

CHAPTER 256.

REGISTRATION OF INSTRUMENTS.

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FIRST SCHEDULE.

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CHAPTER 256.

REGISTRATION OF INSTRUMENTS.

An Ordinance to Amend and Consolidate the Law relating to the Registration of Instruments.

[12TH NOVEMBER, 1906.]

1. This Ordinance may be cited as the Registration of Instruments Ordinance, it shall be read as one with the General Registration Ordinance, and shall apply to the Colony and Protectorate.

2. In this Ordinance, unless the context otherwise requires—

"judgment" shall include decree or order of any Court;

"land" shall include all estate or interest whatever in real property and chattels real within the Colony or Protectorate;

"Crown grant" shall mean a grant of land made by the Governor under the Public Seal of the Colony, in the name, and on behalf of, Her Majesty, Her heirs and successors;

"conveyance" shall include assignment, appointment, lease, settlement and other assurance and covenant to surrender made by deed in a sale, mortgage, demise, or settlement of any land or any other dealing with or for any land;

"convey" shall have a meaning corresponding with that of conveyance;

"inquisition" shall include any inquisition or office found, by virtue whereof the Crown became, or shall become, entitled to any land;

"will" shall include a codicil;

23 of 1900.
3 of 1907.
8 of 1909.
12 of 1924.
18 of 1927.
12 of 1928.
10 of 1930.
12 of 1932.
9 of 1941.
P.N.
51 of 1941.
5 of 1950.
17 of 1953.

Short title and construction. Cap. 255.

Interpretation.

See 47 (3)
for No 71960

"instrument" shall mean any Crown grant, deed, contract, will, or memorial hereby authorised to be registered;

"registration" shall mean registration at the office of the Registrar General of the Colony;

"person," or "party," shall include any body of persons corporate or unincorporate;

"Registrar General" shall include a Deputy Registrar General;

"Freetown" shall mean the City of Freetown, as defined by the Freetown Municipality Ordinance.

Cap. 65.

Crown grants.

conveyances.

power of attorney.

3. Every Crown grant, unless registered within one year of its date, shall be void.

4. Every deed, contract, or conveyance, executed after the ninth day of February, eighteen hundred and fifty seven, so far as regards any land to be thereby affected, shall take effect, as against other deeds affecting the same land, from the date of its registration, and every power of attorney, unless for the institution or defence of judicial proceedings only, and executed in the Colony or Protectorate, shall take effect from the date of its registration:

Provided that every such instrument shall take effect from the date of its execution, if registered within any of the periods limited for registration, as follows, that is to say—

(a) if such instrument be executed in Freetown, if registered within ten days from its date;

(b) if such instrument be executed elsewhere in the Colony or Protectorate, if registered within sixty days from its date;

(c) if such instrument be executed elsewhere than in the Colony or Protectorate, if registered within one year from its date.

when to file, be date of registration.

5. Every will executed after the ninth day of February, eighteen hundred and fifty-seven, so far as regards any lands to be thereby affected, shall take effect, as against other instruments affecting the same land, from the date of its registration:

Provided that every such will shall take effect from the death of the testator, if registered within any of the periods limited for registration, as follows, that is to say—

from the date of death of testator.

(a) of any person dying in the Colony or Protectorate, if registered within two months next after the death of the testator;

(b) of any person dying elsewhere than in the Colony or Protectorate, if registered within eighteen months next after the death of the testator.

6. Every judgment, private Ordinance, or inquisition made, passed, or found, shall, so far as regards any land to be thereby affected, take effect, as against any other instrument affecting the same land, from the date of the registration, by memorial of such judgment, private Ordinance, or inquisition.

Judgment, to take effect from registration.

7. The memorial of a private Ordinance shall express the title, date, and number of such Ordinance.

Memorial of private Ordinance.

8. The memorial of a judgment in an action, cause, or matter, shall express the name of the Court, and the title of the action, cause, or matter, in which such judgment was, or is, given or made, the date of such judgment, the name of the person whose title to the land, referred to in the memorial, was, or is, affected by such judgment, and the name of the person in whose favour such judgment was, or is, given or made.

