



DEEDS AND PROBATE REGISTRIES (FEES) ORDER 2013

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Statutory Document No. 0046/2013



Fees and Duties Act 1989

DEEDS AND PROBATE REGISTRIES (FEES) ORDER 2013

Approved by Tynwald: 21 May 2013
Coming into Operation: 1 July 2013

The Treasury makes the following Order under section 1(1) of the Fees and Duties Act 1989.

1 Title

This Order is the Deeds and Probate Registries (Fees) Order 2013.

2 Commencement

If approved by Tynwald, this Order comes into operation on 1 July 2013¹.

3 Calculation of fees

- (1) In calculating the fee payable under this Order in respect of any conveyance, lease, assignment or settlement, the value on which the fee is payable —
 - (a) if the monetary consideration relating to it is equal to or greater than the value of the land, is that monetary consideration; or
 - (b) if the monetary consideration is less than the value of the land, is the value of the land.
- (2) In the case of a surrender and release or gift not for value —
 - (a) if it gives effect to the disposition of an interest in the land, the fee payable is based on the value of that share of the land; and
 - (b) the value of the land is calculated without taking into account any amount outstanding under any charge on the land.
- (3) If a transaction consists of or includes an exchange, each element of the transaction is treated as separate for the purposes of calculating the fees payable.
- (4) In calculating the fee payable the value is rounded up to the nearest £1,000.

¹ Tynwald approval is required by section 1(4) of the Fees and Duties Act 1989

- (5) In the case of a grant of a lease, the monetary consideration is calculated according to the formula $P + 10R$ where —
- P** is the consideration stated in the lease (as declared in the deed); and
- R** is the highest ascertainable amount of annual rent reserved by the lease.
- (6) In any other case “monetary consideration” means a consideration in money or money’s worth other than a consideration consisting solely of a covenant to pay money owing under a charge.

4 Valuation

- (1) For the purposes of this Order the value of land is the amount which the land might be expected to reach on the open market if sold by a willing seller.
- (2) In the case of the surrender of a lease the value is the leasehold estate immediately before the surrender.
- (3) The value includes the value of any building erected or being erected on the land.
- (4) In the case of a transfer by way of gift or at an under value no account is taken of any charge on the land.
- (5) If the value of any land is declared in the conveyance, lease, assignment or settlement, the Registrar may accept it as the true value of the land if the valuation is certified by a person the Registrar considers qualified to give it.

5 Level of fees

- (1) The fee payable for any conveyance, lease, assignment or settlement is —
- (a) £5.70 for each £1,000 of value; or
- (b) £75.00,
- whichever is the higher.
- (2) However, if —
- (a) the land conveyed consists of or includes a dwelling that is occupied or capable of being occupied as such;
- (b) the monetary consideration or value calculated in accordance with article 3 or article 4 as the case may be does not exceed the limit set by the Department of Social Care for financial assistance under a Government house purchase assistance scheme; and
- (c) the conveyance is accompanied by a Government Grant or top-up loan in accordance with a Government house purchase assistance scheme,

paragraph (2) applies as if for “£5.70” there were substituted “£2.85”.

- (3) The Schedule has effect for determining the other fees payable under this Order.

6 Revocation

The Deeds and Probate Registries (Fees) Order 2010² is revoked.

MADE 10th April 2013

W E TEARE
Minister for the Treasury

² SD 0776/10

SCHEDULE

[Article 5(3)]

PART 1 - FIXED FEES PAYABLE IN DEEDS AND PROBATE REGISTRIES

No.	Nature of Transaction	Fee
1	Any deed of mortgage, bond and security or any deed creating any lien or charge (including Government Grant and top-up loan)	£51.00
2	When land is conveyed to a beneficiary from the estate of a deceased person, whether directly from the deceased's estate to the beneficiary or out of a trust established by the deceased's estate to the beneficiary	£75.00
3	Any deed of appointment of new trustee, any copy of a Will, letters of administration, memorial, affidavit, receipt for legacy or share of estate, power of attorney, any other similar document or registering any document in the Deeds Registry not otherwise specified	£36.00
4	If any document is tendered for registration and enrolment or recording in more than one parish, for each additional parish	£3.00
5	Any release or receipt to cancel, in whole or in part, any mortgage, deed of bond and security, charge, lien or other encumbrance	£36.00
6	A certificate of cancellation	£8.70
7	Filing any document in the Probate Registry	£3.00
8	Certificate of filing any document in the Probate Registry	£8.70
9	For making any minute required to be made on any document	£3.00
10	Duplicate certificate of registration	£3.50
11	For a print-out of a scanned deed or document	£6.00
12	Inspection of documents, per deed or document	£2.50
13	Retrieval of original document from storage after scanning	£45.00

PART 2 – ELECTRONIC SERVICES

No.	Nature of Transaction	Fee
14	Electronic copy sent via e-mail – per scanned deed or document	£5.00

PART 3 – PHOTOCOPYING CHARGES

No.	Nature of Service	Fee
15	For making a black and white photocopy of a document held in the Deeds or Probate Registry, for each page:	
	A4	£0.30
	A3	£1.20
	over A3	£3.50
16	For making a colour photocopy of a document held in the Deeds or Probate Registry, for each page:	
	A4	£1.20
	A3	£6.50
	over A3	£13.00

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under the Fees and Duties Act 1989. It revokes the Deeds and Probate Registries Fees Order 2010 (SD 0776/10).

The Order prescribes the fees to be collected in the Deeds Registry and the Probate Registry.