

LAND TITLES (FORMS) RULES

[Cap. 282, Sub. Leg., L.N. 375/1960, L.N. 162/1976, L.N. 67/1991, L.N. 125/2011.]

[Rev. 2012]

~~1. These Rules may be cited as the Land Titles (Forms) Rules.~~

(1) Forms B(1), D, E, F, G, H, I, J and K in the Schedule to these Rules are prescribed in addition to the forms in the Third Schedule to the Act.

(2) The fees payable in all matters connected with the Forms B(1), D, E, F, G, I, J and K wherever applicable shall be those prescribed by the Minister.

3. The forms hereby prescribed shall be used in all cases under Part II of the Act.

4. The Registrars of Land Titles at Nairobi and Mombasa shall keep a supply of Forms A to K for the use of the public.

5. The Registrars of Land Titles shall cause to be impressed on all applications on which fees are paid and on all copies thereof a stamp recording the date and time of presentation in such manner (in the case of the original) as to cancel the stamps affixed in payment of fees; and that impression shall in the absence of fraud be conclusive evidence of the date and time of presentation and that the fees, stated in the application to have been paid, have been paid.

SCHEDULE

[Rule 2.]

FORM B(1)

APPLICATION FOR REMOVAL OF CAVEAT

To: The Registrar,
Land Registry, Nairobi/Mombasa.

Our reference—
.....

I/We,,
of,
hereby apply to you to remove the Caveat registered as

Adhesive revenue stamps to the value of Sh. in payment of fees are
affixed hereto.

[Signed]

Date

(Advocate for) Caveatee(s)

To be submitted in triplicate.

SCHEDULE—continued

FORM D

NOTICE OF APPEAL AGAINST REFUSAL BY A REGISTRAR TO
REGISTER A DOCUMENT

To: The Registrar-General of Titles,
The Principal Registrar,
Land Registry, Nairobi,

Our reference—
.....

TAKE NOTICE that I/We,,
of P.O. Box,
hereby appeal against the decision of the Registrar set forth in his letter No.
dated, refusing to register—

Description of Document

Date of Document

Parties to Document

Land Reference Number(s)

Presented on, 20, by

My/Our grounds of appeal are as follows—

(If this space is insufficient please continue on the back.)

Adhesive revenue stamps to the value of Sh. in payment of fees are affixed hereto.

Date

Signature of Appellant or his Advocate

To be submitted in triplicate.

FORM E

APPLICATION FOR PERSONAL SEARCH OF—

Land Reference Number	Title or Deed File Number

Adhesive revenue stamps to the value of the prescribed fee are affixed hereto.

Date Signature

Postal address

Deed file checked on completion of search by—

Counter Clerk's initials.

CONDITIONS

1. This form must be submitted in duplicate with revenue stamps to the value of the prescribed fee affixed to the original, which will be retained in the Land Registry.
2. Persons making searches may take brief notes in pencil, but no document shall be copied.
3. In no circumstances may any note or mark be made on any document, file or register produced for inspection.

SCHEDULE, FORM E—*continued*

4. Persons making searches shall check the contents of any deed file produced to them and have it checked by the Counter Clerk both before and on completion of the search, and obtain his initials on the duplicate search form; otherwise the person searching will be held liable for any document lost or damaged.
5. The Counter Clerk's duty does not extend to answering questions on matters of title, and no responsibility is accepted for any opinion which may be expressed by him.

FORM F

APPLICATION FOR POSTAL SEARCH

To: The Registrar, Our reference—
Land Registry, Nairobi/Mombasa.

APPLICATION is made for a certified copy of the last complete page of the abstract register or register of titles relating to Land Reference No. Title/Deed File No.
and any subsequent entries.

An adhesive revenue stamp to the value of the prescribed fee is affixed hereto.

Date Signed
Name in block capitals
Postal address

(For completion in the Registry)

POSTAL SEARCH CERTIFICATE No.

Certified copy forwarded as requested above.



