

## ROYAL COURT OF JERSEY

RC20/07

### **Guide for the cancellation of Judicial Hypothecs under Article 16 of the Loi (1880) sur la propriété foncière**

In response to the corona virus pandemic and social distancing requirements, where an appointment to cancel judicial hypothecs is required before the Judicial Greffier (which shall include the Registrar of Deeds) the following approach will be taken.

1. An appointment will be made with the Registrar of Deeds for the judicial hypothecs to be signed by the creditor [or his lawyer] over an audio-visual link in the presence of the Registrar.
2. During the appointment, the creditor [or his lawyer] must identify himself to the satisfaction of the Greffier and allow the Greffier to view him signing each of the judicial hypothecs being produced for cancellation.
3. Once the signing has been completed, the creditor [or his lawyer] shall send to the Greffier the original signed judicial hypothecs together with a covering letter identifying each of those hypothecs to be cancelled.
4. If the original judicial hypothec cannot be produced, an affidavit will still need to be filed, stating the cause and deposing that such judicial hypothec has not been transferred to any third party.
5. If the Greffier is satisfied, on receipt of signed judicial hypothecs and covering letter the Registrar shall effect such cancelling.
6. Once the judicial hypothecs have been cancelled and the Public Registry duly updated, the original documents will be returned to the creditor.
7. This Practice Direction will come into force with immediate effect and shall remain in force until notice is given by the Royal Court of its cessation.

**29<sup>th</sup> April 2020**