
STATUTORY INSTRUMENTS

2003 No. 1417

The Land Registration Rules 2003

PART 6

**REGISTERED LAND: APPLICATIONS,
DISPOSITIONS AND MISCELLANEOUS ENTRIES**

Miscellaneous entries

Register entries arising from transfers and charges of part

72.—(1) Subject to paragraphs (3) and (4), on a transfer or charge of part of the registered estate in a registered title the following entries must be made in the individual register of that registered title—

- (a) an entry in the property register referring to the removal of the estate comprised in the transfer or charge, and
- (b) entries relating to any rights, covenants, provisions, and other matters created by the transfer or charge which the registrar considers affect the retained or uncharged registered estate.

(2) Subject to paragraph (4), on a transfer or charge of part of the registered estate in a registered title entries will be made in the individual register of the registered title comprising the part transferred or charged relating to any rights, covenants, provisions, and other matters created by the transfer or charge which the registrar considers affect the transferred or charged part.

(3) The registrar may, instead of making the entry referred to in paragraph (1)(a), make a new edition of the registered title out of which the transfer or charge is made and, if the registrar considers it desirable, he may allot a new title number to that registered title.

(4) This rule only applies to a charge of part of a registered estate in a registered title if the registrar decides that the charged part will be comprised in a separate registered title from the uncharged part.

Application for register entries for express appurtenant rights over unregistered land

73.—(1) A proprietor of a registered estate who claims the benefit of a legal easement or profit a prendre which has been expressly granted over an unregistered legal estate may apply for it to be registered as appurtenant to his estate.

(2) The application must be accompanied by the grant and evidence of the grantor's title to the unregistered estate.

(3) In paragraph (1) the reference to express grant does not include a grant as a result of the operation of section 62 of the Law of Property Act 1925(1).

Application for register entries for implied or prescriptive appurtenant rights

74.—(1) A proprietor of a registered estate who claims the benefit of a legal easement or profit a prendre, which has been acquired otherwise than by express grant, may apply for it to be registered as appurtenant to his estate.

(2) The application must be accompanied by evidence to satisfy the registrar that the right subsists as a legal estate appurtenant to the applicant's registered estate.

(3) In paragraph (1) the reference to an acquisition otherwise than by express grant includes acquired as a result of the operation of section 62 of the Law of Property Act 1925.

Qualified register entries for appurtenant rights

75.—(1) This rule applies where a proprietor of a registered estate makes an application under rule 73 or rule 74 and the registrar is not satisfied that the right claimed subsists as a legal estate appurtenant to the applicant's registered estate.

(2) The registrar may enter details of the right claimed in the property register with such qualification as he considers appropriate.

Note as to rights of light or air

76. If it appears to the registrar that an agreement prevents the acquisition of rights of light or air for the benefit of the registered estate, he may make an entry in the property register of that estate.

No entry on reversionary title of a right of entry in lease

77. Where a right of re-entry is contained in a lease the registrar need not make any entry regarding such right in the registered title of the reversionary estate.

Note of variation of lease etc on register

78. An application to register the variation of a lease or other disposition of a registered estate or a registered charge which has been completed by registration must be accompanied by the instrument (if any) effecting the variation and evidence to satisfy the registrar that the variation has effect at law.

Determination of registered estates

79.—(1) An application to record in the register the determination of a registered estate must be accompanied by evidence to satisfy the registrar that the estate has determined.

(2) Subject to paragraph (3), if the registrar is satisfied that the estate has determined, he must close the registered title to the estate and cancel any notice in any other registered title relating to it.

(3) Where an entry is made under rule 173 the registrar need not close the registered title to the estate until a freehold legal estate in land in respect of the land in which such former estate subsisted has been registered.