

CHAPTER 81

THE REGISTRATION OF DOCUMENTS ACT.

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CHAPTER 81

THE REGISTRATION OF DOCUMENTS ACT.

Commencement: 31 May, 1922.

An Act relating to the registration of documents.

1. Interpretation.

In this Act, “registrar” means the registrar of documents or any assistant registrar of documents appointed under section 2.

2. Appointment of registrar and assistant registrars.

The Minister may appoint a registrar of documents and such assistant registrars of documents as he or she may consider necessary for the purposes of this Act.

3. Register of documents.

The registrar shall keep a register of documents and, subject to the exceptions hereafter stated, shall register in it in the manner hereafter provided all documents presented to him or her in the prescribed form on payment of the prescribed fee.

4. Persons to present documents for registration.

A document presented for registration must be so presented either by a person executing or claiming an interest under it or the agent of that person, and the registrar may require to be satisfied as to the identity and interest of the person by whom it is brought, or, in the case of an agent, as to his or her authority.

5. Registration, how effected.

Registration shall consist in the filing of a copy (to be furnished by the person presenting the document for registration) of the document brought for registration after that copy has been certified by the registrar as a true copy.

6. Numbering and filing of documents.

The registrar shall number every copy so filed consecutively and record on it the date of registration and the name of the person presenting it and shall file copies in the order in which he or she receives the documents.

7. Memorandum endorsed on registered document.

A memorandum signed by the registrar shall be endorsed on every document registered recording short particulars of the registration, which memorandum shall be prima facie evidence of the due registration of the document.

8. Abstract book.

The registrar shall keep a book in which he or she shall, upon registration of any document, enter the registered number, the names of the parties, the date and nature of the document and date of registration.

9. Refusal to register where rules not complied with or document unsuitable.

Where the size, shape or quality of the paper or other material on which copies of documents presented for registration shall be made or the manner in which they shall be made is prescribed by rules made under this Act, the registrar may refuse to register any document which does not comply with those rules; and where such matters are not prescribed by rules, the registrar may refuse registration of any document of which the copy presented for registration is not, in his or her opinion, suitable for filing.

10. Refusal to register where document contains seditious, etc. matter.

The registrar may refuse to register any document which contains any seditious, libellous, scandalous or indecent matter.

11. Documents in foreign language.

If any document presented for registration is not in the English language, it must be accompanied by a translation in English duly certified to the satisfaction of the registrar and also by a true copy of the original document.

12. Documents containing interlineations, blanks, erasures or alterations.

(1) The registrar may in his or her discretion refuse to accept for registration any document in which any interlineation, blank, erasure or alteration appears, unless the persons executing the document affix their signatures or initials to the interlineation, blank, erasure or alteration.

(2) If he or she registers such document, he or she shall at the time of registering it make note in the register of the interlineation, blank, erasure or alteration.

13. Power of registrar to correct errors and omissions.

Where any person alleges that any error or omission has been made in the register or that any entry or omission in the register has been procured by fraud or mistake, the registrar shall, if he or she shall consider the allegation satisfactorily proved, correct the error, omission or entry.

14. Registration not to cure defect or confer validity.

Registration shall not cure any defect in any document registered or confer upon it any effect or validity which it would not otherwise have had, except insofar as provided in this Act.

15. Registers may be searched and copies obtained.

The register may be searched and examined by any applicant during the usual office hours, and certified copies of any registered document or part of a registered document may be obtained if required; but no document filed in the register shall be permitted to be taken from the register.

16. Copy of lost document.

In the event of the loss or destruction of any document registered under this Act, a copy certified to be a true copy under the hand of the registrar shall be admissible in evidence of its contents in all courts in Uganda subject to all just and lawful exceptions.

17. Certified copy of registered document admissible in civil cases.

(1) Every certified copy of any registered document purporting to be

signed by the registrar shall be admissible in evidence in any civil case without proof of the correctness of the copy or the genuineness of the signature, unless it is alleged either that the original is a forgery or that the copy purporting to be signed by the registrar is a forgery or incorrect.

(2) The party proposing to use it in evidence shall deliver a copy of such certified copy to the opposite party, and that copy shall be received in evidence if the court is of opinion that the copy of it was delivered in sufficient time before the hearing to enable the opposite party to inspect the original register from which the copy has been taken.

18. Nonliability of registrar.

The registrar shall not be liable to any suit, claim or demand by reason of anything done or omitted to be done by him or her in good faith in his or her official capacity.

19. Fees.

The fees prescribed in the Schedule to this Act shall be payable for the matters to which they relate; but the fees may be altered or added to or a new Schedule substituted by rules made under section 20.

20. Minister may make rules.

(1) The Minister may make rules for carrying out the purposes and provisions of this Act.

(2) Those rules may provide a penalty not exceeding two hundred shillings for any breach of the rules.

21. Preservation of old registers.

All registers kept under the Uganda Registration of Documents Ordinance shall be delivered into the custody of the registrar under this Act and preserved by him or her, and shall be open to inspection in the same manner as the register kept under this Act; and a certified copy of any document registered in those registers may be furnished by the registrar in the same manner as a certified copy of a document registered under this Act.

Schedule.

s. 19.

Fees.

	Shs.
1. For registering any document	500
2. For a general search (whether in the old or new register or in both)	100
3. For inspection of a particular document (whether in the old or new register)	50
(a) where the registration reference is supplied	100
(b) where it is not	
4. For copies of documents (exclusive of plans)—	400
(a) certified	100
(i) for the first folio of 100 words or part thereof (ii) for every folio or part of a folio after the first	200
(b) uncertified	50
(i) for the first folio of 100 words or part thereof (ii) for every folio or part of a folio after the first	
5. For copies of plans—	300
(a) certified	200
(b) uncertified	
or such sum as the registrar may direct	

History: Cap. 80; S.I. 14/1975; S.I. 137/1982; S.I. 6/1989.

Cross Reference

Uganda Registration of Documents Ordinance, Ordinance 3/1904.