

THE REGISTRATION OF DOCUMENTS (FORMS) REGULATIONS

L.N. 379/1960,
L.N. 303/1964,
L.N. 165/1976.

1. These Regulations may be cited as the Registration of Documents (Forms) Regulations.

2. Forms A, B, C and D in the Schedule shall be used in all cases under the Act.

2A. The fees payable in all matters connected with Forms A, B, C and D wherever applicable shall be those prescribed by the Minister.

3. The registrars of documents at Nairobi and Mombasa shall keep a supply of the forms for the use of the public.

4. The registrars of documents 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 such 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.

[Subsidiary]

SCHEDULE

(r. 2)

FORM A

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	Land Reference Number	Deed File Number	Fee
	(1)	(2)	(3)	(4)
				<i>Sh.</i>

Number of new certificates of title required at the prescribed fee

Adhesive revenue stamps affixed hereto 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 ☐ Withholding Tax Certificate (W. 70) ☐ Land Rent Certificate ☐

The following consents are endorsed on the documents:—
Commissioner of Lands or the Chief Engineer, Kenya Railways under the terms of the Grant ☐ Chargee to surrender of lease under section 44 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.

(Reverse)

CONDITIONS

1. Every document presented for registration must be accompanied by this form.

Form to accompany documents.

2. 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.

Number of forms to submit.

3. 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 —

How to complete.

- (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.

- (4) The registration fee tendered must be entered in this column, and 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.

[Subsidiary]

- Payment of fees.

4. 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.

5. 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 properly 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 applications.

6. 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.

7. 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 B

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—

[Subsidiary]

Description of document

Date of document

Parties to document

Land reference number(s)

Presented on, 19, 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 C

APPLICATION FOR COPY

To: The Registrar,
Land Registry, Nairobi/Mombasa.Our reference:—
.....I/We request you to supply
certified/uncertified copy/copies of the following:—Adhesive revenue stamps to the value of Sh.
in payment of fees are affixed hereto.

Date Signature

Insert below in block capitals the name and address in Kenya to
which the copy is/copies are to be sent:—

Name

Postal address

(For completion in the Registry)

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

[Subsidiary]

The above request cannot be met because
.....

Date
.....
Registrar.

To be submitted in duplicate.

FORM D

APPLICATION FOR PERSONAL SEARCH OF:—

<i>Land Reference Number</i>	<i>Title or Deed File Number</i>
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Adhesive revenue stamps to the value of the prescribed fee are affixed hereto.

Signature
Postal address

Date
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.
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.