



Land Registration Act 1925

1925 CHAPTER 21

PART III

REGISTERED DEALINGS WITH REGISTERED LAND.

Dispositions of Leasehold Land.

21 Powers of disposition of registered leaseholds.

- (1) Where the registered land is a leasehold interest the proprietor may, in the prescribed manner, transfer the registered estate in the land or any part thereof, and, subject to any entry in the register to the contrary may in the prescribed manner—
- (a) transfer all or any of the leasehold mines and minerals apart from the surface; or the surface without all or any of the leasehold mines and minerals;
 - (b) grant (to the extent of the registered estate) any annuity or rentcharge in possession, easement, right or privilege in, over, or derived from the registered land or any part thereof, in any form which sufficiently refers, in the prescribed manner, to the registered lease, and to the dominant tenement, whether being registered land or not;
 - (c) transfer the registered land or any part thereof subject to a reservation to any person of any such annuity, rentcharge, easement, right, or privilege;
 - (d) grant (subject or not to the reservation of an easement, right or privilege) an underlease of the registered land, or any part thereof, or of all or any mines and minerals apart from the surface, or of the surface without all or any of the mines and minerals, or of an easement, right or privilege, in or over the registered land or any part thereof, for any term of years absolute of less duration than the registered estate and for any purpose (but where by way of mortgage, subject to the provisions of this Act and of the Law of Property Act, 1925, relating thereto), and in any form which sufficiently refers in the prescribed manner to the registered land, and in the case of an easement, right, or privilege, to the dominant tenement, whether being registered land or not.

Status: This is the original version (as it was originally enacted).

- (2) A disposition of registered leasehold land may be made subject to a rent legally apportioned in the prescribed manner, of to a rent not so apportioned.
- (3) An underlease for a term, not exceeding twenty-one years, to take effect in possession or within one year from the date thereof, at a rent without taking a fine, may be granted and shall take effect under this section, notwithstanding that a caution, notice of deposit of a certificate, restriction, or inhibition (other than a bankruptcy inhibition) may be subsisting, but subject to the interests intended to be protected by any such caution, notice, restriction or inhibition.
- (4) The foregoing powers of disposition shall (subject to the express provisions of this Act and of the Law of Property Act, 1925, relating to mortgages) apply to dispositions by the registered proprietor by way of charge or mortgage, but no estate, other than a legal estate, shall be capable of being disposed of or created under this section.
- (5) In this Act " transfer " or " disposition " when referring to registered leasehold land includes any disposition authorised as aforesaid, and "transferee" has a corresponding meaning.