Memorial of judgment.

9. The memorial of an inquisition shall express the date of the inquisition, the name of the office in which the same was, or is, enrolled or registered, and of the persons whose title to the land referred to in such memorial was, or is, affected by such inquisition.

Memorial of inquisition.

10. The memorial of a bankruptcy shall express the name of the bankrupt, and the date of the declaration of bankruptcy.

Memorial of bankruptcy.

11. The Registrar General, on the production, and upon the request of the holder of a Crown grant, within the period of one year from the date of such Crown grant, shall cause the same to be copied and registered in a register book, or books, to be kept for that purpose, and, before delivering the grant to the person entitled to the same, he shall place upon it a certificate of registry, under his signature, in the words, as near as may be, or to the effect of the Form A of the First Schedule hereto, of the day, hour, and year, and of the person by whom it was delivered to him for registration.

Registration of Crown grant.

12. Each instrument, other than a will, and each memorial, before any certificate of registry be placed thereon, shall have, on the margin or back, or annexed thereto, a plan of the land signed by the person who made it, and shall describe the land to which the same shall relate, and, if possible, shall refer to the

Description of land in instrument and memorial.

allotment of the land as numbered, or described, in the instrument of conveyance from the Crown, if any:

Provided that, in order to have registered any instrument or memorial affecting the whole of any one or more town lots, or lots of land in Freetown, where such lot, or lots, of land is, or are, described in such instrument or memorial, either wholly, or partly, by reference to the number by which the same may be described or known in the Public Register and plan of town lots of land in Freetown, it shall not be necessary to have any plan of such lot or lots of land drawn, or endorsed upon, or annexed to such instrument or memorial:

Provided also that where an exclusive prospecting licence, mining right or mining lease shall have been registered in accordance with the provisions of this section, an assignment of the whole estate and interest comprised therein may be registered under this Ordinance without having any plan as aforesaid drawn on the margin or back thereof or annexed thereto:

Provided further that the Registrar General may admit an exclusive prospecting licence, granted under section 22 of the Minerals Ordinance, to be registered although it has no plan as aforesaid drawn on the margin or back thereof or annexed thereto in any case where, by reason of the size of the area over which such exclusive prospecting licence is granted or otherwise, it appears to him, in his discretion, that such a plan is unnecessary.

Cap. 196.

Proof of memorial.

13. Every memorial shall be kept by the Registrar General in his office, in such order and manner as he shall think fit, so that the same may be most readily seen and inspected, and shall be as near as may be in the words, or to the effect, of such one of the Forms B in the First Schedule hereto as shall be applicable; and every memorial shall be verified by the oath of some competent person that the same contains a true and just account of the several particulars therein set forth, which oath shall be made, and taken, before the Registrar General, who is hereby authorised and empowered to administer the same; and the Registrar General shall give a receipt in the Form C in the First Schedule hereto for each memorial, specifying the day, and time, when received, and shall place upon the back of the memorial a certificate of registry, stating the day, and time, when received, and the name and abode of the person verifying the same.

Mode of acknowledgment.

14. (1) To entitle any instrument, executed after the ninth day of February, eighteen hundred and fifty-seven, to be

registered, it must be acknowledged by the vendor, donor, mortgagor, lessor, or other person, conveying, transferring, mortgaging, charging, or demising the land, or by some person authorised by him in writing to acknowledge the same, or proved upon oath, or by statutory declaration, by one or more of the subscribing witnesses, to have been duly executed, such proof or acknowledgment being made as follows—

(a) if such instrument be executed in Freetown, or within ten miles thereof, before the Registrar General; if elsewhere in the Colony or Protectorate, before the Registrar General, a Judge of the Supreme Court, a Magistrate, or any Government official temporarily in charge of the headquarters of a district;

In Sierra Leone.

(b) if executed in any other part of Her Majesty's Dominions or Protectorates, or in any territory in respect of which a mandate on behalf of the United Nations has been accepted by Her Majesty, before any Judge, Mayor, Magistrate, Resident or Assistant Resident, District Commissioner or Assistant District Commissioner, or before any person administering the government of any Colony, Protectorate or Mandated Territory, or before a Notary Public or Commissioner for Oaths;

In other parts of Her Majesty's Dominions, Protectorates, etc.

