
STATUTORY INSTRUMENTS

1993 No. 3275

LAND REGISTRATION, ENGLAND AND WALES

The Land Registration Rules 1993

Made - - - - *14th December 1993*
Laid before Parliament *11th January 1994*
Coming into force - - *28th March 1994*

The Lord Chancellor, with the advice and assistance of the Rule Committee appointed in pursuance of section 144 of the Land Registration Act 1925(1), in exercise of the powers conferred on him by that section and section 112 of the said Act, hereby makes the following Rules:

PART I

Citation and commencement

1. These Rules may be cited as the Land Registration Rules 1993 and shall come into force on 28th March 1994.

Interpretation

2. In these Rules:

- (a) “the Principal Rules” means the Land Registration Rules 1925(2);
- (b) “the Open Register Rules” means the Land Registration (Open Register) Rules 1991(3).

(1) 1925 c. 21; sections 112 and 144 were amended by the Land Registration Act 1988 (c. 3), section 1 and Schedule. Section 144(1) was amended by the Administration of Justice Act 1982 (c. 53), Schedule 5, paragraph (d) and the reference to the Minister of Agriculture, Fisheries and Food was substituted by the Transfer of Functions (Ministry of Food) Order 1955 (S.I. 1955/554).

(2) S.R. & O. 1925/1093; relevant amending instruments are S.I. 1976/1332, S.I. 1978/1601, S.I. 1990/314.

(3) S.I. 1992/122.

PART II

AMENDMENTS TO THE PRINCIPAL RULES

Amendments to rule 1 of the Principal Rules

3.—(1) For rule 1(5A) of the Principal Rules there shall be substituted:

“(5A) “Proper office” means the district land registry designated as the proper office by article 2(2) of the Land Registration (District Registries) Order 1991(4).”.

(2) In rule 1 of the Principal Rules the following paragraph shall be inserted after paragraph (5G):

“(5H) In rules 42, 90, 267, 306(2) and 310(1) “Registry” shall include any premises where documents are stored on behalf of the Registrar.”.

Amendment to rule 9 of the Principal Rules

4. In rule 9(3) of the Principal Rules the words “, together with a short description of the property comprised in each title concerned, and, in the case of the proprietor of a charge, the date of the charge” shall be omitted.

New rule 17 of the Principal Rules

5. The following rule shall be substituted for rule 17 of the Principal Rules:

“New editions of the register

17.—(1) The Registrar may at any time when he considers it desirable, make a new edition of the register containing only the subsisting entries, and he may, in doing so, make any rearrangement that may appear to him conducive to clarity, including the altering of the number of the title and, subject to paragraph (2), the division of the title into two or more titles.

(2) A rearrangement of the register which includes the division of the title into two or more titles shall only be made under paragraph (1) on the application of the registered proprietor of the land, or after notice to the registered proprietor of the land and the registered proprietor of any charge.

(3) Such arrangements shall be made as to the recalling of the land and charge certificates and for the issue of new certificates as may be necessary.”.

Revocation of rules 92 and 93 of the Principal Rules

6. Rules 92 and 93 of the Principal Rules are revoked.

Amendment to rule 262 of the Principal Rules

7. In rule 262 of the Principal Rules the words “either the original or” shall be inserted at the beginning of paragraph (1)(a).

PART III

AMENDMENTS TO THE OPEN REGISTER RULES

Insertion of rule 4A into the Open Register Rules

8. After rule 4 of the Open Register Rules there shall be inserted the following rule:

“Inspection and copying of register entries — access by remote terminal

4A. Access to the registrar’s computer system, by means of a person’s remote terminal, for the purpose of inspection and the making of copies of and extracts from entries on the register of a registered title held on that system is subject to the following conditions:

- (a) Such access may only be undertaken during the currency of a relevant notice given pursuant to rule 13, and subject to and in accordance with the limitations contained in that notice.
- (b) A person who wishes to apply for such access must provide such of the following particulars as may be required by the registrar:
 - (i) The credit account number, name and telephone number of the person making the application.
 - (ii) The title number of the registered title in respect of which the application is made.
 - (iii) The property description of the land in respect of which the application is made.
 - (iv) The relevant postcode.”.

Amendments to rule 6 of and Schedules 1 and 2 to the Open Register Rules

9.—(1) In rule 6(1) of the Open Register Rules there shall be inserted:

- (a) after the words “or Part 2” the words “or Part 3”; and
- (b) after the words “in Form 112A or 112B” the words “or 112C”.

