



Land Registration Act 2002

2002 CHAPTER 9

PART 2

FIRST REGISTRATION OF TITLE

CHAPTER 1

FIRST REGISTRATION

Effect of first registration

11 Freehold estates

- (1) This section is concerned with the registration of a person under this Chapter as the proprietor of a freehold estate.
- (2) Registration with absolute title has the effect described in subsections (3) to (5).
- (3) The estate is vested in the proprietor together with all interests subsisting for the benefit of the estate.
- (4) The estate is vested in the proprietor subject only to the following interests affecting the estate at the time of registration—
 - (a) interests which are the subject of an entry in the register in relation to the estate,
 - (b) unregistered interests which fall within any of the paragraphs of Schedule 1, and
 - (c) interests acquired under the Limitation Act 1980 (c. 58) of which the proprietor has notice.
- (5) If the proprietor is not entitled to the estate for his own benefit, or not entitled solely for his own benefit, then, as between himself and the persons beneficially entitled to the estate, the estate is vested in him subject to such of their interests as he has notice of.

Status: This is the original version (as it was originally enacted).

- (6) Registration with qualified title has the same effect as registration with absolute title, except that it does not affect the enforcement of any estate, right or interest which appears from the register to be excepted from the effect of registration.
- (7) Registration with possessory title has the same effect as registration with absolute title, except that it does not affect the enforcement of any estate, right or interest adverse to, or in derogation of, the proprietor's title subsisting at the time of registration or then capable of arising.

12 Leasehold estates

- (1) This section is concerned with the registration of a person under this Chapter as the proprietor of a leasehold estate.
- (2) Registration with absolute title has the effect described in subsections (3) to (5).
- (3) The estate is vested in the proprietor together with all interests subsisting for the benefit of the estate.
- (4) The estate is vested subject only to the following interests affecting the estate at the time of registration—
 - (a) implied and express covenants, obligations and liabilities incident to the estate,
 - (b) interests which are the subject of an entry in the register in relation to the estate,
 - (c) unregistered interests which fall within any of the paragraphs of Schedule 1, and
 - (d) interests acquired under the Limitation Act 1980 (c. 58) of which the proprietor has notice.
- (5) If the proprietor is not entitled to the estate for his own benefit, or not entitled solely for his own benefit, then, as between himself and the persons beneficially entitled to the estate, the estate is vested in him subject to such of their interests as he has notice of.
- (6) Registration with good leasehold title has the same effect as registration with absolute title, except that it does not affect the enforcement of any estate, right or interest affecting, or in derogation of, the title of the lessor to grant the lease.
- (7) Registration with qualified title has the same effect as registration with absolute title except that it does not affect the enforcement of any estate, right or interest which appears from the register to be excepted from the effect of registration.
- (8) Registration with possessory title has the same effect as registration with absolute title, except that it does not affect the enforcement of any estate, right or interest adverse to, or in derogation of, the proprietor's title subsisting at the time of registration or then capable of arising.