(c) if executed in any foreign country, before any British Consul or other accredited British representative, or a Judge, Mayor, Magistrate, Notary Public or Commissioner for Oaths.

In foreign countries.

(2) For the purposes of this Ordinance every person hereinbefore authorised to receive proof of the due execution of any instrument shall be deemed to have, and always to have had, power to administer an oath and take a statutory declaration.

Power to administer oaths and take statutory declarations.

(3) To entitle any instrument, not proved or acknowledged before the Registrar General, to be registered, such instrument must have upon it a certificate, as near as may be, in the Form D in the First Schedule hereto, purporting to be under the hand and official seal, or private seal (if there should be no official seal), or the hand alone, if the person shall have no official or private seal, of some one of the persons hereinbefore authorised to receive such proof or acknowledgment, purporting that such instrument has been proved, or acknowledged, as the case may be, and the Registrar General, upon the production of any such instrument, shall place upon the instrument a certificate of registry, under his signature, in the words, as near as may be, in the Form A in the First Schedule hereto, or to the like effect and shall cause such instrument to be registered, in the same

Certificate of registry.

way as directed with respect to any instrument acknowledged or proved before himself.

(4) Any instrument presented for registration, and executed by, or on behalf of Her Majesty, the Governor, Her Majesty's Principal Secretary of State for War, the Commissioners for executing the office of Lord High Admiral of the United Kingdom, shall, if forwarded through the Deputy Governor for registration, be admitted to registration, and the Registrar General shall place upon any such instrument the certificate of registry, as prescribed in the last preceding sub-section, notwithstanding that the requirements of this section, as to acknowledgment, have not been complied with.

(5) Any instrument, registered or presented for registration under the provisions of the last preceding sub-section, and purporting to be executed as aforesaid, shall be presumed to be so executed until the contrary be shown:

Provided that any deed of lease creating a tenancy of land in the Protectorate, which has been executed by the lessor before the District Commissioner of the district in which the land is situated, and by the lessee or his attorney or his agent before a District Commissioner or a Magistrate, in accordance with the terms of the Protectorate Land Ordinance, or any Ordinance amending or substituted for the same, shall not require acknowledgment or proof of execution, as provided by this section, to entitle it to be registered.

15. If any person in any oath taken or statutory declaration made under the last preceding section wilfully makes a statement false in any material particular, he shall be guilty of perjury as though such statement had been made upon oath or affirmation in open Court, and may be prosecuted and punished accordingly.

16. Where, after the death of a testator, the witnesses attesting the due execution of the will of such testator shall be dead, or shall not be found, or shall refuse to appear before the Registrar General, to prove such will, such will shall be registered by the Registrar General, upon the production of any other evidence of the due attestation thereof; and, if no such evidence shall be obtained, the said will shall be registered by the Registrar General, who shall attach a certificate of registry to such will, and shall, in the said certificate, state by what means, if any, such will was proved before him, or that there was no proof of the due execution of such will, as the case may be, and

the reason for the registering of the said will without the oath or statutory declaration of one of the attesting witnesses thereto.

17. When any instrument is executed in any place abroad, where, by law, the original of such instrument is kept in any public office in the said place, the exemplification of such instrument, under the seal of the said office, or purporting to be under the hand of the public officer, in whose custody the original is kept, shall be deemed and taken to be of equal validity as the original, and shall be admitted to be registered by the Registrar General in the same manner as the original instrument; and it shall not be necessary, in order to entitle the same to be so admitted to be registered by the Registrar General, that the due execution thereof shall be proved, or acknowledged, in any manner.

