



# Land Charges Act 1972

## 1972 CHAPTER 61

### *Preliminary*

#### **1 The registers and the index.**

- (1) The registrar shall continue to keep at the registry in the prescribed manner the following registers, namely—
  - (a) a register of land charges;
  - (b) a register of pending actions;
  - (c) a register of writs and orders affecting land;
  - <sup>F1</sup>(d) .....
  - (e) a register of annuities,and shall also continue to keep there an index whereby all entries made in any of those registers can readily be traced.
- (2) Every application to register shall be in the prescribed form and shall contain the prescribed particulars.
- <sup>F2</sup>(3) Where any charge or other matter is registrable in more than one of the registers kept under this Act, it shall be sufficient if it is registered in one such register, and if it is so registered the person entitled to the benefit of it shall not be prejudicially affected by any provision of this Act as to the effect of non-registration in any other such register.
- (3A) Where any charge or other matter is registrable in a register kept under this Act and was also, before the commencement of the Local Land Charges Act 1975, registrable in a local land charges register, then, if before the commencement of the said Act it was registered in the appropriate local land charges register, it shall be treated for the purposes of the provisions of this Act as to the effect of non-registration as if it had been registered in the appropriate register under this Act; and any certificate setting out the result of an official search of the appropriate local land charges register shall, in relation to it, have effect as if it were a certificate setting out the result of an official search under this Act.]
- (4) Schedule 1 to this Act shall have effect in relation to the register of annuities.

*Changes to legislation: There are currently no known outstanding effects for the Land Charges Act 1972, Cross Heading: Preliminary. (See end of Document for details)*

- (5) An office copy of an entry in any register kept under this section shall be admissible in evidence in all proceedings and between all parties to the same extent as the original would be admissible.
- (6) Subject to the provisions of this Act, registration may be vacated pursuant to an order of the court.

- <sup>F3</sup>[(6A) The [<sup>F4</sup>county court] have jurisdiction under subsection (6) above—
- (a) in the case of a land charge of Class C(i), C(ii) or D(i), if the amount does not exceed £30,000;
  - (b) in the case of a land charge of Class C(iii), if it is for a specified capital sum of money not exceeding £30,000 or, where it is not for a specified capital sum, if the capital value of the land affected does not exceed £30,000;
  - (c) in the case of a land charge of Class A, Class B, Class C(iv), Class D(ii), Class D(iii) or Class E if the capital value of the land affected does not exceed £30,000;
  - (d) in the case of a land charge of Class F, if the land affected by it is the subject of an order made by the court under section 1 of the Matrimonial Homes Act 1983 [<sup>F5</sup>or section 33 of the Family Law Act 1996] or an application for an order under [<sup>F6</sup>either of those sections]relating to that land has been made to the court;
  - <sup>F7</sup>(e) .....
- <sup>F8</sup>(6B) .....

- (7) In this section “index” includes any device or combination of devices serving the purpose of an index.

#### Textual Amendments

- F1** S. 1(1)(d) omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 6 para. 2(7)(a)** (with [Sch. 6 para. 3](#)); [S.I. 2015/1732](#), art. 2(e)(i)
- F2** S. 1(3)(3A) substituted for section 1(3) (with savings) by [Local Land Charges Act 1975 \(c.76, SIF 98:2\)](#) ss. 17(1)(a), 19(2)–(4),
- F3** S. 1(6A) substituted (1. 7. 1991) (for s. 1(6A) which was inserted by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(1), **Sch. 2 Pt. IV**) by [S.I. 1991/724](#), art. 2(8), **Sch Pt. I**
- F4** Words in s. 1(6A) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 97**; [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F5** Words in s. 1(6A)(d) inserted (1.10.1997) by 1996 c. 27, s. 66(1), **Sch. 8 Pt. III para. 46(a)** (with [Sch. 9 paras. 5, 8-10](#)); [S.I. 1997/1892](#), art. 3(1)(b).
- F6** Words in s. 1(6A)(d) substituted (1.10.1997) by 1996 c. 27, s. 66(1), **Sch. 8 Pt. III para. 46(b)** (with [Sch. 9 paras. 5, 8-10](#)); [S.I. 1997/1892](#), art. 3(1)(b).
- F7** S. 1(6A)(e) omitted (1.10.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 6 para. 2(7)(a)** (with [Sch. 6 para. 3](#)); [S.I. 2015/1732](#), art. 2(e)(i)
- F8** S. 1(6B) (which was inserted by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(1), **Sch. 2 Pt. IV**) omitted (1. 7. 1991) by virtue of [S.I. 1991/724](#), art. 2(8), **Sch Pt. I**

#### Modifications etc. (not altering text)

- C1** S. 1 amended by [S.I. 1990/776](#), art. 4(1)(e)
- C2** S. 1(6) extended (1.7.1991) by [S.I. 1991/724](#), art. 2(6)

**Changes to legislation:**

There are currently no known outstanding effects for the Land Charges Act 1972, Cross Heading: Preliminary.