

LAWS OF GUYANA

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Land Registry

[Subsidiary]

Land Registry Rules

any fact or matter set forth in any instrument presented, the Registrar may cause to be served on the presenter notice in writing requiring him to correct the error or omission or to produce further proof in such manner as the Registrar may prescribe. If the presenter fails to comply with the requisition within fourteen days of service the application for registration shall be treated as abandoned:

Provided that the Registrar may for reasons which appear to him sufficient enlarge the time during which any error or omission may be corrected or further proof produced.

23. If any instrument presented is found not to be in order for any reason other than those set out in rule 22, registration shall be refused.

24. Where the Registrar treats any application as abandoned or refuses to register any instrument presented, he shall cause notice thereof to be served on the parties to the instrument. No requisition made under section 145 requiring the Registrar to state the reasons for his decision shall be accepted by the Registrar after the expiry of fourteen days from the service of the notice. On the expiry of fourteen days as aforesaid, or, in case an appeal is brought, on dismissal of the appeal, the Registrar shall mark the instrument "treated as abandoned" or "registration refused", as the case may be, and shall return it together with all documents in support to the person who would have benefited by the proposed dealing.

25. No folio shall be removed from the registrar except

(a) where a parcel has ceased to exist as the result of a mutation;
or

(b) where there is no space on a folio for further entries;

in the latter case a new edition of the folio shall be prepared containing only living entries.

26. Folios removed from the register and spent instruments shall not be destroyed but shall be kept in the land registry archives until their disposal is authorised by rules made under the Act.

27. The holder of a certificate of title may present the same to the Registrar for checking. Upon such presentation the Registrar shall enter upon the certificate particulars of any matters that may require entry thereon, and if there are no such matters he shall enter the word "checked" together with the time and date. No fee shall be charged for checking a certificate.

Refusal of registration.

Procedure on abandonment or refusal of registration.

Removal of folios from register.

Disposal of spent folios and instruments.

Checking of certificates of title.

28. (1) Any person who applies to inspect the register shall specify the parcel-number of the folio that he wishes to inspect, and on payment of the prescribed fee the place shall be found and the folio shown to him by an officer of the land registry. Inspection of the register.

(2) No person other than an officer of the land registry shall be entitled to inspect any of the records of the land registry, except the registrar.

29. An order staying registration made by the Registrar under section 142 shall cease to be of effect at the expiry of fourteen days after the date of the order. Stay of registration.

30. Any application, counter-application or notice of objection made under section 107 in respect of any claim to title by adverse possession shall be in the form set out in the Third Schedule. Claims by adverse possession. Third Schedule.

FIRST SCHEDULE

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FORM OF REGISTER

A. PROPERTY

	Zone	Block	Parcel
Origin of Parcel } First registration.			
} Mutation No.....		Area:	
Description of parcel			
Easements and restrictive covenants—			

B. PROPRIETORSHIP

No.	Date of Registration	Instrument Number	Name and Address of Proprietor	How acquired

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C. ENCUMBRANCES

No.	Date of Registration	Instrument Number	Particulars

SECOND SCHEDULE

MEMORIALS OF ENCUMBRANCES

(1) MORTGAGES, CHARGES AND LIENS

- (a) First (second etc.) mortgage to A.B. for (dollars).
- (b) Charge of (dollars *per annum*) in favour of A.B. for (term).
- (c) Mortgage/charge No.....
 - (i) transferred to A.B.
 - (ii) transmitted to A.B.
 - (iii) terms and conditions varied.
 - (iv) amount increased/reduced to (dollars).
 - (v) postponed to mortgage/charge No.....
 - (vi) discharged by mortgagee/chargee.
 - (vii) discharged by Registrar.
- (d) Certificate deposited with A.B. to secure (dollars).

(2) LEASES

- (a) Lease to A.B. for (term) at (dollars *per annum*).
- (b) Lease No.....
 - (i) transferred to A.B.
 - (ii) transmitted to A.B.
 - (iii) terms and conditions varied
 - (iv) extended/reduced to (new term).

- (v) surrendered by lessee.
- (vi) determined by Registrar.

(3) JUDGMENTS AND WRITS

- (a) Judgment for (dollars) in favour of A.B.
- (b) Writ for (dollars) in favour of A.B.
- (c) Writ for (dollars) pursuant to Judgment No.....
- (d) Judgment/Writ No.....
 - (i) satisfied.
 - (ii) lapsed.
 - (iii) removed at request of creditor.

(4) LIMITATIONS

- (a) Restriction: proceeds of dealing to be paid to A.B.
- (b) Caveat: no dealing except after notice to A.B.
- (c) Caveat: all dealings subject to the claim of A.B.
- (d) * Prohibition: no dealing except on conditions prescribed by Registrar dated
- (e) Stay: no dealing before (date).

* If the wording of a prohibition is very brief, it may be set out verbatim, but in no circumstances shall a prohibition be summarised.

THIRD SCHEDULE

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FORM 1

APPLICATION FOR REGISTRATION OF TITLE BY ADVERSE POSSESSION OF REGISTERED LAND

To the Commissioner of Title through the Registrar of Lands.

I, E.F., hereby apply for the registration in my name of the registered land amounting to (area in acres or square feet) or thereabouts situate in (parcel-number) now registered in the name of A.B.

I claim to have acquired title to the above land by adverse possession, evidence of which is attached.

My address for service is (place).

Date.

Signature of applicant

NOTE

This application should be accompanied by—

(a) a statutory declaration giving—

(i) a history of the possession and occupation of the land, showing how and when and by what authority (if any) the claimant, or any person through whom he claims, first came into possession of the land and how the land has been possessed and occupied since that time;

(ii) the names of all persons now in occupation of the land and, in case the applicant himself is not himself in occupation, particulars of any right, agreement or other circumstance by virtue of which the land is now occupied;

(iii) the names of all adjacent landowners;

(iv) where the land appears in the register to be subject to any encumbrance, a statement whether or not the claimant admits such encumbrance, and if he does not admit it, a statement of his reasons therefor.

(b) any documents or other evidence relied on by the applicant in support of his application;

(c) a plan of the land claimed;

(d) a numbered list of all documents and plans submitted. The documents and plans should themselves be numbered to correspond with the list.

FORM 2

COUNTER-APPLICATION FOR REGISTRATION OF
TITLE BY ADVERSE POSSESSION OF REGISTERED
LAND

The Commissioner of Title
through the Registrar of Lands.

I, C.D., hereby apply for the registration in my name of the land (or part of the land) described in the application of E.F. in Notice No.: (number) published in the *Gazette* on (date) and situated in (parcel-number).

I claim to have acquired title to the land by adverse possession, evidence of which is attached.

My address for service is (place).

Date.

Signature of counter-applicant.

NOTE

This application should be accompanied by the same enclosures as those prescribed in Form 1.

FORM 3

OBJECTION TO APPLICATION FOR REGISTRATION
OF TITLE BY ADVERSE POSSESSION

The Commissioner of Title
through the Registrar of Lands.

I, G.H., hereby object to the registration in the name of E.F. of the land (or part of the land) described in the application of the said E.F. in Notice No. (number) published in the *Gazette* on (date) and situated in (parcel-number).

The grounds of my objection are set out in the attached affidavit.

My address for service is (place).

Date.

Signature of applicant

NOTE

This application should be accompanied by an affidavit setting out the grounds of the objection.
