to find the said

State places of abode of proprietors of adjoining lands.

without effect.

2. The notices attached hereto are true copies of the several notices served on the said several proprietors of the lands adjoining the land described in the said Schedule.

Name of proprietors of adjoining lands.

.....
(Deponent)

Sworn to by the said
at on the day of 20 , before

*A Commissioner for Oaths
or
A Justice of the Peace*

SCHEDULE

BELIZE

FORM 10

[Rule 15]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Notice of application for a First Certificate of Title

Name, address
and occupation
of applicant.

To WHOM IT MAY CONCERN:

TAKE NOTICE THAT

has applied for the issue of a first certificate of title to the land, estate, interest, power or right described in the Schedule to this notice and that any person who claims to be entitled to the said land, estate, interest, power or right, or who would be unlawfully prejudiced by the issue of the said first certificate in respect of the description of the said land, estate, interest, power or right, may file in the Registry, and deliver a copy thereof to the applicant within fourteen days from the date thereof, a notice of objection to the issue of a first certificate of title to the said land, estate, interest, power or right in accordance with the provisions of the General Registry Rules, and thereafter proceed to have the said objection heard and determined in manner prescribed by the said Rules.

Dated this day of 20 .

Registrar General

SCHEDULE

Describe fully
the said land,
estate, interest,
power of right.

BELIZE

FORM 11

[Rule 15]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Advertisement in "Gazette" of Application for First Certificate
of Title to Land, etc*

NOTICE is hereby given that

Name, address
and description
of applicant.

has applied for the issue of a first certificate of title to the land,
estate, interest, power or right described in the Schedule to this
notice.

ANY PERSON who claims to be entitled as owner or otherwise to
the said land, estate, interest, power or right, or who may be
unlawfully prejudiced by the description of the said land, estate,
interest, power or right, may file in the Registry, and deliver a copy
thereof to the applicant within fourteen days from the date hereof, a
written notice of objection to the issue of a first certificate of title
to the said land, estate, interest, power or right in accordance with
the provisions of the General Registry Rules and thereafter proceed
to have the said objection heard and determined in manner
prescribed by the said Rules.

Dated this day of 20 .

Registrar General

SCHEDULE

Describe fully
the said land,
estate, interest,
power or right.

BELIZE

FORM 12

[Rule 17]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Notice of Objection to the issue of a First Certificate of Title to
Land, etc.*

Set out the description of the land, estate, interest, power or right.

IN THE MATTER OF the application No. of 20 for
the issue of first certificate of title to

State name, address and occupation of objector.

I,
hereby object to the issue of a first certificate of title to the land, estate, interest, power or right described above on the grounds and for the reasons following:

Here set out particulars of the grounds of the objection in full so as to enable the applicant to learn the case he has to meet.

1.

Dated this day of 20 .
Objector

Name and address of applicant.

To
The Registrar General
And

BELIZE

FORM 13

[Rule 19]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Statement of Existing Legal Charges and Incumbrances

I,
Make the following statement under Rule 19 of the General
Registry Rules:

Name, address
and occupation
of applicant.

1. That I am the owner of the land, estate, interest, power or right described in the Schedule to this statement.
2. That the following legal charges and incumbrances now bind the said land, estate, interest, power or right in respect of which I am applying for a first certificate of title:

Here set out with
full particulars
all legal charges
and
incumbrances
binding on the
land.

3. There does not exist in favour of any person or person any other legal charge or incumbrance binding on the said land, estate, interest, power or right.

Dated this day of 20 .
Applicant

BELIZE

FOLIO NO.
VOLUME

FORM 14

*[Rule 20]*GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES*First Certificate of Title*

NOTINGS

State name,
address and
occupation of
registered
proprietor.

