

## CHAPTER 33

### REGISTRATION OFFICE

1961-34

This Act came into operation on 3rd August, 1961.

#### Amended by:

|                |                 |                 |
|----------------|-----------------|-----------------|
| <i>1962-35</i> | <i>1977-49</i>  | <i>1979/21</i>  |
| <i>1967-11</i> | <i>1975/139</i> | <i>1982/124</i> |
| <i>1967-46</i> | <i>1976/34</i>  | <i>1982/46</i>  |
| <i>1968-39</i> | <i>1977/207</i> | <i>1990-20</i>  |
| <i>1972-35</i> | <i>1977/227</i> |                 |
| <i>1975-15</i> | <i>1979/16</i>  |                 |

#### Law Revision Orders

*The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:*

|      |      |
|------|------|
| 1978 | 1991 |
|------|------|

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#### Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument



## CHAPTER 33

### REGISTRATION OFFICE 1961-34

#### *Arrangement of Sections*

1. Short title
2. Registrar and Deputy Registrar
3. Powers of Deputy Registrar
4. Assistance in recording or copying documents
5. Certain instruments not to be recorded
6. Notarial duties
7. Penalty on any other person acting as notary public
8. Fees

#### FIRST SCHEDULE

#### SECOND SCHEDULE

#### *GENERAL*



**BARBADOS**

## REGISTRATION OFFICE

1961-34

*An Act to Consolidate and amend the Acts relating to the Registration Office.*

[Commencement: 3rd August, 1961]

**Short title**

1. This Act may be cited as the *Registration Office Act*.

**Registrar and Deputy Registrar**

2. For the purposes of this Act the Registrar and Deputy Registrar shall be the Registrar and Deputy Registrar of the Supreme Court respectively.

**Powers of Deputy Registrar**

3. Subject to the *Supreme Court of Judicature Act*, Cap. 117, the Deputy Registrar may at any place or time exercise any of the powers and authorities of the Registrar, and all duties and functions for the performance and discharge of which the Registrar is required to attend the sitting of any court may be performed and discharged by the Deputy Registrar or by any clerk authorised for that purpose by the court.

**Assistance in recording or copying documents**

4.(1) The Registrar may obtain at a cost not exceeding such amounts as may from time to time be specified in the *First Schedule* any assistance which he considers necessary for recording or copying documents.

(2) Any expenditure properly incurred pursuant to subsection (1) shall be paid by the Accountant-General on the certificate of the Registrar from moneys provided from time to time by Parliament for that purpose.

(3) The Minister responsible for Legal Affairs may by order amend, vary or revoke the *First Schedule*.

[1975-15]

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[1967-11]

**Certain instruments not to be recorded**

5.(1) Subject to subsection (2), the Registrar shall not record any instrument relating to

- (a) real or personal property; or
- (b) any legal proceeding,

unless it is signed by an attorney-at-law in the manner provided by section 10(4) of the *Legal Profession Act*, Cap. 370.

(2) Subsection (1) does not apply to

- (a) an instrument drawn or prepared by a public officer or officer of a statutory board acting in the course of his duty;
- (b) a will or other testamentary instrument;
- (c) an agreement under hand only;
- (d) a letter or power of attorney; or

(e) a transfer of stock containing no trust or limitation thereof.

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[1972-35]

### **Notarial duties**

6. The Registrar and the Assistant Registrar shall have the rights and discharge the duties heretofore appertaining to the office of Notary Public and may protest bills of exchange for non-acceptance or non-payment, receive and enter protests in mercantile matters, take depositions in writing relating thereto, attest procurations, deeds, and powers of attorney and do all other acts as notaries public do in England.

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[1982-46]

### **Penalty on any other person acting as notary public**

7. Any person, other than a person authorised by this Act, who does any act as a notary public in Barbados, by virtue or colour of any power or authority from any person whatsoever, other than and except the Crown, shall for every such act done by him as a notary public forfeit the sum of \$300 to be recovered in a summary manner before a magistrate, one-half thereof to be to the use of the informer.

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[1982-46]

### **Fees**

8.(1) The Registrar shall, in respect of the several matters specified in the *Second Schedule*, be entitled to receive for the benefit of the Consolidated Fund the several fees specified in that Schedule.

(2) All fees received by the Registrar shall be paid by him into the Consolidated Fund at the end of each month.

(3) A full, accurate and detailed account of all such fees received shall be kept by the Registrar, and the said account and all books of the Registration Office

relating thereto shall be examined and audited quarterly by the Auditor-General.

(4) The Registrar may, with the approval of the Minister responsible for Finance, by order, amend, vary or revoke the *Second Schedule*.

[1977-49]



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**FIRST SCHEDULE***(Section 4)*

The cost of any assistance which may be obtained by the Registrar under section 4 shall not exceed

- (a) For recording any other document other than a plot, per folio of 90 words 55c.
- (b) For copying any document other than a plot, per folio of 90 words 50c.
- (c) For examining the record of any document referred to in paragraph (b), per folio of 90 words 15c.
- (d) For examining the copy of any document referred to in paragraph (c), per folio of 90 words 15c.

[1975/139; 1977/207; 1979/21; 1990-20]

**SECOND SCHEDULE***(Section 8(1))**GENERAL*

\$ c.

|    |  |       |
|----|--|-------|
| 1. | For recording each certificate, affidavit or affirmation annexed to any instrument wherever executed or made, per folio of 70 words..... | .80   |
| 2. | For recording a probate.....   | 2.00  |
| 3. | For recording a receipt to a sale or to any other document.....  | 2.50  |
| 4. | For recording papers of any kind, other than those hereinafter mentioned, per folio of 70 words.....                                     | .80   |
| 5. | Office copies of any document or paper the folio of 70 words.....  | .60   |
| 6. | Search of any record by a person, other than an attorney-at-law or his clerk on his behalf.....  | 20.00 |
| 7. | The perusal of any record by any person, other than an attorney-at-law or his clerk on his behalf.....                                   | 20.00 |
| 8. | Certificate of search made, for each year.....   | 2.50  |
| 9. | The allowance of any writing under the seal of any city borough, or town corporate.....  | 5.00  |

**NOTARIAL**

|     |  |        |
|-----|--|--------|
| 10. | For marking each paper as an exhibit.....  | 5.00   |
| 11. | For noting a protest on a vessel.....  | 50.00  |
| 12. | For drawing a protest for a vessel, administering oath to seamen if required and recording same..... | 200.00 |

**NOTINGS ON RECORDS OF JUDGMENTS**

|     |  |       |
|-----|--|-------|
| 13. | Where the amount of the judgment does not exceed \$1,000.....      | 10.00 |
| 14. | Where the amount exceeds \$1,000 but does not exceed \$10,000..... | 50.00 |

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|  |        |
|--|--------|
|  | \$ c.  |
| 15. Where the amount exceeds \$10,000..... | 100.00 |

## MISCELLANEOUS

|  |       |
|--|-------|
| 16. For affixing the Public Seal to any document or paper other than a passport or certificate of nationality.....         | 50.00 |
| 17. For recording documents or papers other than those particularly mentioned in this Schedule, per folio of 70 words..... | 80    |
| 18. Certified copy of Register of any adoption, marriage, death or burial  | 7.00  |

[1990-20]

[1976/34; 1978/31; 1979/16; 1982/124]