
STATUTORY INSTRUMENTS

2018 No. 489

LAND CHARGES, ENGLAND

The Local Land Charges Fees (England) Rules 2018

<i>Made</i>	- - - -	<i>16th April 2018</i>
<i>Laid before Parliament</i>		<i>18th April 2018</i>
<i>Coming into force</i>	- -	<i>14th May 2018</i>

The Lord Chancellor in exercise of the powers conferred by section 14(1)(h) of the Local Land Charges Act 1975(1) and with the concurrence of the Treasury makes the following Rules:

Citation, commencement, application and interpretation

1.—(1) These Rules may be cited as the Local Land Charges Fees (England) Rules 2018 and shall come into force on 14th May 2018(2).

(2) These Rules apply in relation to England only.

(3) In these Rules “the principal Rules” means the Local Land Charges Rules 2018(3).

(4) Expressions used in these Rules have the meaning which they bear in the principal Rules.

Fees

2. The fees for the services specified in the Schedule shall be those set out in that Schedule.

Method of payment

3.—(1) The fee shall be payable on delivery of the application or requisition, or lodging of the definitive certificate, as appropriate.

(2) Except where the registrar otherwise permits and, subject to paragraphs (3) and (4), the fee shall be paid by credit or debit card.

(3) Where there is an agreement between the applicant or person requesting the service and the registrar, a fee may be paid by direct debit to such bank account of Her Majesty’s Land Registry as the registrar may from time to time direct.

(1) 1975 c. 76; section 14(1) was amended by paragraph 13 of Schedule 5 to the Infrastructure Act 2015 (c. 7).
(2) Under paragraph 40(3) and (4) of Schedule 5 to the Infrastructure Act 2015, these Rules have effect in relation to the area of a local authority only on and after the date specified in a notice under paragraph 40(1) of that Schedule.
(3) S.I. 2018/273.

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(4) Where an application or requisition is made, or a definitive certificate is lodged, other than by using an electronic means of communication, the fee may be paid by cheque or postal order crossed and made payable to Her Majesty's Land Registry.

Signed by the authority of the Lord Chancellor

16th April 2018

David Gauke
Secretary of State for Justice
Ministry of Justice

We consent

16th April 2018

Rebecca Harris
Craig Whittaker
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Rule 2

FEES

<i>Service</i>	<i>Fee</i>
(1) Registration of a light obstruction notice	£18
(2) Variation of the registration of a light obstruction notice under rule 7(1) of the principal Rules	£18
(3) Cancellation of the registration of a light obstruction notice under rule 7(1) of the principal Rules	£18
(4) Variation of the registration of light obstruction notice under rule 7(6) of the principal Rules (definitive certificate lodged)	£18
(5) Official search of the register (including issue of an official certificate of search) under section 9(1) of the Local Land Charges Act 1975	£15
<p>Provided that no fee is payable for an official search if the requisition is delivered within six months of the delivery by the same person of an earlier requisition for an official search which was in respect of the same land and for which the prescribed fee was paid.</p>	

EXPLANATORY NOTE*(This note is not part of the Rules)*

These Rules prescribe the fees payable to the Chief Land Registrar for various services relating to local land charges affecting land in England and provided under the Local Land Charges Act 1975 (c. 76) and the Local Land Charges Rules 2018 (S.I. 2018/273). They replace the fees specified by individual local authorities under section 13A of the Local Land Charges Act 1975 for similar services relating to local land charges affecting land in their respective administrative areas: this section is repealed by the Infrastructure Act 2015 (c. 7) with effect in a local authority area on the same day as these Rules have effect in that area.

The services for which fees are payable are set out in the Schedule. Paragraphs (1) to (4) are services in connection with light obstruction notices, which are a particular type of local land charge. Under paragraph (5), a fee is payable for an official search of the register, unless an application for such a search is received within 6 months of an earlier such application, delivered by the same person and in relation to the same land, and being an official search for which a fee was paid.

Rule 3 prescribes when the fees for these services are payable, and how the fees are to be paid.

A full impact assessment of the effect that the amendments to the Local Land Charges Act 1975 and this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Policy and Stakeholder Team, Trafalgar House, 1 Bedford Park, Croydon, CR0 2AQ and is published with the Explanatory Memorandum alongside these Rules on www.legislation.gov.uk.

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