

ARTICLE 428. PERSONS FROM WHOM REGISTRABLE RIGHTS CAN BE ACQUIRED

- (1) Registration of the acquisition of a registrable right may be made solely:
- a) if it acquired from the person who, at the date when the registration application is lodged, is registered as the holder of the right that is being transferred or encumbered; or
 - b) if it is acquired from a person who, before registration of the acquisition of the right to its benefit under sub-paragraph (a), has undertaken to encumber its right, and both registrations are requested concurrently.
- (2) The provisions under paragraph (1) do not apply to the person who acquires ownership on the occasion of the primary registration in the register of the object of the registrable right.
- (3) If a spouse is registered as a sole holder of a registrable right, but the status of joint property is noted, a transfer or encumbrance of such a right is to be registered solely with the consent of the other spouse, contained either in the juridical act of disposal or in a separate written instrument in the form required by law.