KNOW ALL MEN to whom these present shall come that

is (*or are*) the registered proprietors (*or proprietors*) ofSet out full
description of the
parcels.subject, nevertheless, to the legal charges and incumbrances
which are noted in the margin hereof or endorsed hereon.IN FAITH AND TESTIMONY WHEREOF I have hereunto
subscribed my signature and affixed the seal ofthis day of 20 . at the General
Registry.*Registrar General*

BELIZE

FORM 15

[Rule 22]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Application for Transfer of Title to Land, Estate, Interest,
Power or Right*

I,

State name,
address and
occupation of
applicant.

hereby apply for the issue in my name of a certificate of title to the
land, estate, interest, power or right comprised in the
certificate of title dated the _____ day of _____ 20____ ,
and registered in the "Land Titles Register" Volume _____ , Folio
No. _____ now in the name of

State whether
first or transfer
certificate.

as registered proprietor, a description whereof is set out in the
Schedule hereto, and I submit in support of my application the
following documents—

Name of
registered
proprietor.

1. a memorandum of transfer to me of the said land, estate, interest,
power or right executed by the registered proprietor;
2. a certificate of title Folio No. _____ showing the title of the
transferor;
3. affidavits showing the amount of the purchase money by the
seller and the buyer;

FORM 15

(cont.)

If no
consideration
passes for the
transfer use
paragraph 4.

[4. an affidavit of the true value of the land, estate, interest,
power or right to be transferred.]

Dated this day of 20 .

Applicant

Insert description
of land here.

SCHEDULE

BELIZE

FORM 16

[Rule 23]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Memorandum of Transfer on Sale

I,
registered proprietor of
all as the same is set out, bounded and described in the certificate of
title in my favour dated the day of 20 ,
and registered in the “Lands Titles Register” Volume Folio
No. , in consideration of the sum of dollars
paid to me by the receipt whereof I hereby
acknowledge, do hereby transfer the said land, estate, interest,
power or right to and in favour of the said

Insert name,
address and
occupation of
transferor.

Insert name
description of
land, etc., from
certificate.

Insert name of
transferor.

And consent to the noting hereof by the Registrar General and the
cancellation of the certificate of title in my favour, and that a new
certificate of title to the said land, estate, interest, power or right
should be issued to the said

Insert name,
address and
occupation of
transferee.

For the doing of all of which I hereby authorise and grant
warrant to the Registrar General accordingly.

Insert name of
transferor.

GIVEN UNDER MY HAND this day of 20 .
Transferor

Signed in the presence of the
following witnesses:

1.

2.

BELIZE

FORM 17

[Rule 23]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

*Memorandum of Transfer on Sale of Portion of Land, etc., in a
Certificate of Title*

State name,
address and
occupation of
transferor.

I,

Insert description
of land, etc.

being the registered proprietor of

Insert name,
address and
occupation of
transferee.

all as the same is bounded and described in the certificate of title
in my favour registered in the "Land Titles Register" Volume
Folio No. in consideration of the sum of dollars
paid to me by

Insert name of
transferee.

the receipt of which I hereby acknowledge, do hereby transfer to the
said

Insert portion of
land, etc., to be
transferred.

the following portion of land, estate, interest, power or right, that
is to say,

AND I do by these presents consent to the cancellation by the
Registrar General of the certificate of title in my favour, and to a
new certificate of title being issued to me for the portion of the
said land remaining after deduction of the above-described
portion which land will then be bounded as follows:

Insert description
of remaining
portion of land,
etc.

AND for so doing, noting and registering all that is necessary in the
premises, I hereby authorize and grant warrant to the Registrar
General accordingly.

GIVEN UNDER MY HAND this day of 20 .
Transferor

BELIZE

FOLIO NO.
VOLUME

FORM 20

[Rule 24]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Transfer Certificate of Title

NOTINGS

Insert name,
address of
transferor.

KNOW ALL MEN to whom these presents shall come that by
transfer effected by

Name and
address of
transferee.

of (occupation) ,

of (occupation) ,

has [*or have*] become and is [*or are*] the registered proprietor
[*or proprietors*] of

subject, nevertheless, to the legal charges and incumbrances
which are noted herein, or endorsed hereon.

Set out full
description of the
parcel.

IN FAITH AND TESTIMONY WHEREOF I have hereto
subscribed my signature and affixed the seal of this
day of 20 .

Registrar General

FORM 21

[Cont.]

4. The following covenants shall bind the lessee:

Set out in paragraphs the covenants, agreements, conditions and stipulations binding on the lessee (if any).