18. The register of any instrument of the following description, or of any extract of such register, shall not be receivable in evidence in any action, cause, or matter, that is to say—

Any instrument, other than a Crown grant, or a grant executed and registered in pursuance of sub-section (4) of section 14 hereof, or a grant executed before the Registrar General, in pursuance of section 24 of this Ordinance, or of section 21 of the General Registration Ordinance, which shall be registered without the due execution thereof, having, either in the Colony or Protectorate, or abroad, where such instrument is executed in any place abroad, been acknowledged by the person executing such instrument as vendor, donor, mortgagor, lessor, or other person conveying, transferring, mortgaging, charging, or demising, the land, or by any person authorised by him to acknowledge the same, or proved by the oath or statutory declaration of one of the subscribing witnesses thereto.

19. Where, by any Imperial Statute in force, by adoption, or otherwise, in the Colony or Protectorate, any instrument relating to land is required to be registered, or enrolled, in any Court or office in England, for the purpose of giving validity thereto, or otherwise, the registration of the said instrument in the office of the Registrar General in Sierra Leone, or in any other public office, in which titles to land were heretofore registered in the Colony, shall be sufficient for the like purpose or purposes.

20. (1) The Registrar General shall keep such registers as may be prescribed, and subject to the provisions of this

Exemplification of original instrument deposited in public office abroad to be registered as original.

Register of instrument not acknowledged or proved not to be evidence in cause.

Cap. 255.

Office of Registrar General to be office for registration, for purpose of making all instruments valid.

Record books.

Ordinance, he shall register therein all instruments required to be registered and delivered to him for registration.

(2) Each register and each instrument presented for registration shall be numbered consecutively, and each register shall have an index, in which shall be stated, in alphabetical order, the name of every party to every instrument recorded in the register, with a reference to the page of the register where the instrument is recorded to which the individual is a party.

(3) Any person desiring that any instrument shall be registered shall deliver the same together with a true copy thereof in manuscript, typescript or print and the prescribed fee to the Registrar General.

(4) The Registrar General may refuse to accept any duplicate or copy of any instrument that is in his opinion made on paper less durable than that prescribed or is not of the prescribed size and may refuse to accept any typewritten duplicate or copy which in his opinion is typed by any method which does not produce a permanent impression.

(5) The Registrar General shall, immediately after such delivery, place upon the instrument and upon the copy thereof a certificate in the Form "A" in the First Schedule.

(6) Unless the instrument is one which is declared by this Ordinance to be void or the registration of which is prohibited by this Ordinance, the Registrar General shall compare the copy of the instrument with the original and if he shall find such copy to be a true copy and to comply with this Ordinance he shall certify the same by writing thereon the words "certified true copy" and appending his signature thereto.

(7) The Registrar General shall thereupon register the instrument by causing the copy so certified to be pasted or bound in one of the prescribed registers and by endorsing on the original instrument a certificate in the Form "B" in the First Schedule; and upon such registration the year, month, day and hour specified in the certificate endorsed on the instrument in pursuance of sub-section (5) shall be taken to be the year, month, day and hour at which the instrument was registered.

(8) The original instrument shall thereafter, upon application, be returned to the person who shall have delivered it for registration, provided that if application for the return of the instrument is not made within five years after the date of registration the Registrar General may destroy the instrument.

21. The Registrar General, at the request of any party interested, shall register, in a book or books to be specially kept for that purpose, in the same manner after proof or acknowledgment as hereinbefore provided with respect to other instruments, any power of attorney, partnership deed, marriage settlement, or other legal instrument, not hereinbefore mentioned.

Any legal instrument may be registered.

22. (1) It shall be lawful for any person to deposit any instrument with the Registrar General for safe custody, and the Registrar General, upon request, and payment to him of his fees, shall take into his custody every such instrument.

Deposit of instruments with Registrar General for safe custody.
17 of 1953.

(2) The Registrar General shall keep a book in which he shall enter, in order, every such instrument deposited in his custody and the day and time of receipt.

(3) In the case of an instrument, other than a will, the following provisions shall apply—

(a) the depositor shall indorse upon the instrument the name and address of a person to whom the instrument should be delivered if the depositor dies before he claims it;

(b) the Registrar General shall indorse upon such instrument the day and time when received, and the name and address of the person by whom the instrument is deposited;

(c) the Registrar General, upon request in writing, shall return any instrument in his custody to the person who deposited it;

(d) upon the death of the depositor the Registrar General shall, upon application made by the person whose name and address appear thereon and upon proof of his identity by the affidavit of two credible witnesses, deliver the instrument to him. Where such person is dead or otherwise not available, the Registrar General may deliver the instrument to any other person lawfully entitled to it.

