



Where either a voluntary assurance appears on the title or the current transaction involves a voluntary assurance, it is unreasonable for a purchaser's/mortgagee's Solicitor to insist on a Declaration of Solvency made by the Grantor's Accountant. The Committee felt there was no reason to depart from the long-standing practice of accepting a Declaration from the Grantor.

This is not to suggest that a Declaration by an Accountant should not be accepted in lieu of a Declaration by the Grantor.

DECLARATION OF SOLVENCY

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Gazette, December 1981. JC*

The Dublin Solicitors' Bar Association asked whether it was reasonable to expect Lenders' Solicitors to accept Searches carried out by Solicitors, rather than Searches prepared by a recognised firm of Law Searchers. In the case in question, the practitioner had confirmed in writing that the Solicitor had professional indemnity insurance which covered searching.

The Joint Committee of Building Societies' Solicitors and the Law Society was unanimously of the opinion that it would be acceptable to refuse searches in such circumstances.

SEARCHES

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