(2) In rule 6(2) of the Open Register Rules there shall be inserted after the words “in Form 112A or 112B” the words “or 112C”.

(3) In rule 6 of the Open Register Rules the following paragraph shall be inserted after paragraph (5):

“(6) In Form 112C and Schedule 2 references to tax are references to any of the taxes mentioned in the definition of tax in section 118(1) of the Taxes Management Act 1970(5).”.

(4) Form 112C in Schedule 1 to these Rules shall be inserted immediately after Form 112B in Schedule 1 to the Open Register Rules.

(5) Part 3 as set out in Schedule 2 to these Rules shall be inserted immediately after Part 2 of Schedule 2 to the Open Register Rules.

New rule 11 of the Open Register Rules

10. For rule 11 of the Open Register Rules there shall be substituted the following rule:

(5) 1970 c. 9; the definition of “tax” in section 118(1) was amended by the Development Land Tax Act 1976 (c. 24), section 41 and Schedule 8, Part I, paragraph 32(c) and by the Finance Act 1976 (c. 40), section 57(2).

“Delivery of applications

11.—(1) Subject to rule 6(3) and to paragraph (2), an application made under these rules shall be delivered to the proper office.

(2) Any application of the type referred to in rule 13(4) shall be delivered to the registrar.”.

Amendments to rule 13 of the Open Register Rules

11.—(1) In rule 13(1)(g) of the Open Register Rules there shall be inserted after the words “or 3(2)(b)” the words “or 4A”.

(2) There shall be substituted for the words “Subject to paragraph (3)” at the beginning of rule 13(2) of the Open Register Rules the words “Subject to paragraphs (3) and (3A)”.

(3) After rule 13(3) of the Open Register Rules there shall be inserted the following paragraph:

“(3A) If and so long as owing to the breakdown or other unavailability of facilities or data involved in giving effect to the arrangements made for dealing with applications covered by a notice given under paragraph (1) such arrangements cease, in whole or in part, to be effective, the notice shall cease, to the necessary extent, to be treated as current notwithstanding the absence of a variation, suspension or withdrawal thereof under paragraph (3).”.

(4) At the end of sub-paragraph (e) of paragraph (4) of rule 13 of the Open Register Rules there shall be substituted for the full stop a semi-colon and there shall be inserted after that sub-paragraph the following sub-paragraph:

“(f) an application for inspection and copying of register entries where access is by remote terminal under rule 4A.”.

Dated 14th December 1993

Mackay of Clashfern, C.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Rule 9(4)

SCHEDULE 1

Rule 9(4)

Application to
inspect
documents
(Inland Revenue
Investigations)

HM Land Registry

Form

112C

(Rule 6 Land Registration (Open Register) Rules 1991)

| | | | |
|--|--|---|-----------------------|
| For official use only | | Record of Fees paid | |
| | | Fee Debited | £ |
| IMPORTANT | | PAYMENT OF FEE | |
| <p>1. You may use this form if you are authorised to apply under Rule 6 and Part 3 of Schedule 2 to the Land Registration (Open Register) Rules 1991 (the Rules).</p> <p>Please read the "Notes for Guidance of Applicants" on page 3 before completing the form.</p> <p>2. Fees are payable for this application: see fee panel opposite. The amounts are as set out in the current Land Registration Fees Order.</p> | | <p>Please enter X in the appropriate box:-</p> <p><input type="checkbox"/> the Land Registry fee of £ accompanies this application, or</p> <p><input type="checkbox"/> please debit the Credit Account mentioned below with the appropriate fee payable under the current Land Registration Fees Order.</p> | |
| | | FOR COMPLETION BY APPLICANTS WHO ARE CREDIT ACCOUNT HOLDERS | YOUR KEY NUMBER:- |
| | | | YOUR REFERENCE:- |

INFORMATION REQUIRED - Enter X in the appropriate box(es) I apply under rule 6 of the Rules :-

(1) Please give details (attach a list if necessary).

Part I

To inspect the following document(s)⁽¹⁾ falling within section 112(2) Land Registration Act 1925 :-

and/or

For the issue of an office copy of each of the above documents.
(The above documents are referred to in my certificate on page 3 of this form as "the required information".)

(2) Please give full name(s)

Part II

For an official search in the Index of Proprietors' Names in respect of :-

Name(s)⁽²⁾

(The result of this search is referred to in my certificate on page 3 of this form as "the required information".)