(4) In the case of a will the following provisions shall apply—

(a) the testator shall deliver such will unsealed to the Registrar General, who shall sign and date the last page and initial all the other pages;

(b) the testator shall thereupon in the presence of the Registrar General enclose such will in a sealed packet and shall indorse thereon the name, description and address of the executor or other person entitled to it on the testator's death together with the full name, description and address of the testator and shall sign such indorsement in the presence of the Registrar General;

(c) the Registrar General shall certify on the sealed packet that the testator signed such indorsement in his presence and the day, time and place of signature;

(d) on the death of the testator the Registrar General shall on the request in writing of any person named on the packet and upon proof by affidavit of two credible witnesses of the identity of such person deliver to such person the sealed packet containing the will;

(e) on the death of the testator, when it is proved by affidavit that all the persons, whose names appear on the sealed packet containing a will, are dead or otherwise not available, or when any such packet is not delivered to anyone named thereon within six months from the death of the testator, the Registrar General shall deliver such packet to the Official Administrator who shall forthwith comply with the provisions of section 10 of the Administration of Estates Ordinance;

(f) where the testator is unable for any cause to attend upon the Registrar General personally to deposit his will, he may deliver such will unsealed to a Commissioner for Oaths, who shall carry out the duties prescribed for the Registrar General in paragraphs (a), (b) and (c) of this sub-section. The testator shall thereupon send the sealed packet to the Registrar General who, upon taking it into custody, shall forthwith enter the will in the book kept for the purpose, as required by sub-section (2) above.

(5) A person, who receives from the Registrar General an instrument deposited hereunder, shall acknowledge the receipt in writing at the appropriate place in the book kept by the Registrar General as provided in sub-section (2).

23. (1) A grant in the Form F, in the First Schedule hereto, executed in the presence of the Registrar General, shall be valid and effectual to grant and convey the estate of the grantor in any land, and to vest the same in the grantee.

(2) The Registrar General shall cause to be printed the Form F, in the First Schedule hereto, and, upon request of any person, and upon payment of his fees, shall fill up the blanks in the grant, and the same, when filled up, shall be signed in his presence by the parties, and witnessed by himself, and the Registrar General shall place upon it a certificate of registry in the form following, without any further charge—

"This grant was executed in my presence by the parties thereto, and was presented for registration this _____ day of _____ 19____

(Signed) E.F.,

Registrar General."

And he shall cause the same to be registered in the same manner as any other instrument, without further proof or acknowledgment, and he shall place in the margin of the instrument, under which the grantor claims title, a reference to the volume and page thereof, and number of the grant as therein registered.

24. Nothing in this Ordinance contained shall render it obligatory on the Registrar General to register any instrument chargeable with any stamp duty which is not duly stamped. Instruments not duly stamped.

25. (1) No plan or diagram relating to any land shall be accepted by the Registrar General for registration unless the same shall have been signed by a surveyor in accordance with the provisions of sub-section (3) of section 14 of the Survey Ordinance. Plans to be signed by surveyor, 17 of 1953. Cap. 128. 27

(2) For the purposes of this section the expression "surveyor" shall have the same meaning as that assigned to it in section 2 of the Survey Ordinance.

26. At such period, or periods, in each year, as the Governor may direct, all books, registers, memorials, and instruments, in the Office of the Registrar General, shall be inspected by a Judge of the Supreme Court, who shall attest, by his signature, the said inspection and approval thereof. Inspection of records.

27. The fees receivable by the Registrar General shall be taken and regulated, according to the Second Schedule hereto, and a copy of the same shall be placed in a conspicuous part of his office; and all such fees shall be payable by means of such adhesive stamps as are legally in use in the Colony; and it shall be lawful for the Registrar General to demand and have all the fees pertaining to his office, before he receives any instrument to be registered, or deposited, and before he takes any acknowledgment, or proof, or he may refuse to receive the same; and the Governor in Council may, by Order, to be approved by the House of Representatives, make additions to, or alterations in, or omissions from, the said fees subject to disallowance by Her Majesty. Fees.

