

(3) The Registrar, if satisfied with the evidence as to the destruction or loss of the certificate, and after the publication of such notice as he may think fit, may issue a new certificate.

(4) When a lost certificate is found, it shall be delivered to the Registrar for cancellation.

Searches and copies

35. (1) Any person, on application in the prescribed form and on payment of the prescribed fee, may inspect during official hours of business any register and any sheet of the Registry Map or any filed instrument or plan.

(2) Any person, on application in the prescribed form and on payment of the prescribed fee, shall be entitled to a certified copy of any register or part of the Registry Map or any plan or instrument filed in the Registry.

(3) Any person, on application in the prescribed form and on payment of the prescribed fee, may require an official search in respect of any parcel, and the Registrar shall issue a certificate of official search setting forth particulars of the subsisting entries in the register of that parcel.

Evidence

36. (1) A certified copy of the register or part of the Registry Map or any plan or instrument filed in the Registry shall be admissible in evidence in all actions and matters and between all persons or parties, to the same extent as the original, and a signature on any such certified copy purporting to be the signature of the Registrar shall be presumed to be the signature of the Registrar until the contrary is proved.

(2) No legal practitioner, trustee, personal representative or other person in a fiduciary position shall be answerable in respect of any loss occasioned by the inaccuracy of any such certified copy as is referred to in subsection (1).

(3) No process for compelling the production of the register, the Registry Map or any filed instrument or plan shall issue from any Court except with the leave of that Court, which leave shall not be granted if a certified copy will suffice, and any such process, if issued, shall bear thereon a statement that it is issued with the leave of the Court.

PART 5

DISPOSITIONS

Division 1

General

Subsequent dealings

37. (1) No land, lease or charge shall be capable of being disposed of except in accordance with this Act, and every attempt to dispose of such land, lease or charge otherwise than in accordance with this Act shall be ineffectual to create, extinguish, transfer, vary or affect any estate, right or interest in the land, lease or charge.

(2) Nothing in this section shall be construed as preventing any unregistered instrument from operating as a contract, but no action may be brought upon any contract for the disposition of any