

Objections to correction of errors or omissions in the register

This chapter deals only with corrections pursuant to section 57(6), i.e. where the Registrar, on his own initiative proposes to correct an error or omission attributable to Registry staff.

If the Registrar proposes to correct an entry in the register in these circumstances, he must send a notice of the proposed correction to any person who appears to the Registrar to be concerned.

Rule 66 lays down the procedure for objecting to such correction by any person receiving notice of the proposed correction.

Any such person may make written objections to the proposed correction stating the grounds of his objection. There is no specified form, fee, or particular form that the written objections must take, but they must be received at the Registry within 3 months after the date of the notice (rule 66(2)). The three-month period can be extended but the concerned person risks the correction being made immediately after the end of the period pursuant to rule 66(4), if the extension of time application is made outside the prescribed period.

The Registrar shall consider the objections and if they have merit, shall abandon the proposed correction. Should the Registrar take the view that the objections are unmeritorious the provisions of rule 74 will apply. See chapter on Hearings.

After hearing the concerned person, if requested, the Registrar shall either abandon the proposals or correct the register as proposed.

An appeal to the Court of First Instance would lie from any decision of the Registrar to correct an entry in the register (section 84).

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