LAND

COMPULSORY ACQUISITION OF LAND

Interest on Compensation Money

ORDER, DATED 26TH MARCH, 1956, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 12 OF THE PUBLIC HEALTH AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND), 1955.

1956. No. 42 [NC]

1. In pursuance of section twelve of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland), 1955, the Ministry of Finance hereby determines that the rate of interest payable on compensation money in respect of land compulsorily acquired under section twenty-two of the Local Government Act (Northern Ireland), 1934, shall, as from the 26th day of March, 1956, be five and one half per centum per annum.

2. The Compulsory Acquisition of Land (Interest on Compensation Money) (No. 2) Order (Northern Ireland), 1955(a), shall, as from the said 26th day of March, 1956, be revoked.

3. This Order may be cited as the Compulsory Acquisition of Land (Interest on Compensation Money) Order (Northern Ireland), 1956.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 26th day of March, 1956, in the (L.S.) presence of

D. C. B. Holden,
Assistant Secretary.

LAND REGISTRY, NORTHERN IRELAND

THE LAND REGISTRY OF NORTHERN IRELAND (ADMINISTRATION OF ESTATES) RULES, 1956, DATED 3RD DAY OF MAY, 1956.

1956. No. 77 [C]

The Ministry of Finance for Northern Ireland in exercise of the powers conferred upon it by section ninety-four of the Local

(a) S.R. & O. (N.I.), 1955, No. 149.

Registration of Title (Ireland) Act, 1891 (a), as amended by the Northern Ireland (Land Registry) (Adaptation of Enactments) Order 1948 (b), and with the concurrence of the Lord Chief Justice and the Chancery Judge, by this order makes the following Rules:—

Short title

1. These Rules may be cited as the Land Registry of Northern Ireland (Administration of Estates) Rules, 1956.

Interpretation

2. In these Rules, unless the context otherwise requires—

(*a*) "Act of 1955" means the Administration of Estates Act (Northern Ireland), 1955 (c);

(*b*) "Rules of 1936" means the Land Registry of Northern Ireland Orders and Rules 1936 (d); and

(*c*) Other expressions have the same meaning as in the Act of 1955.

Application of rules

3. In relation to deaths on or after the 1st day of January, 1956, of owners of any estate or interest in land there shall be substituted for Rules 3 to 12 (inclusive) of Order IV of the Rules of 1936 Rules 4, 5, 6, 7, 8, 9 and 10 of these Rules.

Transmission on death testate

4. (1) On the death testate of a registered owner of any estate or interest in land, who is not registered as a limited owner or as a joint tenant with any other person, any person beneficially entitled under the will to any estate or interest in the land which is capable of registration may be registered as owner of that estate or interest upon lodgment in the proper office of the original or a certified copy probate of the will of the deceased registered owner, or the original or certified copy letters of administration with the will annexed as the case may be, together with a verified assent of the personal representative in Form No. 1 in the Schedule to these Rules or as near thereto as may be. There shall be specifically stated in the assent the names, addresses and descriptions of all persons who are, or on the death of the registered owner became entitled to any estate or interest in the land.

(2) In cases where the person claiming to be registered as owner of an estate or interest is himself the sole personal representative, there shall be submitted for the assent above mentioned an affidavit by him containing averments similar to those to be inserted in the said assent, together with all documents necessary to vouch the discharge of any prior estate or interest or of any burden created by the will which has been discharged.

(a) 54 & 55 Vict. c. 66.
(b) S.I. 1948 No. 485.
(c) 1955 c. 24.
(d) S.R. & O. 1936 No. 561.

Transmission on death intestate

5. (1) On the death intestate of a registered owner of any estate or interest in land, who is not registered as a limited owner or as a joint tenant with any other person, any person beneficially entitled under the intestacy of the registered owner to any estate or interest in the land which is capable of registration may be registered as owner of that estate or interest upon lodgment in the proper office of the original or a certified copy letters of administration to the estate of the deceased registered owner together with a verified assent by the personal representative in Form No. 2 in the Schedule to these Rules, or as near thereto as may be. Such assent shall state specifically how such person became entitled to be so registered as owner of the said estate or interest and shall refer to all facts or documents necessary to show his title thereto, including documents necessary to vouch the discharge of any prior estate or interest.

(2) Where the person claiming to be registered as owner is the sole personal representative there shall be substituted for the assent above mentioned an affidavit by such personal representative containing averments similar to those to be inserted in the said assent. Such affidavit shall be accompanied by an affidavit of an independent person corroborating the statements made in the affidavit of the claimant and by such further evidence as the Registrar may require in confirmation of the statements aforementioned.

(3) Where the sole personal representative is a spouse whose claim to be registered arises by reason of the net value of the estate in respect of which the deceased died intestate, exclusive of personal chattels, not exceeding the amount specified in paragraph (*a*) of sub-section (2), or (as the case may be) paragraph (*a*) of sub-section (4) of Section Seven of the Act of 1955 the affidavit by such personal representative shall also state the net value of the estate in respect of which the deceased died intestate, exclusive of personal chattels, and the net value so stated may be accepted as conclusive by the Registrar.

On sale by personal representatives

6. Where on the death testate or intestate of a registered owner of land who is not registered as a limited owner or as a joint tenant with any other person, his personal representatives have sold the lands to a purchaser, such purchaser may be registered as owner on the lodgment in the proper office of the original or a certified copy probate or letters of administration as the case may be, and the transfer from the personal representatives, together with a certificate of the solicitor acting in the matter or, if the Registrar so requires, an affidavit identifying the deceased named in the probate or letters of administration with the registered owner of the lands transferred.

Noting death

7. On the death testate or intestate of a registered owner of land, who is not registered as a limited owner or as a joint tenant with any other person, his personal representatives may, on the