IN WITNESS WHEREOF the lessor and lessee have signed and sealed this Deed in the presence of the subscribing witnesses.

.....
(lessor)

.....
(lessee)

Witnesses:

1.

2.

SCHEDULE

BELIZE

FOLIO NO.
VOLUME

FORM 22

*[Rule 28]*GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES*Certificate of Title to Term of Years*

NOTINGS

Name, address
and occupation
of grantee of the
term.

KNOW ALL MEN to whom these presents shall come that

Name, address
and occupation
of grantor of the
term.Is [*or are*] the registered proprietor [*or proprietors*] of a term of
years granted to him byunder a deed of lease, a certified copy whereof is attached to
this certificate subject, nevertheless, to the legal charges and
incumbrances which are noted in the margin hereof or
endorsed hereon.IN FAITH AND TESTIMONY WHEREOF I have hereto
subscribed my signature and affixed the seal of this
day of 20 .*Registrar General*

BELIZE

FORM 23

[Rule 32]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Deed creating Easement, Right or Privilege

THIS DEED made the _____ day of _____ 20____ at _____ Name, address and occupation of grantor.

_____ in Belize BETWEEN _____ Name, address and occupation of grantee.
hereinafter called the grantor of the one part and
hereinafter called the grantee of the other part

WITNESSETH as follows:

WHEREAS the grantor in under _____ Certificate of _____ State whether
Title dated the _____ day of _____ 20____, the _____ First or Transfer
registered in the "Land Title Register" Volume _____, _____ Certificate.
Folio No. _____, the registered proprietor of the land, estate and
interest fully described in Part I of the Schedule hereto.

AND WHEREAS the grantee is under _____ Certificate of _____ State whether
Title dated the _____ day of _____ 20____, registered in _____ First or Transfer
the "Land Titles Register" Volume _____, Folio No. _____ Certificate.
_____, the registered proprietor of the land, estate and interest
fully described in Part 11 of the Schedule hereto.

AND WHEREAS the parties have agreed that the grantor shall
create an easement, right or privilege over and upon the
grantor's land in favour of the grantee's land.

NOW THEREFORE THIS DEED WITHNESSTH as follows:

FORM 23

[Cont.]

Set out in full the easement, right or privilege granted.

1. The grantor in consideration of the sum of _____ dollars paid to him by the grantee hereby grants to the grantee over and upon the land described in Part I of the Schedule hereto for the benefit of the grantee and all subsequent registered proprietors of the land described in Part II of the said Schedule.

Set out agreements, conditions and stipulations binding on the grantor (if any).

2. The grantor shall give effect to the following agreements, conditions and stipulations:

Set out agreements, conditions and stipulations binding on the grantee (if any).

3. The grantee shall give effect to the following agreements, conditions and stipulations.

IN WITNESS WHEREOF the parties have signed and sealed this Deed in the presence of the following witnesses:

.....
(grantor)

.....
(grantee)

Witnesses:

1.

2.

SCHEDULE

Description of servient land, etc.

PART 1

Description of dominant land, etc.

PART II

BELIZE

FOLIO NO.
VOLUME

FORM 24

[Rule 33]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Certificate of Title to Easement, Right or Privilege

NOTINGS

KNOW ALL MEN to whom these presents shall come that

Insert name, address and occupation of grantee.

is [*or are*] the registered proprietor [*or proprietors*] of an easement, right or privilege as follows:
granted by

State the easement, right or privilege.

the registered proprietor of the land comprised in the certificate of title dated the _____ day of _____ 20____, and registered in the “Land Titles Register” Volume _____, Folio No. _____, and described in a deed dated _____ subject, nevertheless, to the legal charges and incumbrances which are noted in the margin hereof or endorsed hereon.

IN FAITH AND TESTIMONY WHEREOF I have hereto subscribed my signature and affixed the seal of _____ this day of _____ 20____.

Registrar General

BELIZE

FORM 25

[Rule 34]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Memorandum of Transfer of a Right of Way

Insert name,
address and
occupation of
transferor.