Power in
Governor to
register plan
of Crown
land.

28. It shall be lawful for the Governor to cause to be registered, at the Office of the Registrar General, plans of any Crown lands, and when a grant is made of any lands shown and delineated in any such plan, notwithstanding anything in this Ordinance contained, it shall not be necessary, in order to entitle such grant to be registered, that there should be endorsed thereupon, or annexed thereto, a separate plan of the parcel granted, but such parcel may be described in such grant by reference to a plan registered as aforesaid, either by a number, if the Crown land is divided on the plan into numbered lots, or in any other convenient manner.

irection
at parcels
anted shall
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29. Where any portion of the Crown land shown on any such plan is not divided into numbered lots, and whenever a Crown grant is made of any parcel thereof, it shall be lawful for the Governor to direct that the boundaries of the parcel so granted shall be shown, and delineated, and numbered, on such plan, by the Director of Surveys and Lands, or by some person on his behalf, who, on each occasion, shall endorse on, or attach to, such plan, a certificate to the following effect—

I have this day, by the direction of the Governor, delineated on this plan, a parcel of land, granted to (*here insert the name of grantee*), and have numbered the same (*here insert number*).

Director of Surveys and Lands.

30. The Governor in Council may make rules—

(a) prescribing the registers that shall be kept by the Registrar General for the purposes of this Ordinance and providing that separate registers shall be kept for registering specified classes of instruments;

(b) prescribing the size and quality of the paper on which copies of instruments presented for registration shall be made.

31. (1) From and after the commencement of this Ordinance, the Ordinances specified in the Third Schedule hereto, are hereby repealed, to the extent mentioned in the third column of such schedule:

Provided that this repeal shall not affect anything duly done, or suffered, or any validity, right, privilege, priority, or preference acquired, or any invalidity, liability, disqualification, disability, fine, forfeiture, or other punishment incurred under any Ordinance hereby repealed prior to the commencement of this

Ordinance; and any proceeding and remedy for the ascertainment, enforcement, or recovery thereof, may be instituted, prosecuted, and had, as though this Ordinance had not passed.

(2) Any Ordinance referring to any Ordinance hereby repealed shall be construed as referring to this Ordinance.

FIRST SCHEDULE.

FORM A.

s. 11 & 14.

Certificate of Registry of a Crown Grant or Instrument proved or acknowledged before a person other than the Registrar General.

This Instrument was delivered to me for Registration by A.B., of (*state his residence and profession*) at _____ o'clock in the (*fore or after*) noon, this _____ day of _____ in the year one thousand nine hundred and _____.

(Signed) C.D.,

Registrar General.

FORM B.

s. 13.

	Date.	Title.	Court or Office.	Name of Party whose Land is affected.	Name of Party Registering.	Time of Receipt.
Memorial of	Judgment ...					
	Inquisition ...					
	Bankruptcy ...					
	Private Ordinance					

LAND AFFECTED.

No. and Date of Grant.	No. of Allotment.	Description.	Name of Grantee.	Quantity.	Price.	Person in possession when Memorial registered.
Jan. 1, 1905.	20	Town lot.	A.B.	Two acres	—	C.D.

s. 13.

FORM C.

RECEIPT.

No.	Time of Receipt.	Nature of Instrument.	Date of Instrument.	Name of Grantor or Vendor.	Name of Grantee or Vendee.	Quantity of Allotment.	Name of Person Registering.
1	June 1, 1903.	Conveyance.	March 1, 1905.	A.B.	E.F.	Two acres.	C.D.

(Signed) G.H.,
Registrar General.

14.

FORM D.

CERTIFICATE OF PROOF OR ACKNOWLEDGMENT ELSEWHERE THAN IN FREETOWN.

