

SUBSIDIARY LEGISLATION 398.01**CONDOMINIUM REGULATIONS**

1st January, 2002

LEGAL NOTICE 328 of 2001, as amended by Legal Notices 425 of 2007, 426 of 2012 85 of 2015 and 256 of 2019.

1. The title of these regulations is the Condominium Citation. Regulations.

2. In these regulations, unless the context otherwise requires - Interpretation.

"Act" means the Condominium Act; Cap. 398.

"administrator" means the person appointed in terms of article 15 of the Act;

"annotation" means any note entered on the registers;

"form" means any form prescribed in the First Schedule and includes any form used in the operation of the Land Registry for the purpose of the Act;

"plan" means a plan issued by the Land Registry;

"Registrar" means the Land Registrar in terms of the Land Registration Act; Cap. 296.

"register" includes notifications and applications, indexes and lists, notes, and other records, whether original or not, and whether handwritten, typed, microfilmed or reproduced by any other mechanical means or in computer format;

"Registry" means the Land Registry as set up by article 3 of the Land Registration Act;

"rules" means those rules approved in terms of article 24 of the Act.

3. (1) (a) The notification of the appointment, change or removal of an administrator, prescribed in article 15 of the Act shall be made on the form prescribed in the First Schedule, and such form shall be accompanied by a declaration signed by the condomini stating their approval to the appointment, change or removal as applicable. Administrator and rules.

(b) When the administrator is appointed by the arbitrator in terms of article 15(1) and (3) of the Act, the notification of the appointment or change as prescribed in the First Schedule shall be accompanied by an official copy of the arbitrator's decision.

(2) (a) The registration of the rules regulating a condominium shall be made by filing at the Registry the form prescribed in the First Schedule, along with a copy of these rules duly signed by the majority of the condomini.

(b) Where the rules regulating a condominium are changed or modified in any way, the administrator, or, where there is no administrator, the condomini jointly or a person delegated by the condomini, shall provide the registrar with a complete version of the rules as amended or substituted, and it shall not be admissible to provide the Registrar solely with the amendments thereto.

(3) The first application or notification submitted at the Registry must be accompanied by a plan indicating the site of the condominium.

Register.

4. (1) The Registrar shall keep a register of applications referring to administrators and rules in chronological order.

(2) Annotations, rules or other documents, relating to the same condominium shall be kept together in such a manner as the Registrar may deem fit.

(3) The Registrar may annotate the fact that a condominium is registered in a remarks column forming part of the register mentioned in subregulation (1).

Applications.

5. (1) All applications and notifications must be drawn up on A4 size paper in the strict format and order prescribed in the First Schedule and shall:

- (a) be typewritten by mechanical and/or electronic means;
- (b) be free from discolouration and blemishes;
- (c) contain a reference to any annexure thereto;
- (d) be signed by the person submitting the application or notice provided that the name in full shall be typed, rubber stamped or hand-written in block letters under each signature;
- (e) contain the following declaration: "I hereunder signed declare to the best of my knowledge that the contents of this notice/application are true and in accordance with the provisions of the Condominium Act.":

Provided that when an additional form is used it shall -

- (i) be pinned or stapled to the form to which it refers and shall contain a reference thereto;
- (ii) be enumerated;
- (iii) be signed by the persons specified in paragraph (d).

(2) Where it is necessary to remove, vary or add any words before the form is lodged, the person lodging that form shall make such variation or addition by means of a note at the end of the form; in any such case such person shall cancel the words which it is desired to remove or vary in such a manner as to leave the words so cancelled still legible, and shall make a note stating the number of words so cancelled or as the case may be, that other words are substituted for those cancelled and writing immediately after the

words so substituted; in the case of addition of words, such person shall make a mark at the place where the addition is to be made, and a note at the end of the form with the expression "words added" or similar expression, and shall write immediately after the words to be added. Such notes are to be signed by the party or parties signing the form.

