



UNREGISTERED TITLES

The Conveyancing Committee has been receiving an increasing number of representations from practitioners about the presentation of sets of title documents to unregistered land. The Committee recommends that as a matter of good professional practice all such sets of title documents should:

- (1) Contain an Index or List of Contents.
- (2) Have all pages numbered.
- (3) Have all maps properly coloured.
- (4) Be clearly printed, preferably by the letterpress or litho-method (not stencilled).
- (5) Contain a full set of searches against the title.

The Committee is satisfied that a Vendor's solicitor is under an obligation to furnish proper books of title and urges solicitors acting for Purchasers to reject any booklets which do not reach an acceptable standard.

In an increasing number of cases no Registry of Deeds Searches are furnished with or in a Booklet of Title. The Builders solicitors apparently claim that they are basing this practice on a recommendation of this Committee. No such recommendation was ever made. Any practice notes issued by this Committee regarding searches emphasised that the current practice that Registry of Deeds Searches be furnished by Developers' solicitors should continue. When Builders or Developers purchase property for a housing development their solicitors pay extra attention to the investigation of title and to searches knowing that it will be vitally important to be able to explain all queries which will arise in the course of the investigations by the many Purchasers' and Mortgagees' solicitors. The Committee cannot think of any reasonable circumstances where searches are not available and think that it is unreasonable for Builders' solicitors not to furnish copies with the title with suitable explanations.

Solicitors for Builders are reminded that the Land Registry will now give priority to first registrations of development property. There should be no difficulty in any ordinary case in achieving registration in good time and builders' solicitors are urged to avail of this facility.