

## Schedules

### Schedule 3

Regulation 5

#### Consequential amendments to the Land Registration Rules 2003

1. The Land Registration Rules 2003 are amended in accordance with paragraphs 5 to 9, subject to paragraphs 2 to 4.

2. The amendments made by this Schedule have no effect in relation to a contract for the sale, or for a lease or other disposition, of land which is held by or in trust for a charity, entered into before 7th March 2024, if the disposition of the relevant land has not taken place before 7th March 2024.

3. The amendments made by this Schedule also have no effect in relation to—

- (a) a conveyance, transfer, lease or other instrument effecting a disposition of land held by or in trust for a charity,
- (b) a mortgage of land held by or in trust for a charity,

entered into before 7th March 2024.

4. For the purposes of paragraph 3, a mortgage includes a charge.

5. In rule 176(2)(a), for “or (c)” substitute “, (c) or (d)”.

6. In rule 180(1)—

- (a) in the words before paragraph (a) for “section 37(1) of the Charities Act 1993” substitute “section 122(2) of the Charities Act 2011”;
- (b) in the words before paragraph (a) for “section 37(7)” substitute “section 123(1)”;
- (c) in paragraph (b) for “(b) or (c) *as the case may be*” of section 36(9) of the Charities Act 1993” substitute “(c) or (d) *as the case may be*” of section 117(3) of the Charities Act 2011”;
- (d) in paragraph (c) from “(b)” to the end substitute “(c) or (d) of section 117(3) of the Charities Act 2011, but the disposition has been sanctioned by an order of the court or of the Charity Commission.”;
- (e) after paragraph (c) insert—
  - “(d) “The land transferred (*or as the case may be*) is held by [(*proprietors*) in trust for] (*charity*), a non-exempt charity, and this transfer (*or as the case may be*) is not one falling within paragraph (a), (aa), (c) or (d) of section 117(3) of the Charities Act 2011, but there is power under the trusts of the charity to effect the disposition and sections 117 to 121 of that Act have been complied with.”.

7. In rule 180(2)—

- (a) in the words before paragraph (a) for “section 39(1) of the Charities Act 1993” substitute “section 125(1) of the Charities Act 2011”;
- (b) in paragraph (b) for “section 38(5) of the Charities Act 1993” substitute “section 124(9) of the Charities Act 2011”;

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- (c) in paragraph (c) from “section 38(5)” to the end substitute “section 124(9) of the Charities Act 2011, but the charge (*or mortgage*) has been sanctioned by an order of the court or of the Charity Commission.”;
- (d) after paragraph (c) insert—
  - “(d) “The land charged is held by (or in trust for) (*charity*), a non-exempt charity, and this charge (*or mortgage*) is not one falling within section 124(9) of the Charities Act 2011, but there is power under the trusts of the charity to grant the charge (*or mortgage*) and the requirements of section 124(2) of that Act have been complied with.””.

**8.** For rule 180(3) substitute—

“The statement required by section 126(2)(b) of the Charities Act 2011 must be in the following form—

“The restrictions on disposition imposed by sections 117 to 121 of the Charities Act 2011 also apply to the land (subject to section 117(3) of that Act).””.

**9.** In Schedule 4 (standard forms of restrictions) in the entry relating to Form E—

- (a) for “section 36 or section 38 of the Charities Act 1993 applies” substitute “sections 117 to 121 of the Charities Act 2011 apply, or section 124 of that Act applies,”;
- (b) for “certificate” substitute “statement”;
- (c) for “section 37(2) or section 39(2)” substitute “section 122(2A) or section 125(1A)”.