

August 27, 2021

Land Transactions Alert!

NEW! ALP Land Law News

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Lands ministry requires identification of parties in land transactions—as *vendor* and *purchaser* are to appear before the Registrar in respect of land transfers, and likewise a *caveator* or *mortgagor* in respect of releases of any kind.

The Ministry of Lands, Housing and Urban Development has recently adopted a practice whereby, before transfer on land can be effected, the **Vendor** and **Purchaser** are required to appear before the Registrar for identification. At most Ministry Zonal Offices (MZOs), appearance and identity of the Vendor is a MUST.

This same requirement for identification likewise applies to releases of any kind. The **Caveator** or **Mortgagor** MUST appear before the Registrar to consent to release of land-related instruments.

The implication of this practice is that:

- (a) Parties to a land transfer transaction should be present for identification before the transfer is registered.

- (b) Parties that have lodged any manner of encumbrance on the land should appear physically for identification before such release or removal is effected by the Registrar.

The rationale of the requirement for personal attendance is to curb the fraud that has been and is still being committed at the Lands Registry especially regarding the transfer and release of interests. This ranges from impersonation to forgery.

This is therefore to advise our esteemed clients that this procedural requirement should be complied with when called upon by Registrars during execution of transfers on land or consent to release of equitable interests on land.

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