



BERMUDA

MORTGAGE REGISTRATION AMENDMENT ACT 2020

2020 : 1

WHEREAS it is expedient to amend the Mortgage Registration Act 1786, the Land Title Registrar (Recording of Documents) Act 2017 and the Registrar-General (Recording of Documents) Act 1955 to clarify that only the function of recording and registering mortgages and other conditional conveyances of land under the Mortgage Registration Act 1786 was transferred from the Registrar-General to the Land Title Registrar by the Land Title Registrar (Recording of Documents) Act 2017, and that the function of recording and registering mortgages and other conditional conveyances of property (other than land) under the Mortgage Registration Act 1786 remains with the Registrar-General;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Mortgage Registration Amendment Act 2020.

Amends Mortgage Registration Act 1786

- 2 (1) Section 1 of the Mortgage Registration Act 1786 is amended—
- (a) in the heading, by deleting “Land Title Registrar” and substituting “Registrar-General or Land Title Registrar”; and
 - (b) in subsections (1), (2) and (3), by deleting “Land Title Registrar” and in each case substituting “Registrar-General or, where the property is land, the Land Title Registrar”.
- (2) Section 2 of the Mortgage Registration Act 1786 is amended—
- (a) in the heading, by deleting “Land Title Registrar” and substituting “Registrar-General or Land Title Registrar”; and

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- (b) in the provision—
 - (i) by deleting “Land Title Registrar shall” and substituting “Registrar-General or, as the case may be, the Land Title Registrar shall”; and
 - (ii) by deleting “Land Title Registrar (Recording of Documents) Act 2017” and substituting “Registrar-General (Recording of Documents) Act 1955 or the Land Title Registrar (Recording of Documents) Act 2017 respectively”.

Amends Land Title Registrar (Recording of Documents) Act 2017

3 The Land Title Registrar (Recording of Documents) Act 2017 is amended in section 6(1)(b) by deleting “property” and substituting “land”.

Amends Registrar-General (Recording of Documents) Act 1955

4 The Registrar-General (Recording of Documents) Act 1955 is amended by inserting after the repealed section 7—

“Recording and registration of mortgages and other conditional conveyances of property (other than land)

7A The Registrar-General shall be the authority for recording and registering mortgages and other conditional conveyances of property (other than land) under the Mortgage Registration Act 1786.”.

Commencement

5 This Act shall be deemed to have come into operation immediately after the Land Title Registrar (Recording of Documents) Act 2017 came into operation.

[Assent Date: 17 February 2020]

[Operative Date: 20 February 2017]