



Isle of Man Land Registry

Practice Directive : PD 01/2013 Issued on 12th April 2013

I hereby direct that:

1. A registered owner of an estate in land subject to a restriction entered on the register in accordance with the provisions of Section 64 of the Land Registration Act 1982 (as amended) who wishes to dispose of the land, or any part thereof, must lodge proof at the Land Registry that the owner of the restriction has consented to the disposition, such proof to be by way of either:
 - (a) **FORM 64(a)** : where proof of the consent to the disposition is required in terms of Section 64(a); or
 - (b) **FORM 64(b)** : where confirmation of compliance with the requirement of an enactment is required in terms of Section 64(b)to be lodged together with the application for the disposal of the land.
2. Such application must be accompanied by Form 100.
3. The Directive will come into operation on the 1st August 2013.

Garth Anderson
**Assistant Chief Registrar
Legal Officer (Land)**

EXPLANATORY NOTE:

1. A restriction is used for the protection of unregistered rights or interests in registered land.
 2. A restriction is an entry on the register of the title to a legal estate in land which prevents the disposition – the conveying or creating of an estate - of such registered land from taking place until the requirements of Section 64 of the Land Registration Act 1982 (“the Act”) have been complied with.
 3. Section 64(a) requires the consent of a person or body and Section 64(b) requires confirmation that the requirements of an enactment have been complied with, before registration of the disposition may proceed.
 4. A restriction may be entered either with the agreement of the registered owner (by way of Appendix E) or at the instance of the Registrar upon notice to the registered owner. See Rule 74: LRR 2000.
 5. Restrictions affect mainly registered land which is owned by the Government, public authorities, charities and churches. For instance, land owned by a Department of the Isle of Man Government may not be disposed of without the consent of the Treasury (Paragraph 1(3) of Schedule 1 of the Government Departments Act 1987).
 6. Where the registered owner of land subject to a restriction wishes to dispose of that land, the Land Registry has received from applicants, as proof of the consent or of compliance referred to above, a variety of documents, letters and emails which is unsatisfactory. The Land Registry therefore wishes to standardise both the procedure and the Forms which are to be used where the applicant wishes to dispose of registered land subject to a restriction.
 7. Accordingly the following Forms are now to be lodged with an application for the disposition of registered land subject to a restriction:
 - 7.1 FORM 64(a): where consent is required under Section 64(a); or
 - 7.2 FORM 64(b): where proof of compliance with an enactment is required under Section 64(b).
- For convenience the numbering of the forms follows that of the relevant section in the LRA 1982.
8. The fixed fee to release the registered land from the operation of the restriction is currently £63.00 – Item 7 of Part I of Schedule 1 of the Land Registry Fees Order 2010.
 9. The profession is requested to use the Forms with immediate effect.
 10. The attached FORMS 64(a) and 64(B) are supplied as a Word template. On receipt, this should be saved to the same location as your existing Land Registry templates previously issued on CD-ROM. If you have any difficulty in this regard please contact Chris Bramhall, Senior Registration Officer at telephone 686282 or email chris.bramhall@gov.im.



Release of Registered Land Subject to Restriction

Section 64(a) and Rules 74, 85, 86 and 88

FOR REGISTRY USE ONLY
Application Number

Note: This form must be accompanied by Form 100. Use a separate form for each Restriction.

1. In terms of Section 64(a) of the Land Registration Act 1982 (as amended) the Restriction Owner named in Box 3 below consents to the disposition of the land comprised in Title Number:	
In respect of: 1.1 The whole of the land in the title, or 1.2 The part(s) of the land shown on the attached Survey Map extract <i>Note: If only part of the registered title is affected, a Survey Map extract must be enclosed showing the extent of the land affected.</i>	Tick the appropriate box <input type="checkbox"/> <input type="checkbox"/>

2. Title Particulars <i>Please enter the full postal address or description for the land affected by this application as it appears in the current edition of Title</i>	
2.1 Name of Registered Owner(s) <i>Enter the full name of the Registered Owner of the Title</i>	
2.2 Company Number (where applicable)	
2.3. Address or description of the land affected by this application _____ _____ _____	

3. Restriction Owner <i>Enter the full name of the Restriction Owner in 3.1 as it appears on Title. In the case of a company state the company's full name and provide the company registration number in 3.2. See S24A Land Registration Act 1982 (as amended) for details of Public Authorities.</i>	
3.1 Name of Public Authority / Person or Body	
3.2 Company Number (where applicable)	
3.3 Executed by	
Witness details: Full name: Signature: Address: Occupation:	Restriction Owner: Authorised signatory/Duly appointed attorney Signature: Capacity: Print name: Signature: Capacity: Print name: Date:



Release of Registered Land Subject to Restriction

Section 64(b) and Rules 74, 85, 86 and 88

FOR REGISTRY USE ONLY
Application Number

Note: This form must be accompanied by Form 100. Use a separate form for each Restriction.

<p>1. In terms of Section 64(b) of the Land Registration Act 1982 (as amended) the Restriction Owner named in Box 3 below confirms that the requirements of [particulars of enactment] in relation to the land comprised in Title Number: have been complied with in respect of:</p> <p>1.1 The whole of the land in the title, or</p> <p>1.2 The part(s) of the land shown on the attached Survey Map extract</p> <p><i>Note: If only part of the registered title is affected, a Survey Map extract must be enclosed showing the extent of the land affected</i></p>	<p style="text-align: center;"><i>Tick the appropriate box</i></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p>
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<p>2. Title Particulars</p> <p><i>Please enter the full postal address or description for the land affected by this application as it appears in the current edition of Title</i></p>	
<p>2.1 Name of Registered Owner(s)</p> <p><i>Enter the full name of the Registered Owner of the Title</i></p>	
<p>2.2 Company Number (where applicable)</p>	
<p>2.3. Address or description of the land affected by this application</p>	

<p>3. Restriction Owner</p> <p><i>Enter the full name of the Restriction Owner in 3.1 as it appears on Title. In the case of a company state the company's full name and provide the company registration number in 3.2. See S24A Land Registration Act 1982 (as amended) for details of Public Authorities.</i></p>	
<p>3.1 Name of Public Authority / Person or Body</p>	
<p>3.2 Company Number (where applicable)</p>	
<p>3.3 Executed by</p>	
<p>Witness details:</p> <p>Full name:</p> <p>Signature:</p> <p>Address:</p> <p>Occupation:</p>	<p>Restriction Owner:</p> <p>Authorised signatory/Duly appointed attorney</p> <p>Signature:</p> <p>.....</p> <p>Capacity:</p> <p>Print name:</p> <p>Signature:</p> <p>.....</p> <p>Capacity:</p> <p>Print name:</p> <p>Date:</p>