Registrar

To be submitted in duplicate

FORM G

THE CONDITIONS ON THE BACK OF THIS FORM SHALL BE COMPLIED WITH

APPLICATION FOR REGISTRATION

of the undermentioned documents in the following order of priority—

Date of Document	Description (1)	Land Reference Number (2)	Deed File Number (3)	Fee (4)
				Sh.

SCHEDULE, FORM G—*continued*

Number of new certificate of title required at the prescribed fee

Adhesive revenue stamps affixed to the value of

The following documents are enclosed for endorsement—(5)

Grant No. Lease No. Certificate No.

The following supporting documents are also enclosed—(6)

Clearance Certificate ☐ Estate Duty Certificate ☐ "Registration Copy" of Land Control
 Consent ☐ "Registration Copy" of Provincial Commissioner's Consent ☐ Land Rent
 Certificate ☐ Withholding Tax Certificate (W. 70) ☐

The following consents are endorsed on the documents—

Commissioner of Lands or the Chief Engineer, East African Railways and Harbours Administration
 under the terms of the Grant ☐ Chargee to surrender of lease under section 144 of the
 Registration of Titles Act (Cap. 281) ☐

Special instructions, including, if necessary, the name and address of the person to whom the
 documents are to be sent if other than the presenter—☐

Signature

Name in block capitals

Postal address

Date

To be submitted in triplicate

(Reserve)

CONDITIONS

Form to accompany documents

Every documents presented for registration must be accompanied by this form.

Number of forms to submit

Application for registration forms are printed in sets of three, each set comprising an original,
 duplicate and triplicate. Forms may be obtained post free from the Registrar of Titles, Nairobi and
 Mombasa.

How to complete

The form must be completed accurately in accordance with these conditions. Failure to do so
 may result in the rejection of the application. The information supplied by the presenter must appear
 legibly in English on all three forms. If registration is sought at both the Nairobi and Mombasa
 Registries, separate applications accompanied by the document must be addressed to each. The
 following are the explanations of the numbers appearing in brackets on the form—

- (1) Give a brief description of each document, e.g. Conveyance, Assignment, Transfer, Charge, etc.
- (2) The Land Reference Numbers of all parcels of land dealt with in each document must be entered, e.g. 1870/XX/9, 1870/XX/10. If the document is not to be registered against a title to land, e.g. powers of attorney, building plans, agreements, etc., the word "NIL" must be inserted.
- (3) Where possible the deed file number should be inserted in this column. In the case of titles registered under the Registration of Titles Act (Cap. 281) this is the title number. For titles registered under other Acts, the number of the deed file is shown in the right-hand column of the registration endorsement on the last registered document.

SCHEDULE, FORM G—*continued*

- (4) The registration fee tendered must be entered in this column, on the total fees entered at the foot thereof. The fee payable on presentation is the prescribed fee per entry in the register and is not refundable. This fee is inclusive of copying. A document purporting to deal with two or more titles will attract the prescribed fee in respect of each title against which it is to be registered.
- (5) All documents presented for registration against titles under the Registration of Titles Act, other than *caveats*, statutory notifications and court orders, must be accompanied by the appropriate title deed, and the registration particulars of that deed must be inserted in this paragraph of the form. No documents are required for endorsement under the other Acts.
- (6) Indicate, by placing a tick in the appropriate boxes, the supporting documents which accompany the application or consents which are endorsed on the documents.

Payment of fees

Fees may only be paid by affixing adhesive revenue stamps to the required value in the space provided on the original application form. Such stamps may be obtained from Post Offices. Spoilt or damaged adhesive revenue stamps will not be accepted but stamps upon which the presenter has placed his name stamp shall not be deemed spoilt or damaged for this purpose.

Separate applications to be made

A separate set of application forms must be submitted for each document, except in the case of a set of documents which are to be registered against the same title or are related to each other. For example, a discharge of a charge, a surrender of a lease, a transfer and a new charge all relating to L.R. No. 999/999 would probably form the subject of one application, and similarly a power of attorney executed by the registered proprietor followed by a transfer executed by the attorney are related to each other and can form the subject of one application.