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SCHEDULE 1—continued

(3) Please provide as much of the following information as is available. If more than one property please attach a list of the additional property(ies) using the same format.

Part III

To inspect the register(s), title plan and documents referred to in the register :-

of the title(s) revealed in the result of the official search of the Index of Proprietors' Names referred to in Part II above,

and/or

of the following property :-

| | | |
|------------------------------|--|------------------------------|
| | Title number (if known) | For Official Use Only |
| Postal number or description | Property description ⁽³⁾ | |
| Name of road | | |
| Name of locality | | |
| Town | | |
| Postcode | | |
| District or London Borough | | |
| Administrative County | | |

For non-residential properties please supply a plan

(4) Please give details (attach a list if necessary).

Part IV

For Office Copies of

Register entries

Title plan

The following documents referred to in the register :- ⁽⁴⁾

of

the titles revealed in the result of the above official search of the Index of Proprietors' Names

and/or

the title number(s) or property description(s) set out in Part III above

and/or

the following titles:-

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SCHEDULE 1—*continued*

CERTIFICATE

CERTIFICATE J (in connection with the assessment, or the amount, of tax liability)

I certify that I believe on reasonable grounds that the required information is or may be relevant to any tax liability to which a person is or may be, or may have been, subject, or to the amount of any such liability.

I am authorised to apply by the Commissioners of Inland Revenue and have the consent of a General/Special Commissioner to make this application.

Signed _____ Date _____

Name in capitals _____

Office Address _____

Person to contact _____

Telephone number _____

NOTES FOR GUIDANCE OF APPLICANTS

1. You can only apply under Part III or Part IV of this form if you are also applying under Part I or Part II or both. If you are not applying under Part I or Part II or both then: if you wish personally to inspect a register, title plan or document referred to in the register you must use Form 111; or, if you wish for office copies of a register or title plan you must use Form 109; or, if you wish for office copies of documents referred to in the register you must use Form 110.
2. Your application will be rejected unless you :
 - a) Complete Part I and/or Part II of this form; and
 - c) Complete the above details and sign this form.
3. If you attend at the Registry to inspect documents you must bring this form and you will be asked for proof of identity.

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SCHEDULE 2

Rule 9(5)

“PART 3

| Column 1 | Column 2 |
|--|---|
| Status of applicant | Certificate in Form 112C |
| A person authorised to apply by the Commissioners of Inland Revenue and having the consent of a General or Special Commissioner to make the application. | Certificate J (in connection with the assessment, or the amount, of tax liability)” |

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules:

- (1) Amend the Land Registration Rules 1925 by:
 - (a) amending the definition of “proper office” in rule 1(5A);
 - (b) inserting in rule 1(5H) a definition of “registry” for the purposes of rules 42 (completion of registration), 90 (retention of documents in registry), 267 (cancellation of certificate), 306(2) (dealing with documents which do not have to be retained at the Registry) and 310(1) (return of certain documents and destruction permitted in certain cases);
 - (c) amending rule 9(3) so that there is no longer a requirement that the result of a search of the index of proprietors' names include a short description of the property comprised in each title number revealed, and, in the case of a proprietor of a charge, the date of the charge;
 - (d) substituting a new rule 17 (new editions of the register);
 - (e) revoking rules 92 (return of building society charges after registration) and 93 (endorsement of certificate of registration on building society charges);
 - (f) amending rule 262(1)(a) so as to provide that either the original or an office copy of the charge shall be contained in the charge certificate.
- (2) Amend the Land Registration (Open Register) Rules 1991 so as to:
 - (a) prescribe the conditions for access to the registrar’s computer system, by means of a person’s remote terminal, for the purpose of inspection and the making of copies of and extracts from entries on the register of a registered title held on that system;
 - (b) enable a person authorised by the Commissioners of Inland Revenue and having the consent of a Special or General Commissioner to make the application to apply in the prescribed form (in connection with the assessment, or the amount, of tax liability) to inspect and copy, and to obtain office copies of, leases and charges and documents in the custody of the registrar relating to any land or charge which is not referred to in the register and to apply for a search of the index of proprietors' names;

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- (c) provide that applications in documentary form under those Rules are, subject to one exception, to be made to the district land registry which is responsible for the land to which the application relates. Applications not in documentary form are to be made to the registrar;
- (d) amend the framework whereby during the currency of any notice given under rule 13(1) certain types of application may be delivered by a variety of means.