I,
being registered proprietor of _____ all as the same
is fully set forth bounded and described in the certificate of
title dated _____ day of _____ 20____, and registered in
Volume _____, Folio No. _____, in the “Land Titles
Register”, in consideration of the sum of
dollars paid to me by

Describe the
servient land.

Insert name,
address and
occupation of
transferee.

the registered proprietor of

Describe the
dominant land or
estate and date of
certificate of title
and volume in
which registered.

do hereby transfer to the said
_____ and all subsequent registered proprietors of the said
land last above described, a right of way through and over the land
first above described as follows:

Describe
accurately the
right of way and
if required attach
plan of right of
way transferred.

AND I consent that the said right of way be noted on or added by the
Registrar General to a certificate of title to the lands above
described and to form part of the title of the registered proprietor
of the said last above-described land in all time to come.

FORM 25

[cont.]

AND for all that is necessary to be done in the premises I authorise and grant warrant to the Registrar General accordingly.

GIVEN UNDER MY HAND this day of 20 .

.....
(Transferor)

Signed in the presence of
The following witnesses:

- 1.
- 2.

FORM 26

(cont.)

payable under this mortgage at the times and in the instalments as follows:

2. The mortgagor as beneficial owner hereby charges by way of legal mortgage all and singular the property mentioned in the Schedule hereto with the payment to the mortgagee of the principal money, interest and other money hereby covenanted to be paid by the mortgagor, subject to the provisions of the Law of Property Act.

State whether first, second or third legal mortgage.

CAP. 190.

3. The mortgagor hereby requests and authorises the Registrar General to register the said charges by way of legal mortgage in the Land Charges Register, and to note this mortgage on the certificate of title dated the _____ day of _____ 20____, registered in the "Land Title Register" Volume _____, Folio No. _____.

IN WITNESS WHEREOF the mortgagor and the mortgagee have signed and sealed this deed of mortgage on the _____ day of _____ 20____, at _____ in Belize.

.....
(Mortgagor)

.....
(Mortgagee)

Witnesses to the signature of the Mortgagor and mortgagee.

1.

2.

SCHEDULE

Full description of land mortgaged according to a certificate of title.

BELIZE

FORM 27

[Rule 36]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Application to Register Legal Charges and Incumbrances

Here set out names, addresses and occupations of mortgagor and mortgagee.

WE,
and

hereby apply for the registration of a charge by way of legal mortgage as set out in the deed of mortgage dated the _____ day of _____ 20____, filed herewith and in support of our application we submit the following—

- (a) deed of mortgage between Mortgagor and Mortgagee;
- (b) a certificate of title showing the title of the mortgagor to the land, estate and interest charged under the said mortgage.

Dated this _____ day of _____ 20____ .

.....
(Mortgagor)

.....
(Mortgagee)

BELIZE

FORM 28

[Rule 37]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Assignment of Mortgage

THIS DEED OF ASSIGNMENT OF MORTGAGE made the
day of 20 , BETWEEN

Insert name,
address and
occupation of
mortgagee.

hereinafter called the assignor of the one part, and

Insert name,
address and
occupation of
assignee.

hereinafter called the assignee of the other part.

WHEREAS the assignor is the holder of a certain deed creating
a charge by legal mortgage upon
executed by on the day of 20
, and registered in the Land Charges Register Volume
, Folio No. :

Set out the
description of the
land mortgaged.

Now THEREFORE in consideration of the sum of
dollars paid by the assignee to the mortgagee (the receipt
whereof is hereby acknowledged) the mortgagee as beneficial
owner hereby under section 79 of the Law of Property Act
assigns to the assignee the said mortgage and the benefit thereof
including the right to the legal charge upon the said property
under the said deed together with all the rights and powers
conferred by the Law of Property Act for the purpose of
recovering the principal money, interest and other money
payable and secured by and under the said deed.

Insert name,
address and
occupation of
mortgagor.

FORM 28

[cont.]

AND THE MORTGAGE hereby requests and authorises the Registrar General to enter this assignment in the proper books of the Registry and to make all notings of this assignment as required by law.

Signed and sealed by the mortgagee and the assignee this
day of 20 , at in Belize.

.....
(Mortgagor)

.....
(Assignee)

Executed in the presence
of:

1.

