

1967 No. 761 (L. 5)

LAND REGISTRATION

The Land Registration Rules 1967

<i>Made</i> - - - -	15th May 1967
<i>Laid before Parliament</i>	19th May 1967
<i>Coming into Operation</i>	1st June 1967

I, Gerald, Baron Gardiner, Lord High Chancellor of Great Britain, with the advice and assistance of the Rule Committee appointed in pursuance of section 144 of the Land Registration Act 1925(a), do, in exercise of the powers vested in me by that section and by sections 112 and 138 of that Act, hereby make the following Rules:—

1.—(1) These Rules may be cited as the Land Registration Rules 1967 and shall come into operation on 1st June 1967.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament.

2. The Court of Chancery of the County Palatine of Durham shall be a court for the purposes of the Land Registration Acts 1925 to 1966(c).

3.—(1) In this Rule, unless the context otherwise requires—

“court” means the High Court, the Court of Chancery of the County Palatine of Lancaster, and the Court of Chancery of the County Palatine of Durham or a county court;

“judgment creditor” in relation to a court means a person who has obtained a judgment or order of that court for the payment of money and “judgment debtor” means any person against whom the judgment or order has been obtained.

(2) On the application of a judgment creditor, supported by *prima facie* evidence that the judgment debtor is the proprietor (either solely or jointly with some other person or persons) of land or a charge the title to which is registered under the Land Registration Acts 1925 to 1966, the court may order that the register of that title be produced to the judgment creditor without the authority of the judgment debtor.

(3) Any order made by virtue of this Rule shall have the same effect as an authority given by the judgment debtor pursuant to Rule 287 of the Land Registration Rules 1925(d), as amended(e), to inspect the register of the title to which the order relates.

(4) For the purposes of this Rule a judgment, order, decree or award (however called) of any court or arbitrator (including any foreign court or foreign arbitrator) which is or has become enforceable (whether wholly or

(a) 1925 c. 21.

(b) 1889 c. 63.

(c) 1925 c. 21; 1936 c. 26; 1966 c. 39.

(d) S.R. & O. 1925/1093 (Rev. XII, p. 81; 1925 p. 717). (e) There are no relevant amendments.

to a limited extent) as if it were a judgment or order of the High Court or a county court shall be deemed to be a judgment or order of the High Court or the county court, as the case may be.

Dated 15th May 1967.

Gardiner, C.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules enable the Durham Palatine Court to entertain proceedings under the Land Registration Acts. They also enable a county court as well as the High Court and the Palatine Courts to authorise a judgment creditor to inspect the register of his debtor's title. .