

Changes to legislation: There are currently no known outstanding effects for the
Diplomatic and Consular Premises Act 1987, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

PROVISIONS SUPPLEMENTARY TO SECTIONS 2 AND 3

PART I

ENGLAND AND WALES

Interpretation

- 1 In this Part of this Schedule—
- [^{F1}“registered land” has the same meaning as in the Land Registration Act 2002;]
- “the registrar” means the Chief Land Registrar;
- “the registry” means Her Majesty’s Land Registry;
- “the searches rules” means the ^{M1}Land Registration (Official Searches) Rules 1986 and any rules amending or replacing them;
- ^{F2} ...

Annotations:

Amendments (Textual)

- F1** Words in Sch. 1 para. 1 inserted (13.10.2003) by Land Registration Act 2002 (c. 9), s. 136(2), Sch. 11 para. 21(3)(a) (with s. 129); S.I. 2003/1725, art. 2(1)
- F2** Words in Sch. 1 para. 1 repealed (13.10.2003) by Land Registration Act 2002 (c. 9), s. 136(2), Sch. 11 para. 21(3)(b), Sch. 13 (with s. 129, Sch. 12 para. 1); S.I. 2003/1725, art. 2(1)

Marginal Citations

- M1** S.I.1986 No.1536

General

- ^{F3}2 (1) If the Secretary of State gives notice to the registrar that he has reason to believe that any register or document in the custody of the registrar may contain information relating to any person or property specified in the notice which would be of assistance to him in connection with the exercise of the power conferred on him by section 2 above, the registrar shall permit him to inspect and make copies of and extracts from any such register or document so far as it relates to any such person or property.
- (2) The following paragraph shall be inserted after subsection (1)(a) of section 112 of the Land Registration Act 1925 (inspection of register and other documents at Land Registry)—

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“(aa) to paragraph 2(1) of Schedule 1 to the Diplomatic and Consular Premises Act 1987 (power of Secretary of State to inspect register in connection with exercise of power to vest in himself former diplomatic or consular premises);”.]

Annotations:

Amendments (Textual)

F3 Sch. 1 para. 2 repealed (E.W.) by [Land Registration Act 1988 \(c.3, SIF 98:2\)](#). ss. 1(g), 2, Sch.

3 A deed poll under section 2 above shall have effect to vest in the Secretary of State the benefit of any covenant touching and concerning the land to which the deed relates but not annexed to it if, immediately before the vesting of the estate to which the deed relates, the covenant was enforceable by the person divested of that estate.

4 Where—

(a) a term of years has vested in the Secretary of State under section 2 above; and

(b) assignment of the term is absolutely prohibited,

the prohibition shall be treated, in relation to an assignment on sale under section 3 above, as if it were a provision to the effect that the term may not be assigned without the consent of the landlord and that such consent shall not be unreasonably withheld.

Registered land

5 (1) If an estate which the Secretary of State proposes to vest in himself is registered land

(a) he shall be treated for the purposes of the searches rules as a purchaser within the meaning of those rules; and

(b) the deed vesting the registered land in him shall be treated for the purposes of those rules as the instrument effecting the purchase.

(2) If after vesting registered land in himself the Secretary of State lodges the vesting deed at the registry the registrar shall register him as the proprietor of the land.

Unregistered land

6 A conveyance by the Secretary of State under this Act shall have effect if the estate conveyed is not registered land—

(a) to vest the estate conveyed in the purchaser free from any mortgage to which the sale is not made subject; and

(b) to extinguish any other person’s title to the estate conveyed.

7 (1) Where by virtue of paragraph 6 above land is discharged from a mortgage, the mortgagee shall be entitled, subject to the following provisions of this paragraph and to the claims of any prior mortgagee, to have the proceeds of sale applied in payment of the sums secured by the mortgage.

(2) The Secretary of State may by publishing such notice or notices as he thinks appropriate require any person who claims to be entitled to a payment under subparagraph (1) above to send particulars of his claim to the Secretary of State within

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the time, not being less than two months, fixed in the notice or, where more than one is published, in the last of them.

- (3) At the end of the time fixed by the notice or, where more than one is published, the last of them, the Secretary of State shall not be liable to any person of whose claim he has not then received particulars.

- 8 Where, after land has become vested in the Secretary of State under section 2 above, a person retains possession of any document relating to the title to the land, he shall be deemed to have given the Secretary of State an acknowledgment in writing of the Secretary of State's right to production of that document and to delivery of copies thereof and (except where he retains possession of the document as mortgagee of trustee or otherwise in a fiduciary capacity) an undertaking for safe custody thereof; and section 64 of the ^{M2}Law of Property Act 1925 shall have effect accordingly, and on the basis that the acknowledgment and undertaking did not contain any such expression of contrary intention as is mentioned in that section.

Annotations:

Marginal Citations

M2 1925 c. 20.

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