
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes a transitional provision under the Land Registration Act 2002 (2002 c. 9) (“the Act”). The provision is in addition to the transitional provisions contained in Schedule 12 to the Act and in the Land Registration Act 2002 (Transitional Provisions) Order 2003 (SI 2003/1953). The Act repeals the Land Registration Act (1925 c. 21) (“the 1925 Act”).

Liability to repair the chancel of any church is an overriding interest under section 70(1)(c) of the 1925 Act. The Order extends the overriding status of this interest for a transitional period of ten years.

The Order does this by inserting a new paragraph 16 at the end of Schedule 1 to the Act (unregistered interests which override first registration) and a new paragraph 16 at the end of Schedule 3 of the Act (unregistered interests which override registered dispositions), each referring to a right in respect of the repair of a church chancel. The Order provides that Schedules 1 and 3 to the Act have effect with the insertion of these paragraphs for the period of ten years beginning with the day on which those Schedules come into force.