



In cases involving registered land the Committee takes the view that the Solicitor for the Purchaser (or, if the Mortgagee's Solicitor is registering the purchase deed, the Solicitor for the Mortgagee) should ensure that there is a Land Registry Map relating to the property being purchased. Accordingly, in Sub Division cases the Solicitor lodging the application for registration should also lodge a Requisition for a certified copy of the Land Registry Map relating to the Purchaser's holding, when registered. The said Land Registry Map should be held by the Purchaser's or Mortgagee's Solicitor with a certified copy of the Folio showing the Purchaser as registered owner.

If this procedure is followed the delay in obtaining a certified copy of the Land Registry Map for subsequent dealings by the Purchaser will be avoided. This practice will also assist clients and Mortgagee's Solicitors in all future dealings with the property.

LAND REGISTRY MAP

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The attention of members is drawn to the recent edition of the General Consent (June 1980) issued by the Land Commission and circulated to the profession. This consent corresponds generally with the version issued in December 1977 save for the important fact that the permitted maximum size of the individual sites within the framework of the consent is increased from 1 acre to 1 hectare (2.471 acres). The limitation in paragraph 6 (ii) of the General Consent, the provision relating to the minimum size of the balance of the holding, is now 2 hectares instead of 5 acres.

Paragraph (vi) (iii) of the 1977 forms of consent precluded more than five divisions of a holding. Under the new consent the number of subdivisions is not relevant, the limitation is now one of area and the limit is 2 hectares.

The amended consent should be carefully studied.

UPDATE (1998): With regard to Section 12 of the Land Act 1965 there has been no change save that two of the new County Councils in Dublin are exempt, namely Dun Laoghaire/Rathdown and South Dublin. The other County Council, Fingal, has not yet applied for the exemption. No doubt this should be forthcoming so that subdivisions within the three new County Councils viz. Dun Laoghaire/Rathdown, South Dublin and Fingal will be exempt.

UPDATE (2006): See page 3.35 hereof regarding the repeal of Section 12 of the Land Act 1965.

LAND COMMISSION CONSENTS

GENERAL CONSENT TO SUBDIVISION

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