



Q. When preparing maps and submitting will 80g paper or 100g paper suffice?

Answer: The paper weight must be not less than 100g/m² in weight, as per Registration Mapping Guide 4, Registration Mapping Guide 5A & Registration Mapping Guide 5C.

Q. Can a Local Authority, admin/clerical staff lodge Vesting Orders following a CPO of a property, or can only a Solicitor lodge the necessary documentation?

Answer: Applications for registration in the Land Registry may be made either by a practising solicitor or by the applicant (and, where there is more than one applicant, by or on behalf of all applicants), in accordance with Rule 11 and Form 17 of the Land Registration Rules 2012. Where an application is not made by a solicitor, Tailte Éireann may apply the Rule 11(4) identity and verification requirements applicable to personal applicants.

Q. Process to rectify a boundary error of property that has been registered for the first time?

Answer: In the absence of additional context as to how the boundary error occurred, lodgement of a Boundary Amendment or a Boundary Rectification application may be appropriate. A plan drawn on an application map, showing the land adjoining the boundary to be defined and indicating the site of the boundary by a line in colour must be lodged. The consent in writing from the owner(s) referring to the plan and that they agree to the boundary must also be lodged (see Rule 141 of the LR Rules 2012).

If you believe the property was incorrectly mapped by TÉ during the first registration application, then please contact TÉ to establish if we can assist. Please note evidence of any potential incorrectly mapped property must be provided.

Q. Under adverse possession, Local Authorities do not come under the 30year rule, but rather than 12yr. Is there any plans to change this?

Answer: The statutory periods relating to claims of adverse possession are set out in section 13 of the Statute of Limitations Act, 1957. It is a matter for the legislature, not TÉ, as to whether the interpretation of 'State Authority' under the 1957 Act should be amended to include Local Authorities so that they would come under the 30 year limitation period.



Q. I attended the Oct 2025 webinars, are they on the website? can you point me to where on the website you put them?

Video Guides for Preparing Registration Application Forms are available on Tailte.ie - [Video Guides for Preparing Registration Application Forms - Tailte Éireann](#).

Q. We have been asked about delays in the past in getting the requisite registration made for new types of schemes – is there anything our attendees today can do to avoid such delays in the future?

Answer: Yes, if new legislation or schemes points to the need for documentation that differs significantly from the documentation that's commonly lodged, you should engage with TÉ at an early stage in the process before any such new documentation is drafted. This will allow us to ensure that once lodged it is capable of registration and that all matters are clear, in particular the entitlement in the legislation that is being utilised and any prohibition notes that are required to be registered in the context of the legislation.

Q. Can you clarify the position on fees payable to TÉ where the applicant is a State Body?

Answer: That is a good question as there can sometimes be confusion as to when fees are payable by Public Bodies lodging to the State property Unit.

Article 8(d) of the Land Registry Fees Order 2012 and Article 8 of the Registry of Deeds Fees Order 2008 state that no fee shall be chargeable in respect of an application for registration by a Minister of the Government or the Commissioners of Public Works in Ireland where it is certified to the satisfaction of the Authority that the fee would otherwise be payable solely out of moneys provided by the Oireachtas.

These articles apply to applications lodged in the either the Land Registry or Registry of Deeds directly by a Minister of the Government or the Commissioners of Public Works in Ireland or by a legal practitioner acting on their behalf.

Article 8(d) does not apply to Public Sector bodies where they are not fully funded by moneys provided by the Oireachtas including commercial public sector bodies, and therefore fees would be payable by those organisations e.g. HSE, Bórd Na Mona, Coillte, Local Authorities, Land Development Agency etc.



It is important to properly complete Form 17 so that when the application is created on our system at Validation stage all details are correct, including the fee element.

Q. Is there any requirement for up-to-date searches to be lodged with a Form 3 application, where a Public Sector body is applicant?

Answer: Searches in the Registry of deeds, Judgments Office and Companies Office, where prudent, against the vendor should be carried out to clarify the title and to allow the solicitor for the Public Sector Stakeholder applicant to certify that title in Form 3 **but** these searches should not be lodged with the application. A Certificate of No Acts certifying that there have been no acts by the applicant with the property since it acquired its interest should **always** be lodged with the application.

Q. You refer in the presentation to the requirements to show devolution of title- can you explain in a little more detail when this usually arises and what proofs TÉ require?

