FORM 6

*Application for registration where title is based on possession of registered land only (Rule 45 and Section 49)*

**LAND REGISTRY**

**County                                                         Folio**

I, A.B., of                                                                                              make oath and say—

1. I, (*and my predecessors in title*) have been in sole and exclusive beneficial occupation of the property described in the first schedule hereto, hereinafter called the property, for upwards of        years last past, and/or in sole receipt of the rents and profits thereof and no acknowledgment has been given by me (us) in favour of any person in respect of same or any part thereof. (Where applicable – I confirm that the map attached correctly shows the boundaries of the property under my possession and the subject matter of this application).
2. My (*or my predecessors*) possession commenced in (year) (*Describe how the occupation began and set out such facts as are relied upon in support of the applicant's claim to have established his/her title, e.g., deliberate squatting with intention to acquire the property; taking possession as one of the next-of-kin of a deceased owner against the personal representative of such owner, other next-of-kin, etc., departures or dispossessions, relevant deaths; next-of-kin, addresses for service of notices, etc.*).  *(Where relevant, a sketch of the family tree may be exhibited) (Evidence of deaths on title, deeds etc. should be exhibited).*
3. The uses to which the property have been put since occupation began are *(describe the uses to which the property has been put, and show how the uses amount to adverse possession having regard to the current law on adverse possession).* No other person has had use of the property since occupation commenced *(other than (describe the use of any other persons in the property, and show how that use does not amount to possession)).*
4. I (*and my predecessors*) have never paid any rent in respect of the property *(or rent was paid under a lease/tenancy/tenancy in writing – provide details of the nature of the lease/tenancy and show when and how the lease/tenancy determined).*
5. The property is securely bounded *(describe the age and nature of the boundaries, e.g. mature hedge, wall, wire fence, or as the case may be).*  The boundaries are maintained by *(name).*

OR

The property has been fully incorporated into other property owned by me, and I am the owner of all adjoining property.

OR

The property is not fully bounded, but possession is exclusive as shown by *(provide evidence to show that the possession of the property amounts to exclusive possession notwithstanding the lack of boundaries, and lodge any supplementary evidence that can support this).*

OR

*(as the case may be)*

1. The property has *(or has not)* been used in conjunction with other property *(describe the title to the property. If the title to this property is leasehold, please see Note 7).*
2. The name(*s*) and current address(*es*) of the registered owner(*s*) or his/her personal representative and/or successors for service of notice are provided in the Second Schedule Part 1.
3. The names and current addresses of all adjoining owners for service of notice are provided in the Second Schedule Part 2.
4. I exhibit herewith the certificate of discharge from Capital Acquisitions Tax as required by 62(2) of the Capital Acquisitions Tax Consolidation Act 2003 (as amended by section 128 of the Finance Act 2008) or, if appropriate, a solicitor’s certificate in the form prescribed by section 62(7) of the Capital Acquisitions Tax Consolidation Act 2003 (as amended by section 128 of the Finance Act 2008).
5. I am entitled for my own benefit to the fee simple interest in the property (*or, otherwise as the case may be*) and I am not aware of any contract or agreement for sale, or of any mortgage, charge, lease, agreement for lease, restrictive covenant, or incumbrance (*or*, except as stated in the Third Schedule hereto) affecting the property, or any part thereof, and I declare that there is no person in possession or occupation of the property or any part thereof adversely to my estate or interest therein.
6. I am not aware of any question or doubt affecting the title to the property, or any part thereof, or of any matter or thing whereby the title is, or may be impeached, affected, or called in question in any manner whatsoever.
7. There is not to my knowledge any person interested in the proceedings on the said application who is under the age of 18 years, or is of unsound mind, (except - *give name and address of any person interested who is a minor or of unsound mind and of his/her guardian or committee, or trustees under Section* 57 *of the Succession Act*, 1965, *if any*) and no proceedings are pending in any court relating to the said property (except - *give particulars of any pending action or suit*).
8. I apply to be registered as owner with absolute title of the property set out in the First Schedule hereto.

**FIRST SCHEDULE**

The property described in folio \_\_\_\_\_\_\_ of the Register, County\_\_\_\_\_\_\_\_\_\_

OR

The part of the property described in Folio \_\_\_\_\_\_\_ of the Register County \_\_\_\_\_\_ shown edged \_\_\_\_\_ on the map attached hereto

**SECOND SCHEDULE**

**PART 1 – Registered Owner/Successors of Registered Owner**

*Provide names and current addresses – do not merely rely on the registered addresses on folios.  Information from the applicant’s knowledge or procurement should be provided.*

*Where it is claimed that successive barring has occurred (e.g. where the applicant claims to have barred persons who themselves may have acquired title under the Statute of Limitations), the names and addresses of all persons barred (or their successors) should be provided.*

**SECOND SCHEDULE**

**PART 2 – Adjoining Owners**

*Provide names and current addresses – do not merely rely on the registered addresses on folios.  Information from the applicant’s knowledge or procurement should be provided.*

**THIRD SCHEDULE** (where necessary)

*Details of any mortgage, charge, lease, agreement for lease, restrictive covenant, lien incumbrance or trust affecting the property, or any part thereof.*

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| Signature of deponent.  I.  X.Y., hereby certify that I know the deponent.    Signature | Sworn this the        day of             , 20  ,  at                 in the county of                                                 before me a Commissioner for Oaths (*or other qualified person*) and I know the deponent  (*or*, I know X.Y., who certifies his/her knowledge of the deponent).  Signature |

Note (1) - Where the application is based on possession of unregistered land, Form 5 should be used and not this form.

Note (2) - Where application is made in respect of part of property in a folio under Rule 46,

an application map should be lodged. The map should be referred to in the application as correctly showing the boundaries of the property.

Note (3) - Please note that an interest vesting in a minor creates a trust in land by virtue of Part 4 of the Land and Conveyancing Law Reform Act 2009. The guardians of a minor do not necessarily have capacity to act as trustees on his/her behalf (*see Section 19 of the 2009 Act).*

Note (4) - If the application is made on behalf of a corporate body it may be made by the Secretary or Law Agent or it may be made by a person duly authorised by that body if it is averred that the person is duly authorised and has the necessary means of knowledge.

Note (6) - If there is more than one applicant, the form should be amended accordingly.

Note (7) – where the property has been used in conjunction with leasehold property owned by the applicant, the presumption of encroachment may apply, and if not rebutted, any interest acquired by the applicant is not registerable.  It is up to the applicant to rebut the presumption.