**L.N. 289 of 2001**

# PUBLIC REGISTRY ACT
# (CAP. 56)

## Public Registry (Computerisation, Inspection and Searches) (Amendment) Regulations, 2001

IN exercise of the powers conferred by article 39(1) of the Public Registry Act, the Minister for Home Affairs has made the following regulations:-

Citation and commencement.

L. N. 261 of 2000.

**1.** (1) The title of these regulations is the Public Registry (Computerisation, Inspection and Searches)(Amendment) Regulations, 2001, and shall be read and construed as one with the Public Registry (Computerisation, Inspection and Searches) Regulations, 2000, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on the 30th November, 2001.

Amends regulation 4 of the principal regulations.

**2.** Immediately after subregulation (4) of regulation 4 of the principal regulations, there shall be added the following new subregulation:

"(5) The Director may, by notice, establish the days when and times during which such inspection may be carried out.".

Amends regulation 5 of the principal regulations.

**3.** After subregulation (4) of regulation 5 of the principal regulations, there shall be added the following new subregulations:

"(5) Applications may be submitted during such times as the Director may, by notice, establish in the Gazette, so however that where applicant makes use of electronic mail he will be entitled to submit the application even outside such established times, so however that the application shall, for the purpose of subregulation (5) of regulation 6 of these regulations, be deemed to have been submitted on the next following working day whenever the electronic mail is transmitted outside such established times.

(6) The Director is obliged to provide the applicant with an acknowledgement, and such acknowledgement, which may also be in electronic format, will constitute proof of the parameters that constitute the search.".

Amend regulation 6 of the principal regulations.

**4.** In subregulation (4) of regulation 6 of the principal regulations, after the words "in respect of a particular property," there shall be added the words "or where the applicant requests that the search should not include records having the same search parameters as requested, but with different maternity,".

Adds regulations 6A and 6B to the principal regulations.

**5.** Immediately after regulation 6 of the principal regulations, there shall be added the following new regulations:

"Special periods.

6A. The Director may, by notice in the Gazette, designate special periods, not being more than three in number in each calendar year and each period not being longer than five consecutive working days, during which the time periods mentioned in subregulation (5) of regulation 6 hereof shall, notwithstanding the provisions of the said subregulation, commence to run from the first working day following the said special period. The twenty-four hour period mentioned in subregulation (4) of regulation 5 hereof shall likewise so commence.

Applications held in abeyance.

6B. (1) Any regular client ordering official searches via eletronic mail, may reach an agreement with the Director whereby the Director binds himself to inform the applicant whenever the number of entries in the search result will probably exceed such number as may have been agreed, and in any such case, any search submitted by the applicant which exceeds the established number shall be held in abeyance for a maximum period of seven days from the date of application.

(2) Where the applicant fails to confirm the order, the search application shall be deemed to have been withdrawn, but in such case the minimum application fee established in paragraph C1 of the First Schedule to the Act shall still be due.

(3) Where the order is confirmed within the seven-day period mentioned in paragraph (1) hereof -

(a) no additional fee shall be charged for such confirmation; and

(b) the time periods mentioned in subregulation (5) of regulation 6 hereof shall be deemed to commence from the date of such confirmation.

(4) Where such agreement is applicable, the twenty-four hour period mentioned in subregulation (4) of regulation 5 hereof shall only apply after the submission of the order, but shall not apply following the confirmation mentioned in the preceding subregulation.".

Amendment of the Second Schedule to the principal regulations.

**6.** The Second Schedule to the principal regulations shall be amended as follows -

(a) in footnote (3) of application form B, after the words "is to be limited "re property" " there shall be added the words "or different maternity excluded, in so far as such exclusion is involved"; and

(b) in footnote (3) of application form D, after the words "of an official search application." there shall be added the words "Moreover, when applicant requests that search is to be limited "re property", or different maternity is excluded, the provisions of subregulation (4) of regulation 6 of these regulations shall apply.".