2.

BELIZE

FORM 29

[Rule 37]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Deed of Cancellation of Mortgage

THIS DEED OF CANCELLTION OF MORTGAGE made the day of 20 , BETWEEN

Insert name, address and occupation of mortgagee.

hereinafter called the mortgagee of the one part and

Insert name, address and occupation of mortgagor.

hereinafter called the mortgagor of the other part:

WHEREAS the mortgagee is the holder of a deed creating a charge by way of legal mortgage upon executed by the mortgagor on the day of 20 , and registered in the Land Charges Register Volume , Folio No.

Set out the description of the land, etc.

AND WHEREAS the mortgagor has paid to the mortgagee or his assignee the full principal money and interest due therein as well as all other money payable under the said deed of mortgage and the mortgagee has no further claim or pretention of claim of under the said mortgage:

NOW THEREFORE the mortgagee pursuant to section 80 of the Law of Property Act in consideration of the payment of the sum of dollars being all the money due and payable to him under the said deed hereby cancels and discharges the charge created by the said deed upon the said land, and forever acquits the mortgagor, his legal representatives and assigns from any further obligation under the said deed of mortgage.

CAP. 190.

FORM 29

[cont.]

AND THE MORTGAGEE hereby requests and authorises the Registrar General to enter this cancellation in due form in the Land Charges Register and remove the noting of the said mortgage from the certificate of title in favour of the said mortgagee or his assigns.

IN WITNESS WHEREOF, the parties have signed and sealed this Cancellation in the presence of the subscribing witnesses.

.....
(Mortgagor)

.....
(Mortgagor)

Witnesses:

1.

2.

BELIZE

FORM 30

[Rule 38]

GENERAL REGISTRY ACT
and
GENERAL REGISTRY RULES

Deed of Incumbrance

THIS DEED OF INCUMBRANCE entered into BETWEEN

Insert name,
address and
occupation of
incumbrancer.

hereinafter called the incumbrancer of the one part and

Insert name,
address and
occupation of
incumbrancee.

hereinafter called the incumbrancee of the other part:

SHOWETH as follows:

1. The incumbrancer being the registered proprietor of the land, estate and interest as set forth, bounded and described in the Schedule hereto and in the certificate of title in his favour dated the day of 20 , and registered in Volume Folio No. , of the "Land Titles Register", in consideration of the payment to him of the sum of dollars by the incumbrancee and other causes and considerations him thereunto moving doth hereby constitute an incumbrance on the said land in favour of the incumbrancee, the said incumbrance being

Set out fully the
incumbrances.

AND THE INCUMBRANCER hereby requests and authorises the Registrar General to enter the said incumbrance in the proper books of the Registry and to note the same on the certificate of title according to law.

FORM 30

[cont.]

IN WITNESS WHEREOF the parties have signed and sealed these presents in the presence of the following witnesses:

.....
(Incumbrancer)

.....
(Incumbrancee)

Witnesses:

1.

2.

SECOND SCHEDULE

PART I

FEEES PAYABLE TO THE REGISTRAR UNDER THE RULES

Certificate of Title

\$ c

<p>1. To cover all work and services done and rendered in the Registry in issuing a first certificate of title and in respect of the filing of applications and all accompanying documents under the rules and all interviews necessary to investigate the title, payable on the making of an application for the issue of a first certificate of title to any land, estate, interest, power or right the value of which, actual or estimated—</p> <p>(a) does not exceeds \$250..... 2.00</p> <p>(b) exceeds \$250 but does not exceeds \$1,500..... 4.00</p> <p>(c) exceeds \$1,500 but does not exceeds \$3,000.... 7.50</p> <p>(d) exceeds \$3,000 but does not exceeds \$5,000... 10.00</p> <p>(e) exceeds \$5,000..... 20.00</p>	<p>First certificate.</p>
<p>2. Certified extract from the register kept under the Lands Title Registry Ordinance (1924 Rev. Cap. 215).....0.25</p>	<p>Certified copy.</p>
<p>3. To cover all work and services done and rendered in the Registry in issuing a transfer certificate of title and in respect of the filing of the application accompanying documents under the rules and all interviews necessary to</p>	<p>Transfer certificate.</p>

investigate the title, payable on the making of an application for a transfer certificate of title to any land, or for a certificate of title to a term of years or to an easement, right or privilege, or for a transfer of any land to give effect to a deed of gift or settlement, the value of which, actual or estimated—

