

BILL No. 24 OF 1957.

DEEDS REGISTRY (AMENDMENT) BILL, 1957.

ARRANGEMENT OF SECTIONS

Section

- 1. Short title.
- 2. Repeal and re-enactment of section 16 of Chapter 32.
- 3. Time for opposition.

A BILL

INTITULED

AN ORDINANCE FURTHER TO AMEND THE DEEDS REGISTRY ORDINANCE.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Deeds Registry (Amendment) Ordinance, 1957, and shall be read and construed as one with the Deeds Registry Ordinance, hereinafter referred to as the Principal Ordinance.

Short title.

Cap. 32.

2. Section 16 of the Principal Ordinance is hereby repealed and the following substituted therefor—

Repeal and re-enactment of section 16 of Chapter 32.

"Cancellation of mortgage.

16. (1) No cancellation of mortgage shall be of any force or effect, or be in any way pleadable or allowed to be pleaded in any court of justice in the Colony, unless it is executed before the Court or a notary public and filed as of record in the registry.

(2) Where a mortgagee is under any disability or is absent from the Colony or his whereabouts are unknown, and there is no person authorised to execute the deed of cancellation of a mortgage, the Registrar may, if he is satisfied that the mortgage debt has been fully paid, cancel the said mortgage in the register, and such cancellation shall have the same force and effect as if a cancellation of the mortgage had been executed and registered as hereinbefore provided."

3. Notwithstanding anything contained in the Principal Ordinance or in any rules of court, the time for entering opposition to the passing of a transport, mortgage or lease shall expire at half an hour after three o'clock in the afternoon of the thirteenth day after the advertisement of the transport, mortgage or lease in the Gazette.

Time for opposition.

OBJECTS AND REASONS

This bill seeks to implement certain recommendations of the Land Registration Committee with respect to transports, mortgages and leases.

2. Clause 2 seeks to extend the authority for the execution of a cancellation of mortgage to a notary public, and also to provide for such cancellation by the Registrar where a mortgagee is under a disability or is absent from the Colony or his whereabouts are unknown.

3. Clause 3 seeks to shorten the time for entering opposition to a conveyance from fourteen to thirteen days in order to give the Registrar of Deeds more time in which to prepare for the passing of transports, mortgages and leases.

A. M. I. AUSTIN,
Attorney General.