



Land Registration Act 1925

1925 CHAPTER 21

PART X

MISCELLANEOUS PROVISIONS.

110 Provisions as between vendor and purchaser.

On a sale or other disposition of registered land to a purchaser other than a lessee or chargee—

- (1) The vendor shall, notwithstanding any stipulation to the contrary, at his own expense furnish the purchaser with an authority to inspect the register, and, if required, with a copy of the subsisting entries in the register and of any filed plans and copies or abstracts of any documents or any part thereof noted on the register so far as they respectively affect the land to be dealt with (except charges or incumbrances registered or protected on the register which are to be discharged or overridden at or prior to completion):

Provided that—

- (a) unless the purchase money exceeds one thousand pounds the costs of the copies and abstracts of the said entries plans and documents shall, in the absence of any stipulation to the contrary, be borne by the purchaser requiring the same;
 - (b) nothing in this section shall give a purchaser a right to a copy or abstract of a settlement filed at the registry:
- (2) The vendor shall, subject to any stipulation to the contrary, at his own expense furnish the purchaser with such copies, abstracts and evidence (if any) in respect of any subsisting rights and interests appurtenant to the registered land as to which the register is not conclusive, and of any matters excepted from the effect of registration as the purchaser would have been entitled to if the land had not been registered:
- (3) Except as aforesaid, and notwithstanding any stipulation to the contrary, it shall not be necessary for the vendor to furnish the purchaser with any abstract or other written

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evidence of title, or any copy or abstract of the land certificate, or of any charge certificate:

- (4) Where the register refers to a filed abstract or copy of or extract from a deed or other document such abstract or extract shall as between vendor and purchaser be assumed to be correct, and to contain all material portions of the original, and no person dealing with any registered land or charge shall have a right to require production of the original, or be affected in any way by any provisions of the said document other than those appearing in such abstract, copy or extract, and any person suffering loss by reason of any error or omission in such abstract, copy or extract shall be entitled to be indemnified under this Act:
- (5) Where the vendor is not himself registered as proprietor of the land or the charge giving a power of sale over the land, he shall, at the request of the purchaser and at his own expense, and notwithstanding any stipulation to the contrary, either procure the registration of himself as proprietor of the land or of the charge, as the case may be, or procure a disposition from the proprietor to the purchaser:
- (6) Unless the certificate is deposited at the registry the vendor shall deliver the land certificate, or the charge certificate, as the case may be, to the purchaser on completion of the purchase, or, if only a part of the land comprised in the certificate is dealt with, or only a derivative estate is created, he shall, at his own expense, produce, or procure the production of, the certificate in accordance with this Act for the completion of the purchaser's registration. Where the certificate has been lost or destroyed, the vendor shall, notwithstanding any stipulation to the contrary, pay the costs of the proceedings required to enable the registrar to proceed without it:.
- (7) The purchaser shall not, by reason of the registration, be affected with notice of any pending action, writ, order, deed of arrangement or land charge (other than a local land charge) to which this subsection applies, which can be protected under this Act by lodging or registering a creditors' notice, restriction, inhibition, caution or other notice, or be concerned to make any search therefor if and so far as they affect registered land.

This subsection applies only to pending actions, writs, orders, deeds of arrangement and land charges (not including local land charges) required to be registered or re-registered after the commencement of this Act, either under the Land Charges Act, 1925, or any other statute registration whereunder has effect as if made under that Act.

111 Infants, defectives and lunatics.

- (1) A purported disposition of any registered land or charge to an infant made after the commencement of this Act, or by the will of a proprietor dying after such commencement, shall not entitle the infant to be registered as proprietor of the registered land or charge until he attains full age, but in the meantime shall operate only as a declaration binding on the proprietor or personal representative that the registered land or charge is to be held on trust to give effect to minor interests in favour of the infant corresponding, as nearly as may be, with the interests which the disposition purports to transfer or create; and the disposition or a copy thereof or extract therefrom shall be deposited at the registry, and shall, unless and until the tenants for life, statutory owners, personal representatives or trustees for sale are registered as proprietors, be protected by means of a restriction or otherwise on the register :