(a) does not exceed \$250	5.00
(b) exceeds \$250 but does not exceed \$500.....	7.50
(c) exceeds \$500 but does not exceed \$1,000.....	10.00
(d) exceeds but \$1,000 but does not exceeds \$2,500.....	15.00
(e) exceeds \$2,500 but does not exceed \$5,000.....	20.00
(f) exceeds \$5,000 but does not exceed \$7,500.....	25.00
(g) exceeds \$7,500 but does not exceed \$10,000.....	30.00
(h) exceeds \$10,000 but does not exceed \$20,000.....	45.00
(i) exceeds \$20,000 but does not exceed \$40,000.....	75.00
(j) exceeds \$40,000 but does not exceed \$50,000.....	100.00
(k) exceeds \$50,000 – for every \$5,000 or part of \$5,000. over and above \$50,000 in addition to the fee of \$100	25.00

4. In the case of partition of land the value of each parcel shall be assessed on the affidavit of a competent valuer and fees paid on each parcel as a separate conveyance in accordance with the above scale.

SECOND SCHEDULE (cont.)

\$ c

Mortgage and Other Charges and Incumbrances

5. To cover all work and services done and rendered in registering any mortgage or other charge or any incumbrance, and nothing the same on the proper certificate of title or for registering any debenture issued by a company, payable upon filing the application to register, where the amount of the mortgage principal—

(a) does not exceed \$500.....	5.00
(b) exceeds \$500 but does not exceed \$1,500.....	10.00
(c) exceeds \$1,500 but does not exceed \$3,000.....	20.00
(d) exceeds \$3,000 but does not exceed \$5,000.....	25.00
(e) exceeds \$5,000 but does not exceed \$10,000.....	50.00
(f) exceeds \$10,000 - for every \$5,000 or part of \$5,000 over and above \$10,00- in additional to the fee of \$50	10.00

Mortgage, etc.

Registration of Other Documents

6. Registration of the assignment of a mortgage or other charge, debenture or incumbrance, including the noting of the assignment on the proper certificate of title—

Assignments.

SECOND SCHEDULE (*cont.*)

\$ c

	(a) where the amount then due on the mortgage or other charge or incumbrance does not exceed \$500	2.50
	(b) where the amount then due on the mortgage or other charge or the incumbrance exceeds \$500, one-half of the amount which would have been paid of the transaction were the registration of a mortgage, charge or incumbrance	
Cancellation.	7. Registration of the cancellation of a mortgage or other charge or an incumbrance.....	2.00
Lease.	8. Registration of a deed of lease for a term of ten years and upwards to be attached to a certificate of title to a term in addition to the fees payable for issue of the certificate.....	2.00
Easement.	9. Registration of a deed creating an easement, right or privilege to be attached to a certificate of title to an easement in addition to the fees payable on the issue of the certificate	2.00
Other registration.	10. Registration of any other document in respect of which no other fee is prescribed	2.00

Recording of Deeds under Part VI of the Act

Recorded deeds.	11. There shall be paid to the Registrar—	
	(a) for recording any deed not being a deed to lead to the issue of certificate or title where the value of the property dealt with thereunder—	

SECOND SCHEDULE (*cont.*)

(i)	does not exceed \$250.....	2.00
(ii)	exceeds \$250 but does not exceeds \$1,500.....	5.00
(iii)	exceeds \$1,500 but does not exceed \$3,000.....	7.50
(iv)	exceeds \$3,000 but does not exceed \$5,000.....	10.00
(v)	exceeds \$5,000.....	15.00

(b) for supplying a certified copy of any deed where the typescript is provided by the party applying therefor, a fee calculated at the rate of 15 cents per folio or part of a folio of 72 words.

(c) for supplying a certified copy of any deed where the typescript is not provided by the party applying therefor, a fee calculated at the rate of 25 cents per folio or part of folio of 72 words.