Answer: Certainly. State Bodies in many cases have held properties in their ownership for several decades. Throughout that time, under various pieces of legislation, the state bodies themselves have changed through dissolution/amalgamation/transfer of authorities etc such that on the date of lodgement the applicant differs from the party shown on the documentary title. Common examples would be property held historically by Hospital Boards and currently held by the HSE, or property owned by Vocational Educational Committees, now ETBs. Therefore, we need to see how the applicant's title devolved from the party named on the title deed and vested in the current named applicant without the requirement for further conveyance/assignment. The statement of title should therefore set out and trace the devolution of the applicant's title, and the lodging party should lodge the relevant extracts from the legislation in support.

If the State/Public body cannot show such devolution of title, all is not lost. You can make your application under Form 5, Rule 17 of the Land Registration Rules, using whatever historical documents of title that are held, supported by the applicant's long possession.

When drafting a First Registration application or preparing an application involving registered lands please ensure to lodge such proofs as described above, with the



application, rather than wait for us to issue a ruling or a query. We want to be able to progress applications and keep rulings/queries to a minimum where possible.

Q. Are there any issues arising with maps lodged to register an easement that our audience members can pre-empt to avoid a clarifying query being raised?

Answer: In many such instances, the map lodged to register the easement will have a portion of the easement shown outside of the folio lands over which the easement is granted in the deed. When this situation occurs, it is necessary to raise a clarifying query with the lodging party. To mitigate against that, the party preparing the map for registration should check the registered boundaries on landdirect.ie and ensure the easement geometry is contained within the specified folio. If the easement is shown over any other folio lands on the map the cover letter should refer to the discrepancy and request that the registration be made without reference to the folios not included in the grant and assent.

Q. When a client possesses several historic deeds on title relating to a property in its ownership. However, on examination of these deeds, a good root of title is not readily identifiable. Can registration still be achieved?

Answer: Thank you for your question. In circumstances where a good root of title is not readily identifiable and your client has been in long possession of the property; consideration should be given to lodging a Form 5 application for registration based on possession. (Rule 17). The documents required to ground a Form 5 application have been covered in this presentation and the Form 5 checklist and guide is available on our website so have that open when you are preparing your application. The existence of the deeds on title which relate to the property can be referred to in paragraph 2 of the Form 5 affidavit in support of your client's application and they may also be of assistance when setting out the title to the property in paragraph 3 of the affidavit. They may also assist with proving identity. If deeds or documents are being referred to in the Form 5 affidavit, they must be exhibited and lodged with the application.

If a Form 5 application is being lodged, a Capital Acquisitions Tax Certificate C.A. 12 or IT76 must be lodged. This is a statutory requirement and there are no exceptions, even if the applicant is a State or Public body.



Q. Is it always necessary to have new Location Maps and Floor plans prepared for Multi-storey Registration applications?

Answer: Not always, prior to the preparation of new compliant maps and floor plans with ITM coordinates in accordance with the relevant Registration Mapping Guide, the lodging party should first ascertain if an **approved MSB Scheme map** exists for the development. If an approved scheme exists then it is a copy of the approved scheme maps with the unit(s) to be registered outlined in red that should be lodged. TÉ always suggests that information regarding the existence of an approved scheme and the copy of the Approved Scheme Map (where one exists) should be sought from the vendor.

All co-ordinate geometry submitted to TÉ must be Irish Transverse Mercator (ITM). Irish National Grid or other Co-ordinate reference Systems are never acceptable.

Q. If there are no title maps, the application is examined on a case-by-case basis. What documentation would best assist the examination of an application in such circumstances?

Answer: If there is no map attached to the root of title that identifies the application property, the lodgement of a certificate and map from TÉ Valuation may be of assistance in identifying the property. Alternatively, if the property conveyed in the root of title refers to a map attached to an earlier title deed, then please lodge that pre root deed with your application if it is in your possession.

On further examination of the application, TÉ may request from you some or all of these additional proofs to assist with identification; the names and addresses of adjoining owners and/or occupiers, or a declaration of identity from a surveyor or architect. We may direct a site notice be erected or that a notice be published in a local newspaper. These have been set out on one of the slides as part of this presentation.

In circumstances where there are no title deed maps and identity is clearly going to be an issue, it may speed up the examination of the application, if, prior to lodging the application, you acquire the TÉ valuation map and certificate and lodge same with the application. Indeed, it would assist if you obtained from your client, when taking instructions, all the names and addresses of adjoining owners and retain same on your file. If such documentation and information is lodged up front, it would keep rulings on this issue to a minimum.