



**LIABILITY OF  
VENDOR TO  
DISCHARGE  
LAND PURCHASE  
ANNUITY**

**T**he Conveyancing Committee has been requested to indicate the recommended practice in relation to the discharge of Land Purchase Annuities in the light of the provisions of General Condition 16 of the current Incorporated Law Society of Ireland General Conditions of Sale.

General Condition 16 provides:

Subject to Condition 15, the purchaser shall be deemed to buy:

- (a) with full notice of the actual state and condition of the subject property, and
- (b) subject to (i) all leases (if any) mentioned in the Particulars or in the Special Conditions and (ii) all rights of way, water, light, drainage and other easements, rights, reservations, privileges, liabilities, covenants, rents, outgoing and all incidents of tenure.

The Committee is of the view that a Land Purchase Annuity is a charge and does not come within the terms of General Condition 16(b). Accordingly, the Committee recommends that, in the absence of a Special Condition to the contrary, it is the Vendor's liability to discharge the Land Purchase Annuity affecting the property in sale.