

L.N. 7 of 1985

LAND REGISTRATION ACT, 1981**(ACT NO. XXXV OF 1981)****Land Registration (Amendment) Rules, 1985**

IN exercise of the powers conferred by section 57 of the Land Registration Act, 1981, the Senior Deputy Prime Minister and Minister of Justice and Parliamentary Affairs, with the concurrence of the Minister of Finance and Customs, has made the following rules:—

Citation,
LN 16 of 1982

1. These rules may be cited as the Land Registration (Amendment) Rules, 1985, and shall be read and construed as one with the Land Registration Rules, 1982, hereinafter referred to as “the principal rules”.

Amends rule 30
of the
principal rules.

2. Immediately after item 35 in paragraph (1) of rule 30 of the principal rules there shall be added the following new items:

“36. An application for a cautionary charge certificate shall be in accordance with Form No. 36.

37. A cautionary charge certificate shall be in accordance with Form No. 37.”.

Amends the
First Schedule
to the
principal rules.

3. Immediately after Form No. 35 in the First Schedule to the principal rules there shall be added Form No. 36 and Form No. 37 as shown in the Schedule to these rules.

Amends the
Second Schedule
to the
principal rules.

4. Immediately after item 4 in the Second Schedule to the principal rules there shall be inserted the following new item:

“4A. Lodgement of a cautionary charge (*ad valorem*) —

up to Lm5,000	...	...	...	Lm3.00,0
over Lm5,000 to Lm10,000	...	...	...	Lm4.00,0
over Lm10,000 to Lm20,000	...	...	...	Lm5.00,0
over Lm20,000 to Lm30,000	...	...	...	Lm6.00,0
For every additional Lm10,000 or part thereof	...	...	...	Lm1,000.”.

Form No. 36

LAND REGISTRATION ACT, 1981



FOR OFFICE USE ONLY

No.

Date Lodged

Fee paid

APPLICATION FOR A CAUTIONARY CHARGE CERTIFICATE

1. Creditor: Name
Address
I.D. Card Number/Passport
2. Credit: The amount of Lm..... inscribed in the Public Registry in Volume I
..... as per attached copy/copies.
3. Debtor: Name
Address
I.D. Card Number/Passport
4. Property: The land, field, plot, house, flat, villa (delete)
.....
.....
.....
shown on the site plan (1:2500) and on the large scale plan (1:100) attached.
5. I declare that the above is correct and that to the best of my knowledge the debtor is the presumed owner.

Signature for creditor

I. D. Number

To be submitted in duplicate in typewritten form.



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LAND REGISTRY
CAUTIONARY CHARGE CERTIFICATE

This Cautionary Charge Certificate Number has been issued
this day, the of, 198....., following the application
numbered submitted by the creditor, ...
I.D. Number against the debtor (.....
I.D. Number), presumed owner of the property indicated on the plan submitted
with his application and annotated on the plans of the Land Registry, to safeguard the rights of the
creditor for the amount of Lm..... protected by a special hypothec/privilege and
aggravating the land which though in a registration area is yet unregistered.

..... ”
Land Registrar