STATUTORY RULES OF NORTHERN IRELAND

2011 No. 158

LAND REGISTRATION
ELECTRONIC REGISTRATION

Land Registration (Electronic Communications) Order (Northern Ireland) 2011

Made - - - - 22nd March 2011

Coming into operation in accordance with Article 1

The Department of Finance and Personnel makes the following Order in exercise of the powers conferred on it by sections 1 and 2 of the Electronic Communications Act (Northern Ireland) 2001(**1**).

In accordance with section 1(3) of that Act it considers that authorisation of the use of electronic communications by this Order for any purpose is such that the extent (if any) to which records of things done for that purpose will be available will be no less satisfactory in cases where use is made of electronic communications than in other cases.

Citation and commencement

1. This Order may be cited as the Land Registration (Electronic Communications) Order (Northern Ireland) 2011 and shall come into operation on 3 October 2011.

Amendment of the Land Registration Act (Northern Ireland) 1970

2.—(1) The Land Registration Act (Northern Ireland) 1970(**2**) shall be amended in accordance with paragraphs (2) to (6).

(2) At the end of section 32 (dealings with registered land) add—

"(3) An application for—

(a) first registration; or

(b) registration of a dealing with registered land,

may be made by electronic communication if the application is made in respect of an authorised dealing with that land.

(4) For the purposes of this section and section 32A an "authorised dealing" is

(**1**) 2001 c.9 (N.I.)
(**2**) 1970 c. 18 (N.I.)

a dealing which is directed by the Registrar to be an authorised dealing for the purpose of electronic applications.

(5) A direction given by the Registrar under subsection (4)—

(a) shall be made after consultation with the Law Society of Northern Ireland;

(b) shall be published in such manner as the Registrar deems appropriate for the purpose of bringing it to the attention of the persons affected by it;

(c) may include incidental, supplementary, saving and transitional provisions; and

(d) may be varied or revoked by a subsequent direction. ".

(3) After section 32 (dealings with registered land) insert—

"**Validity of electronic documents**

32A. Notwithstanding any statutory provision that may require a transaction relating to an estate or interest in land to be effected by deed or instrument in writing, any authorised dealing with an estate or interest in land may be effected in accordance with the procedure laid down in Schedule 1A.".

(4) In section 94 (interpretation) at the appropriate place in alphabetical order insert—

""electronic communication" has the meaning given in section 4 of the Electronic Communications Act (Northern Ireland) 2001;".

(5) After Schedule 1 (administrative provisions relating to Land Registry) insert Schedule 1A set out in the Schedule to this Order.

(6) In Part 2 of Schedule 2 (power to extend time for first compulsory registration) for the words "make an order" to the end substitute "order that the period be extended; and, if the Registrar so orders, then, upon the registration of the owner, or, as the case may be, of his successor in title, a note of that fact shall be recorded on the application.".

Sealed with the Official Seal of the Department of Finance and Personnel on 22nd March 2011

Arthur Moir
A senior officer of the
Department