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- (a) If the disposition is made to the infant jointly with another person of full age, that person shall, during the minority, be entitled to be registered as proprietor, and the infant shall not be registered until he attains full age;
 - (b) Where the registered land or charge is subject to any trusts or rights of redemption in favour of any person other than the infant, nothing in this section shall affect such trusts or rights of redemption;
 - (c) Where by reason of the minority or otherwise the land is settled land, the provisions of this Act relating to settled land shall apply thereto.
- (2) Where an infant becomes entitled under a will or on an intestacy to any registered land or charge, the same shall not be transferred by the personal representative to the infant until he attains full age.
- (3) Where an infant becomes entitled to the benefit of a registered charge, the charge shall during the minority be registered in the names of the personal representatives, trustees, or other persons who if the charge had affected unregistered land would have been able to dispose of the same, and they shall for the purposes of this Act have the same powers in reference thereto as the infant would have had if of full age.
- (4) A caution may be lodged in the name or on behalf of an infant by his parent, trustee or guardian.
- (5) Where a proprietor of any registered land or charge is a lunatic or a defective, the committee of his estate or his receiver shall, under an order in lunacy, or of the court, or under any statutory power, have and may exercise in the name and behalf of the lunatic or defective all the powers which under this Act the lunatic or defective could have exercised if free from disability, and a copy of every such order shall be filed with the registrar and may be referred to on the register.
- (6) All the provisions of the Trustee Act, 1925, and of the Lunacy Act, 1890, and of any Act amending the same, shall apply to estates and charges registered under this Act, subject to the express provisions of this Act and to the rules made thereunder.

112 Inspection of register and other documents at land registry.

Subject to the provisions of this Act as to furnishing information to Government departments and local authorities and to such regulations and exceptions and to the payment of such sums as may be made or fixed by general rules, any person registered as proprietor of any land or charge, and any person authorised by any such proprietor, or by an order of the court, or by general rule, but no other person, may inspect and make copies of and extracts from any register or document in the custody of the registrar relating to such land or charge.

113 Office copies to be evidence.

Office copies of and extracts from the register and of and from documents and plans 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 originals would be admissible, but any person suffering loss by reason of the inaccuracy of any such copy or extract shall be entitled to be indemnified under this Act, and no solicitor, trustee, personal representative, or other person in a fiduciary position shall be answerable in respect of any loss occasioned by relying on any such copy or extract.

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114 Fraudulent dispositions, how far to be void.

Subject to the provisions in this Act contained with respect to indemnity and to registered dispositions for valuable consideration, any disposition of land or of a charge, which if unregistered would be fraudulent and void, shall, notwithstanding registration, be fraudulent and void in like manner.

115 Penalty for suppression of deeds and evidence.

If in the course of any proceedings before the registrar or the court in pursuance of this Act any person concerned in such proceedings as principal or agent, with intent to conceal the title or claim of any person, or to substantiate a false claim, suppresses, attempts to suppress, or is privy to the suppression of, any document or fact, the person so suppressing, attempting to suppress, or privy to suppression, shall be guilty of a misdemeanor.

116 Penalty for certain fraudulent acts.

- (1) If any person fraudulently procures, attempts fraudulently to procure, or is privy to the fraudulent procurement of, any entry on, erasure from or alteration of the register, or any land or charge certificate, he shall be guilty of a misdemeanor.
- (2) Any entry, erasure, or alteration so made by fraud, shall be void as between all persons who are parties or privy to the fraud.

117 Punishment of misdemeanors.

A person guilty of a misdemeanor under this Act shall—

- (a) on conviction on indictment, be liable to imprisonment for a term not exceeding two years, or to a fine not exceeding five hundred pounds;
- (b) on summary conviction, be liable to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

118 Penalty for unqualified persons drawing instruments.

Every person who not being a barrister or a duly certificated solicitor, notary public, or conveyancer, either directly or indirectly, for or in expectation of any fee, gain, or reward, draws or prepares any instrument of transfer or charge, or makes any application or lodges any document for registration at the registry, shall on summary conviction be liable to a fine not exceeding fifty pounds:

Provided that this section shall not extend to—

- (a) any public officer drawing or preparing instruments and applications in the course of his duty; or
- (b) any person employed merely to engross any instrument or application.

119 Civil remedies and discovery.

- (1) No proceeding or conviction for any act declared by this Act to be a misdemeanor affects any remedy to which any person aggrieved by such act may be entitled, either at law or in equity.

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- (2) Nothing in this Act entitles any person to refuse to make a complete discovery by answer in any legal proceeding, or to answer any question or interrogatory in any civil proceeding, in any court of law; but no answer to any such question or interrogatory shall be admissible in evidence against such person in any criminal proceeding under this Act.