(d) for every certificate of the Registrar certifying the correctness of any deed supplied as aforesaid 1.00

(e) for recording any plan, map or diagram 2.00

(f) for every search not exceeding one hour 0.50

(g) and for every additional hour or part of any hour of search 0.25

	(h) for any uncertified memorandum, made by the party searching, of the contents of any document	0.50
	(i) recording any power of attorney or deed containing a power to represent another person—	
	(i) if for a particular occasion or a single transaction	1.00
	(ii) if generally	5.00
Value of lease or licence.	12. The value of a lease for a term of less than ten years or a licence shall be the annual rent multiplied by the number of years comprising the term or licence.	
	<i>General</i>	
Certified copies.	13. Supplying a certified copy of any document in the Registry in respect of which no other fee is prescribed, per folio of 72 words—	
	(a) where the typescript is provided by the party applying therefor	0.15
	(b) where the typescript is not provided by the party applying therefor	0.25
Filing of documents.	14. Filing of any affidavit or other document, not being an affidavit or other document filed with an application for the issue of a certificate of title	0.50
Fees not prescribed.	15. All work or services to be done or rendered for which a fee is not prescribed by these Rules, a fee to be fixed by the Registrar no exceeding	10.00

- 16.** For inserting any notice in the *Gazette* by the Registrar of an application for a certificate of title or any other notice required by these Rules to be published in the *Gazette* 10.00

PART II

Costs of Attorney-at-law Performing Work under the Rules

- 1.** Taking instructions for, drawing and all attendances at the Registry for filling all necessary documents to lead to the issue of a certificate of title to any land, estate, interest, power or right and for all consultations, interviews and investigations of title where the value of the land, estate, interest, power or right—
- | | |
|--|------------------------|
| | Certificates of title. |
| (a) does not exceed \$250..... | 10.00 |
| (b) exceeds \$250 but does not exceed \$500..... | 15.00 |
| (c) exceeds \$500 but does not exceed \$2,000..... | 20.00 |
| (d) exceeds \$2,000 but does not exceed \$5,000..... | 25.00 |
| (e) exceeds \$5,000 but does not exceed \$10,000..... | 50.00 |
| (f) exceeds \$10,000 - for every \$5,000 or part of \$5,000 over and above \$10,000 in addition to the of \$50 | 25.00 |
- 2.** Taking instructions for, drawing and all attendances at the Registry for registering any document, not being a document to be filed with an application for a certificate of title, a fee not exceeding 5.00
- | | |
|--|------------------|
| | Other documents. |
|--|------------------|
- 3.** Taking instructions for, drawing and all attendances at Registry for registering any deed of mortgage or other charge, or of any incumbrance, where the amount of the principal money or the value, actual or estimated, of the incumbrance—
- | | |
|--|-----------|
| | Mortgage. |
|--|-----------|

	(a) does not exceed \$500.....	10.00
	(b) exceeds \$500 but does not exceed \$1,500.....	15.00
	(c) exceeds \$1,500 but does not exceed \$3,000.....	25.00
	(d) exceeds \$3,000 but does not exceed \$5,000.....	40.00
	(e) exceeds \$5,000 but does not exceed \$7,500.....	50.00
	(f) exceeds \$7,500 but does not exceed \$10,000.....	70.00
	(g) exceeds \$10,000 - for every \$1,000 over and above \$10,000 in addition to the fee of \$70.	5.00
Assignment of mortgage, etc.	4. Taking instructions for, drawing and all attendances at the Registry for registering any assignment of any mortgage, charge or incumbrance, a fee not exceeding	15.00
Cancellation.	5. Taking instructions for, drawing and all attendances at the Registry for registering any cancellation of a mortgage, charge or incumbrance, a fee not exceeding	10.00
Taxing costs.	6. In case of any dispute between an Attorney-at-Law and his client as to the proper charges under these Rules, the costs may, upon a proper bill being delivered by the Attorney-at-Law to the client, be taxed by the Registrar in accordance with the Rules of the Supreme Court and these Rules, and may be enforced in the ordinary manner as costs between Attorney-at-Law and client are enforced under the law.	