Submission of application

Applications may be submitted as follows—

- (a) by post to the appropriate Registrar;
- (b) by delivery in the box provided at the appropriate Land Registry;
- (c) by requesting the Collector of Stamp Duties to forward the application form to the appropriate Registrar after stamping the document. Priority is not established until the application is in the hands of the Registrar, and no responsibility is accepted by the Collector for any delay.

Rejections

Documents re-presented for registration following their previous rejection must be accompanied by a fresh set of forms of application duly completed. The fee in such a case is the prescribed fee for every document which was the subject of a formal rejection.

FORM H

MEMORANDUM OF EQUITABLE MORTGAGE BY DEPOSIT OF
DOCUMENTS OF TITLE

Document of title registered in Volume No. Folio File No.
relating to was deposited by
..... of P.O. Box (Mortgagor) with
..... of P.O. Box (Mortgagee) by way of equitable
mortgage on the day of, 20.....
The mortgagor and the mortgagee hereby certify, in accordance with the provisions of section 68(3)
of the Stamp Duty Act, that the amount hereby secured is Sh. uncertain
and that the mortgagee hereby acknowledges to have received the above-mentioned document of
title.
Dated this day of, 20

SCHEDULE, FORM H—*continued*

Signed in the presence of—

Postal address

Description

Signed in the presence of—

Signature or Common Seal of Mortgagee—

Postal address

Description

Drawn by—

FORM I

MEMORANDUM OF DISCHARGE OF AN EQUITABLE MORTGAGE BY
DEPOSIT OF DOCUMENT OF TITLE

The equitable mortgage by deposit of document of title registered in Volume No.
Folio No. File No. relating to was
discharged on the day of, 20.....

It is hereby certified that—

- (a) the greatest amount at any time secured was Sh.,
- (b) this is a partial discharge.

Dated this day of, 20.....

Signed in the presence of—

Signature or Common Seal of Mortgagee—

Postal address

Description

Drawn by—

FORM J

APPLICATION FOR COPY

Affix adhesive revenue in payment of the fee here

For Official Use Only

No.

I/we request you to supply certified copies of the following:

.....
.....
.....

SCHEDULE, FORM J—*continued*

PARTICULARS OF THE APPLICANT/ADVOCATE:

Full Names Signature
Identity Card Number/Passport
Personal Identification Number
Postal Address
Telephone Mobile Landline
Purpose of Search
Owner of Property
Proposed Purchaser of property
Advocate/Agent
Adhesive revenue stamps at the rate of KSh. 520 per certified copy are pinned to this application to meet the stamp duty payable thereon.

Date 20.....

FOR: OFFICIAL USE ONLY:

Search Application Number
Booking Officer Time

The above-mentioned copy/copies is/are forwarded herewith.

The above required cannot be met because

.....
.....
.....

DATE 20.....

For: Registrar

DISPATCH:

COLLECTED BY

Name:

Signature

Identity Card Number

Date

FORM K

[Section 72.]

CAVEAT SECURING ADDITIONAL STAMP DUTY

To:

The Registrar
Land Titles Registry
Mombasa

Land Reference Number

TAKE NOTICE that pursuant to my powers under the Land Titles Act, I, on behalf of the Government of Kenya, for the purpose of securing the payment of Sh.
additional stamp duty on a and registered in volume folio

[Rev. 2012]

SCHEDULE, FORM K—*continued*

..... file on the day of
....., 20 as assessed by the Collector of Stamp Duties, forbid the
registration of any dealing with the land known as Land Reference Number

This *Caveat* shall remain registered against the title to the said land until such time as the additional
stamp duty together with penalties incurred for late payment has been paid or an appeal against the
assessment by the collector has been upheld.

Signed

Principal Registrar of Titles
