

Privacy Notice: Section 4 of the Registered Land Law authorises the Registrar of Lands to collect the information required by this form for the establishment and maintenance of the Land Register. Section 35 requires that the Register is made available to any person for search and inspection upon payment of a fee. It may also be used for authorised purposes in accordance with legislation and policy requirements. For more information, please see the Department's website.

Declaration of Identity

I, [name of declarant], do solemnly and sincerely declare that.....

1. I am the Registered Owner of the land described in Block [] Parcel [] and legally described as:

2. I am ONE AND THE SAME PERSON as [insert name(s)]

3. Attached and marked as 'A' in support of this Statutory Declaration is: [identify document such as passport, birth/marriage certificate].

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Voluntary Declarations Law (1998 Revision).

Taken and acknowledged this..... day of....., 20

Name of declarant

before me

Notary Public/Justice of the Peace

These Guidance Notes are of a general nature and are not intended to, and cannot, replace the advice of a Legal Practitioner. If you need more help or information about completing the form, contact us. Please be aware that we do not give legal advice.

BACKGROUND

Land Registry, to support its guarantee of title, must be sure that the person selling, mortgaging or otherwise dealing with the land in a title is indeed the person shown as the registered proprietor. In its simplest form, for documents such as mortgages, leases, applications, etc. the identity check is the comparison of the name and address shown on the document with the name and address shown on the title.

Confirmation of identity is required when there is some uncertainty whether the individual executing an instrument is the individual entitled to do so according to the information on the register. It is often required in situations where the name of a transferor, mortgagor or lessor is similar to but not identical to the name of the registered owner shown on the register.

Obvious spelling errors such as "Micheal" for "Michael" are not a cause for rejection. If a discrepancy in names is due to marriage, a formal application for rectifying the register must be followed (see FORM 32).

Amendment of the document and/or amendment to the name in the Register will be required where the document shows that:

- a name has been added to or omitted from the proprietor's name
- the order of names is different
- there is a difference in spelling in the name or names
- the signature of the proprietor indicates another name
- a person has been married since first becoming registered proprietor
- a person has changed name by Deed Poll, or
- a person wishes to revert to the use of their birth or maiden name.

REGISTRATION PROCEDURE

1. The information required to confirm identity and explain a discrepancy in names should be either

a) contained in a statutory declaration made under the Voluntary Declarations Act, or

b) incorporated into the certificate of identification.

2. A statutory declaration would usually be made by the individual whose identity is being confirmed. Still, the attorney may make it for the individual if the discrepancy in names is within the attorney's knowledge (e.g., a given name or the party's surname was misspelt due to an error in the attorney's office).

3. Although there are no formal requirements for the contents of the statutory declaration, one has been developed for use when confirmation of identity is required. The information must confirm that the individual is the same person and give a plausible explanation for the discrepancy in the names. An exhibit may be attached to the declaration (such as a birth or marriage certificate if it helps explain the discrepancy) but is not required if the information provided satisfactorily establishes identity. The statutory declaration should be attached to a document submitted for registration.

6. When rejecting a document requiring identity confirmation, state the discrepancy in the names and suggest that a statutory declaration confirming identity may be appropriate.

SAMPLE
DECLARATION OF IDENTITY

I, **JANE ELIZABETH DOE** of P.O. BOX 1, Grand Cayman KY1-1102 , CAYMAN ISLANDS do solemnly and sincerely declare that:-

1. I am the Registered Owner of the land described in Block 1A Parcel 1 and legally described as JANE MARIE DOE.
2. That I am one and the same person described as JANE ELIZABETH DOE.
3. Attached and marked as 'A' in support of this Statutory Declaration is:
[identify document such as passport, birth/marriage certificate.

and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Voluntary Declarations Law (1998 Revision).

Taken and acknowledged this..... day of....., 20 .

Name of declarant.

before me

Notary Public/Justice of the Peace