



Land Charges Act 1972

1972 CHAPTER 61

Registration in registers of pending actions, writs and orders and deeds of arrangement

6 The register of writs and orders affecting land.

- (1) There may be registered in the register of writs and orders affecting land—
- (a) any writ or order affecting land issued or made by any court for the purpose of enforcing a judgment or recognisance;
 - (b) any order appointing a receiver or sequestrator of land;
 - ^{F1}(c) any bankruptcy order, whether or not the bankrupt's estate is known to include land,]
 - ^{F2}[(d) any access order under the Access to Neighbouring Land Act 1992.]

^{F3}(1A) No writ or order affecting an interest under a trust of land may be registered under subsection (1) above.]

- (2) Every entry made pursuant to this section shall be made in the name of the estate owner or other person whose land, if any, is affected by the writ or order registered.

^{F4}(2A) Where a person has died and any such writ or order as is mentioned in subsection (1) (a) or (b) above would apart from his death have been registered in his name, it shall be so registered notwithstanding his death.]

- (3) No fee shall be charged for the registration of a ^{F5}bankruptcy order] if the application for registration is made by an official receiver.

- (4) Except as provided by subsection (5) below and by ^{F6}section 37(5) of the ^{F7}Senior Courts Act 1981]] and ^{F8}section 107(3) of the County Courts Act 1984] (which make special provision as to receiving orders in respect of land of judgment debtors) every such writ and order as is mentioned in subsection (1) above, and every delivery in execution or other proceeding taken pursuant to any such writ or order, or in obedience to any such writ or order, shall be void as against a purchaser of the land unless the writ or order is for the time being registered under this section.

Changes to legislation: There are currently no known outstanding effects for the Land Charges Act 1972, Section 6. (See end of Document for details)

- [^{F9}(5) Subject to subsection (6) below, the title of a trustee in bankruptcy shall be void as against a purchaser of a legal estate in good faith for money or money's worth unless the bankruptcy order is for the time being registered under this section.]
- (6) Where a [^{F10}bankruptcy application or] petition in bankruptcy has been registered under section 5 above, the title of the trustee in bankruptcy shall be void as against a purchaser of a legal estate in good faith for money or money's worth . . . ^{F11} claiming under a conveyance made after the date of registration, unless at the date of the conveyance [^{F12}either—
- (a) the registration of the application or the petition is in force; or
 - (b) a receiving order on the application or the petition is registered under this section.]

Textual Amendments

- F1** S. 6(1)(c) substituted by [Insolvency Act 1985 \(c.65, SIF 66\)](#), s. 235(1), **Sch. 8 para. 21(3)(a)** (with saving in [Insolvency Act 1986 \(c.45, SIF 66\)](#), s. 437, **Sch. 11 para. 10**)
- F2** S. 6(1)(d) added (31.1.1993) by [Access to Neighbouring Land Act 1992 \(c. 23\)](#), s. 5(1); S.I. 1992/3349, **art. 2**.
- F3** S. 6(1A) inserted (1.1.1997) by [1996 c. 47](#), s. 25(1), **Sch. 3 para. 12(3)** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art.2**.
- F4** S. 6(2A) inserted (1.7.1995) by [1994 c. 36](#), ss. 15(4)(5), 20; S.I. 1995/1317, **art. 2**.
- F5** Words substituted by [Insolvency Act 1985 \(c.65, SIF 66\)](#), s. 235(1), **Sch. 8 para. 21(3)(b)** (with saving in [Insolvency Act 1986 \(c.45, SIF 66\)](#), s. 437, **Sch. 11 para. 10**)
- F6** Words substituted by [Supreme Court Act 1981 \(c.54, SIF 37\)](#), s. 152(1), **Sch. 5**
- F7** Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 11 para. 1(2)**; S.I. 2009/1604, art. 2(d)
- F8** Words substituted by [County Courts Act 1984 \(c.28, SIF 34\)](#), s. 148(1), **Sch. 2 Pt. IV para. 18**
- F9** S. 6(5) substituted by [Insolvency Act 1985 \(c.65, SIF 66\)](#), s. 235(1), **Sch. 8 para. 21(3)(c)** (with saving in [Insolvency Act 1986 \(c.45, SIF 66\)](#), s. 437, **Sch. 11 para. 10**)
- F10** Words in s. 6(6) inserted (6.4.2016) by [The Enterprise and Regulatory Reform Act 2013 \(Consequential Amendments\) \(Bankruptcy\) and the Small Business, Enterprise and Employment Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/481\)](#), reg. 1, **Sch. 1 para. 4(3)(a)**
- F11** Words repealed by [Insolvency Act 1985 \(c.65, SIF 66\)](#), s. 235(1)(3), Sch. 8 para. 21(3)(d), **Sch. 10 Pt. III** (with saving in [Insolvency Act 1986 \(c.45, SIF 66\)](#), s. 437, **Sch. 11 para. 10**)
- F12** Words in s. 6(6) substituted (6.4.2016) by [The Enterprise and Regulatory Reform Act 2013 \(Consequential Amendments\) \(Bankruptcy\) and the Small Business, Enterprise and Employment Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/481\)](#), reg. 1, **Sch. 1 para. 4(3)(b)**

Modifications etc. (not altering text)

- C1** S. 6(4) restricted by [County Courts Act 1984 \(c.28, SIF 34\)](#), s. 107(3)
- C2** S. 6(4) restricted by [Drug Trafficking Offences Act 1986 \(c.32, SIF 39:1\)](#), s. 10(3)
- C3** S. 6(4) modified by [Criminal Justice Act 1988 \(c.33, SIF 39:1\)](#), ss. 79(2), 123(6), **Sch. 8 para. 16**
S. 6(4) excluded (3.2.1995) by [1994 c. 37](#), ss. 28(2), 33(2)(7), 34(2)(3), 69(2) (with 66(2)).

Changes to legislation:

There are currently no known outstanding effects for the Land Charges Act 1972, Section 6.