

## SCHEDULES

### SCHEDULE 3

Sections 29 and 30

#### UNREGISTERED INTERESTS WHICH OVERRIDE REGISTERED DISPOSITIONS

##### *Leasehold estates in land*

- 1 A leasehold estate in land granted for a term not exceeding seven years from the date of the grant, except for—
- (a) a lease the grant of which falls within section 4(1)(d), (e) or (f);
  - (b) a lease the grant of which constitutes a registrable disposition.

##### *Interests of persons in actual occupation*

- 2 An interest belonging at the time of the disposition to a person in actual occupation, so far as relating to land of which he is in actual occupation, except for—
- (a) an interest under a settlement under the Settled Land Act 1925 (c. 18);
  - (b) an interest of a person of whom inquiry was made before the disposition and who failed to disclose the right when he could reasonably have been expected to do so;
  - (c) an interest—
    - (i) which belongs to a person whose occupation would not have been obvious on a reasonably careful inspection of the land at the time of the disposition, and
    - (ii) of which the person to whom the disposition is made does not have actual knowledge at that time;
  - (d) a leasehold estate in land granted to take effect in possession after the end of the period of three months beginning with the date of the grant and which has not taken effect in possession at the time of the disposition.

##### *Easements and profits a prendre*

- 3 (1) A legal easement or profit a prendre, except for an easement, or a profit a prendre which is not registered under the Commons Registration Act 1965 (c. 64), which at the time of the disposition—
- (a) is not within the actual knowledge of the person to whom the disposition is made, and
  - (b) would not have been obvious on a reasonably careful inspection of the land over which the easement or profit is exercisable.
- (2) The exception in sub-paragraph (1) does not apply if the person entitled to the easement or profit proves that it has been exercised in the period of one year ending with the day of the disposition.

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*Status: This is the original version (as it was originally enacted).*

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*Customary and public rights*

- 4 A customary right.
- 5 A public right.

*Local land charges*

- 6 A local land charge.

*Mines and minerals*

- 7 An interest in any coal or coal mine, the rights attached to any such interest and the rights of any person under section 38, 49 or 51 of the Coal Industry Act 1994 (c. 21).
- 8 In the case of land to which title was registered before 1898, rights to mines and minerals (and incidental rights) created before 1898.
- 9 In the case of land to which title was registered between 1898 and 1925 inclusive, rights to mines and minerals (and incidental rights) created before the date of registration of the title.

*Miscellaneous*

- 10 A franchise.
- 11 A manorial right.
- 12 A right to rent which was reserved to the Crown on the granting of any freehold estate (whether or not the right is still vested in the Crown).
- 13 A non-statutory right in respect of an embankment or sea or river wall.
- 14 A right to payment in lieu of tithe.