6. (1) The Registrar may issue copies of the documents Copies.
submitted, and such copies may be computer-generated.

(2) Any such copies or extracts therefrom or other records or documents filed or held at the Land Registry, shall, if dated, signed and sealed, be deemed to be official copies.

(3) Applications for copies shall be made on the form prescribed in the First Schedule.

7. The Registry shall be kept open for the filing of documents Inspection.
at such time and on such dates as the Minister may by notice in the Gazette establish:

Provided that this shall not preclude the Minister from establishing different times for the inspection of the records, and where access is granted through electronic means from a remote site, the Minister shall establish the conditions, manner and times of such inspections in the said notice.

8. The fees payable shall be those set out in the Second Fees.
Schedule.

9. The seal of the Land Registry shall be that established by Seal.
article 9 of the Land Registration Act. Cap. 296.

Amended by:
L.N. 425 of 2007;
L.N. 426 of 2012.

FIRST SCHEDULE

FORM No. 1 CONDOMINIUM ACT, Cap. 398 NOTIFICATION OF APPOINTMENT, CHANGE OR REMOVAL OF ADMINISTRATOR

(For Office Use)

Condominium No.

Date:

Payment:

Received by:

Insert here the nature of the NOTIFICATION

(Note: i.e. specify or
indicate which applies)

First Appointment

Change relating to Administrator

1a. Condominium address -

Commence from the town or village, continue with the street or locality,
number or name.

1b. Number of units:

Specify the number of units forming the Condominium.

1c. Number of condominii:

2. Particulars of administrator being appointed, changed or removed:

Name, surname, address and a legally valid identification document number
provided that if the person does not have a legally valid identification document, the
Passport number suffices.

3a. Date of Appointment

3b. Term of Appointment

4. List of documents:

5. I hereunder signed declare to the best of my knowledge that the contents of
this notice are true and in accordance with the provisions of the Condominium Act.

Signature

NAME IN BLOCKS

FORM No. 2

CONDOMIMUM ACT, Cap. 398

REGISTRATION OF RULES OR AMENDMENTS THERETO

(For Office Use)

Condominium No.

Date:

Payment:

Received by:

Insert here the nature of the APPLICATION

(Note: i.e. specify or indicate which applies)

Registration of Rules

Amendments of Rules

1a. Condominium address -

Commence from the town or village, continue with the street or locality, number or name.

1b. Number of units:

Specify the number of units forming the Condominium.

1c. Number of condomini:

2. Particulars of person submitting rules:

Name, surname, address and a legally valid identification document number provided that if the person does not have a legally valid identification document, the passport number will suffice.

3. List of documents:

4. I hereunder signed declare to the best of my knowledge that the contents of this application are true and in accordance with the provisions of the Condominium Act.

Signature

NAME IN BLOCKS

FORM No. 3

CONDOMINIUM ACT, Cap. 398

REQUEST FOR INFORMATION/COPIES

Please supply me (Name) of
 (Address)
 with copies of:

- 1.
- 2.
- 3.
- 4.

or all documents relating to Condominium No.

Paid

€ Receipt No.

FORM No. 4

CONDOMINIUM ACT, Cap. 398

NOTICE

Notice is hereby given that I have received an application for the registration of and or amendment to rules regulating the following condominium:

Condominium No.	Address of Condominium	Remarks (Registration of Rules/ Amendments to Rules)	Date of Registration
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*Substituted by:
L.N. 425 of 2007;
L.N. 85 of 2015;
L.N. 256 of 2019.*

SECOND SCHEDULE

Service		
1.	Notification of Administrator Minimum charge	€ 5.00 per unit €15.00
2.	Registration of Rules Minimum Charge	€ 5.00 per unit €30.00

3.	Any subsequent amendments to rules Minimum charge	€ 3.00 per unit €10.00
4.	Copies of documents or plans: For every folio Legal copies – per folio	€1.00 €1.50