This Instrument was acknowledged (by A.B. within named) (or proved by the testimony of C.D. within named to be the deed of A.B.) at (New York, in the United States) (or the place where proved or acknowledged) before me at _____ o'clock in the (fore or after) noon, this _____ day of _____ in the year one thousand nine hundred and _____.

Given under my hand and Official Seal,
(Signed) E.F.

Or,

Given under my hand and private seal,
I having no Official Seal,
(Signed) E.F.

Or,

Given under my hand,
I having no Official or Private Seal,
(Signed) E.F.

FORM E.

This instrument is registered as No. _____ at page _____ in Volume _____ in the office of the Registrar General, Freetown.

Registrar General.

FORM F.

s. 23.

This Grant made the _____ day of _____ one thousand nine hundred and _____ in pursuance of the Registration of Instruments Ordinance, between (A.B. of _____) and (C.D. of _____) in consideration of _____ pounds paid by the said C.D. (grantee) to the said A.B. (or other consideration), (he) the said A.B. doth grant unto the said C.D. (grantee) his heirs and assigns for ever all that land (or portion of land) in Sierra Leone vested in him (by a Will), (Conveyance), (Crown Grant), (or other instrument) registered in volume _____ page _____ on the _____ day of _____ as follows [here describe the portion if only a portion].

(Signed) A.B. (Grantor).
" C.D. (Grantee).
" E.F.
Registrar General.

SECOND SCHEDULE.

s. 27.

	s.	d.
For every acknowledgment or proof of an instrument ...	2	6
For the registration and recording of every instrument, other than memorial or grant executed before the Registrar General ...	5	0
For verifying every memorial and recording the same ...	5	0
For depositing every instrument ...	2	6
For taking out the same ...	2	6
For filling up every form of grant and registering same (section 24) ...	5	0
For every search in each distinct set of books or memorials for half-an-hour ...	2	6
For every additional half-hour ...	2	6
For an attested copy of or extract from any recorded instrument or memorial, for every folio of 72 words ...	1	0
For comparing, if required, any instrument with the register thereof, for every folio of 72 words ...	6	
For every other certificate or extract ...	2	6

P-X 37/176;

Assented to in Her Majesty's name this 29th day of May, 1964.

S. A. BENKA-COKER.
Acting Governor-General.

LS

No. 6



1964

Sierra Leone

An Act to Amend the Registration of Instruments Act Cap. 256.

[28th May, 1964.] Date of
commence-
ment.

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Representatives in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Registration of Instruments Short title. (Amendment) Act, 1964.

Amendment
of section 4
of Cap. 256.

* 2. Section 4 of the Registration of Instruments Act is hereby amended by renumbering the existing section as subsection (1) of section 4 and the addition immediately thereafter of the following new subsections—

“(2) (a) Every deed, contract or conveyance executed after the 1st day of June, 1964, shall be void, so far as regards any land to be thereby affected, unless it is registered within the appropriate period limited for such registration under the proviso to subsection (1):

Provided that any person prejudiced by the avoidance of any transaction under the provisions of this subsection may apply by originating summons to a Judge of the Supreme Court for permission to register after the expiration of the period limited for registration, and if the Judge is satisfied that either—

- (i) the failure to register was not due to any fault of the applicant, or
- (ii) the applicant's failure to secure registration in time was, in all the circumstances of the case, excusable,

he may permit the applicant to register out of time and the transaction in question shall be deemed never to have been avoided and shall take effect as against other transactions affecting the same land from such date as shall seem to the Judge to be just.

(b) This subsection shall not apply to any transactions relating to land in the Provinces except leases entered into under the provisions of the Provinces Land Act.

(3) On the registration of every transaction under subsection (2) there shall be paid to the Registrar-General a Land Registration Tax at the following rate—

for all land affected by the transaction
proportionately at the following rate
per acre £50 0 0.”.

Passed in the House of Representatives this 28th day of April, in the year of our Lord one thousand nine hundred and sixty-four.

S. V. WRIGHT,

Clerk of the House of Representatives.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed the House of Representatives and found by me to be a true and correctly printed copy of the said Bill.

Cap. 122

R & R by Act.
24/65 - further
by 16/69