

(2.) As to the authenticity or sufficiency of any document which may be produced in support of the claim of any body of persons to be so registered, or

(3.) As to the right of any person to act as attorney on behalf of any corporate body generally or in respect of any specific act.

Upon the hearing of such application the Court after hearing all interested parties and the Registrar-General, or such of them as shall attend, shall make such order as may appear just. There shall be an appeal from every such order in like manner as though it were an order in a civil action.

Annual payment in lieu of fees on devolution by inheritance

10. In addition to the fee leviable upon effecting an original registration or a registration by prescription, sale, gift or exchange, there shall be paid in respect of all immovable property while registered in the name of a corporate body an annual payment equal to one-fortieth of the fee which would be payable on the devolution by inheritance of such property, the first of such payments being due on the first day of April next following the date of registration; and such payment shall be recovered with and in the same manner as the Verghi Kimat due upon the property in question.

Law not applicable to Ecclesiastical properties.

11. Nothing in this Law shall apply to immovable property in the occupation of any Archbishop or Bishop acting on behalf of his See, or of any Abbot, Governing Body or Committee of Management of any Monastery or Church or to the registration of any property under sub-sections (2), (3) and (4) of section 12 of the Immovable Property Registration and Valuation Law, 1907, in the name of any person as trustee for a Church or Monastery.

Rules of Court.

12. The High Commissioner, with the advice and assistance of the Chief Justice, may from time to time make Rules of Court for regulating the course of procedure to be observed upon any application to the Court under this Law and for prescribing the fees of Court to be charged in respect of such proceedings.

10 OF 1917.

TO PROVIDE FOR THE GIVING OF SECURITY BY OFFICIALS.

JOHN E. CLAUSON.]

[June 28, 1917.

Short title.

1. This Law may be cited as the Official Security (Immovable Property) Law, 1917.

2. When immovable property is tendered as security by any person for the faithful performance and discharge by an official of the duties and obligations of his office, the documents of title of the property shall be handed to the Head of the Department in which the official serves who shall give a receipt for them and hold them in safe keeping. Provided that immovable property subject to any registered mortgage or other charge or attachment for the recovery of a judgment debt duly recorded in the books of the Land Registry Office shall not be taken as security under this Law. The Head of the Department shall inform the Registrar-General of the deposit of such documents of title and an entry shall be made in the Registers of the Land Registry Office and in a special book to be available to the public of the said deposit (in this Law referred to as an entry of deposit). The person tendering the security shall, if it be accepted, sign a document in the form in the Schedule hereto or to that effect. Upon the determination of the deposit by reason of effluxion of time, due notice or otherwise, the said documents of title shall be handed back to the person depositing them or to the person directed to receive them by order of a competent Court and the Head of the Department shall inform the Registrar-General of the deposit having ceased and the said entry of deposit shall be cancelled accordingly.

Immovable
property
tendered by
way of
security.

3. A claim of the Government against property, the documents of which are deposited as security arising out of such security, which arises while an entry of deposit is registered in respect to such property shall take priority over the claims of any other person whatsoever in respect thereof and no transfer by way of sale, mortgage or otherwise of that property shall take place until the said claim of the Government be first satisfied.

Priority of
claim of
Government.

4. The owner of immovable property in respect of which an entry of deposit is registered or any person who shall have obtained a charge on such immovable property may give four months notice in writing to the Head of the Department in whose custody the documents of title of such property are deposited as security to determine the deposit. Upon the expiration of such notice, if no claim on the part of the Government in respect of the security has arisen, the deposit shall be determined.

Determina-
tion of
deposit.

5. No fee shall be payable in respect of the entry or cancellation of an entry of deposit under this Law.

No fee to be
charged.

