

FORM 96

Application to inspect or obtain a copy of an instrument under Rule 159 of the Land Registration Rules

LAND REGISTRY

1. Details

Folio number		County	
Name of Registered Owner(s)			
Instrument Number			
Document / Deed Sought			

2. Application by

Name	
Address	
Reference	
E-mail address	

3. Entitlement

I am entitled to inspect/obtain a copy of the Instrument / Document scheduled above under the provisions of Rule 159 of the Land Registration Rules as indicated below.

Please see attached guidelines (*Tick the section which is applicable*)

- I am the (personal representative of the) registered owner of the abovementioned folio (See Note 1)*
 - I am the solicitor for the (personal representative of the) registered owner of the abovementioned folio (See Note 3)*
 - I am authorised by the (personal representative of) registered owner of the abovementioned folio (See Note 2)*
 - I am authorised by an order of the court*
 - I am the registered owner of the charge (a copy of which is sought) registered on the abovementioned folio*
 - I am the party entitled to the benefit of the burden (a copy of the deed creating which is sought) registered on the abovementioned folio*
 - I was a party to the deed scheduled above, a copy of which is sought*
 - I am a person who would be entitled to inspection of a document relating to property, if its ownership was not registered and the document was in the possession of the person by law entitled to the custody thereof*
 - The judgment mortgage scheduled above (a copy of which is sought) remains uncanceled on the folio*
 - The lis pendens scheduled above (a copy of which is sought) remains uncanceled on the folio*
 - I am devisee/beneficiary under a will or intestacy of a former registered owner of the abovementioned folio or his/her successor in title*
 - I lodged the instrument under Rule 130(5)*
 - I am the owner of an unregistered servient tenement*
 - I am entitled to the benefit of a right created by an instrument filed under Rule 130(5)*
- or*
- Under Rule 159(9) I apply to the Authority to permit me inspect the document on the following grounds*

4. Application

(a) Application by Solicitor

I/We the Solicitor for the registered owner(s) or his/her personal representative(s) request to inspect the issue of a copy of the Instrument/Document scheduled at item 1 above to me/us.

Signed (by individual Solicitor).....

Name of firm

Date

(b) Application by Registered Owner/Personal Representative

I as registered owner or his/her personal representative request to inspect the issue of a copy of the Instrument/Document scheduled at item 1 above to me/us.

Signature of Registered Owner/Personal Representative

.....

Signature of witness

.....

Address of witness

.....

Date

(c) Application by other party (Please specify)

.....

Signature of applicant

.....

Signature of witness

.....

Address of witness:

Date

Office Use Only	Date of Receipt	Fees €.....	
		Proof of identity produced:	
Inspection	€5	<input type="checkbox"/>	Driver's Licence
Copy of Instrument	€40	<input type="checkbox"/>	Passport
		<input type="checkbox"/>	Other (specify)

Note (1) - Where the applicant is the registered owner or his/her personal representative, the signature must be attested and evidence of identity and evidence of permanent address must be presented or lodged.

Note (2) - Where the application is by a party, other than a solicitor, acting with the authority of the registered owner, the application must contain an authority under signature of the registered owner and attested. Evidence of identity and evidence of permanent address of the applicant must be presented or lodged.

Note (3) - Where a solicitor is giving authority to another party e.g. law searcher or other party to receive a copy Instrument on their behalf, the application should state that (a) they are the solicitor for the registered owners and (b) to whom the copy instrument or part thereof is to issue.

Note (4) - The application must identify the instrument number and indicate whether access is being sought to **all** or a specific **part** of the instrument.

Note (5) - Any letter of authority must specify whether authorised access is to **all** of an instrument, a specific **deed(s)** or specific **parts** of the Instrument. The letter of authority should be an original.

Note (6) - Notice may be served on the registered owner if considered appropriate by the Authority.

Rule 159 Land Registration Rules - Inspection of documents

- (1) The registered owner of property and any person authorised by such owner, or by an order of the court or by these Rules, but no other person, may inspect a document filed in the Registry on a dealing or transaction with the property of the owner.
- (2) Any person who would be entitled to inspection of a document relating to property, if its ownership was not registered under the Act, and the document was in the possession of the person by law entitled to the custody thereof, shall be entitled to inspect the document, if filed in the Registry.
- (3) An affidavit of judgment deposited in the Registry pursuant to the Judgment Mortgage Ireland Act, 1850, as amended by the Act, or an application for registration of a judgment mortgage under Rule 110 may be inspected by any person so long as notice of its deposit or the entry of the judgment mortgage is uncanceled in a register.
- (4) A memorandum of a *lis pendens*, bond, recognisance or inquisition filed in the Registry may be inspected by any person so long as the entry relative to it remains uncanceled in a register.
- (5) An application, assent, affidavit, or transfer, made by a personal representative of a deceased owner of property that vested in the personal representative may be inspected by a devisee or other person, except a creditor, having an interest in the property under the owner's will, or, where the owner died intestate, by a person in whom a beneficial interest in the property devolved on the intestacy, or by a person who satisfies the Authority that he/she is the successor in title of one of such persons.
- (6) An instrument filed in the Registry under Rule 130(5) may be inspected by the person by whom it was lodged or by any person who satisfies the Authority that he/she is entitled to the benefit of a right created by the instrument.

- (7) An instrument filed in the Registry under Rule 46 may be inspected by any person who satisfies the Authority that he/she is the owner or person(s) entitled to be the owner of an unregistered servient tenement property, over which a right was registered as appurtenant to a dominant tenement property under Section 49A of the Act, on the production of such proofs as may be directed by the Authority.
- (8) Any person entitled to inspect a document filed in the Registry may obtain a copy of it.
- (9) The Authority may, in special circumstances and on such terms as it shall think fit, permit a person to inspect, or obtain, a copy of a document filed in the Registry.
- (10) An application to inspect or obtain a copy under this Rule shall be made in Form 96
- (11) Before allowing inspection of a document by a person claiming under Rule 159, the Authority may make such inquiries and give such notices as it may think fit. Notice under this rule shall be in Form 97