



# Land Registration Act 2002

## 2002 CHAPTER 9

### PART 6

#### REGISTRATION: GENERAL

##### *Applications*

#### **71 Duty to disclose unregistered interests**

Where rules so provide—

- (a) a person applying for registration under Chapter 1 of Part 2 must provide to the registrar such information as the rules may provide about any interest affecting the estate to which the application relates which—
  - (i) falls within any of the paragraphs of Schedule 1, and
  - (ii) is of a description specified by the rules;
- (b) a person applying to register a registrable disposition of a registered estate must provide to the registrar such information as the rules may provide about any unregistered interest affecting the estate which—
  - (i) falls within any of the paragraphs of Schedule 3, and
  - (ii) is of description specified by the rules.

#### **72 Priority protection**

- (1) For the purposes of this section, an application for an entry in the register is protected if—
  - (a) it is one to which a priority period relates, and
  - (b) it is made before the end of that period.
- (2) Where an application for an entry in the register is protected, any entry made in the register during the priority period relating to the application is postponed to any entry made in pursuance of it.
- (3) Subsection (2) does not apply if—

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*Changes to legislation: There are currently no known outstanding effects for the Land Registration Act 2002, Cross Heading: Applications. (See end of Document for details)*

- (a) the earlier entry was made in pursuance of a protected application, and
  - (b) the priority period relating to that application ranks ahead of the one relating to the application for the other entry.
- (4) Subsection (2) does not apply if the earlier entry is one to which a direction under section 46(3) applies.
- (5) The registrar may defer dealing with an application for an entry in the register if it appears to him that subsection (2) might apply to the entry were he to make it.
- (6) Rules may—
- (a) make provision for priority periods in connection with—
    - (i) official searches of the register, including searches of pending applications for first registration, or
    - (ii) the noting in the register of a contract for the making of a registrable disposition of a registered estate or charge;
  - (b) make provision for the keeping of records in relation to priority periods and the inspection of such records.
- (7) Rules under subsection (6)(a) may, in particular, make provision about—
- (a) the commencement and length of a priority period,
  - (b) the applications for registration to which such a period relates,
  - (c) the order in which competing priority periods rank, and
  - (d) the application of subsections (2) and (3) in cases where more than one priority period relates to the same application.

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

**C1** S. 72 applied (13.10.2003) by [The Land Registration Act 2002 \(Transitional Provisions\) Order 2003 \(S.I. 2003/1953\)](#), [art. 28\(2\)](#); [S.I. 2003/1725](#), [art. 2\(1\)](#)

**73 Objections**

- (1) Subject to subsections (2) and (3), anyone may object to an application to the registrar.
- (2) In the case of an application under section 18, only the person who lodged the caution to which the application relates, or such other person as rules may provide, may object.
- (3) In the case of an application under section 36, only the person shown in the register as the beneficiary of the notice to which the application relates, or such other person as rules may provide, may object.
- (4) The right to object under this section is subject to rules.
- (5) Where an objection is made under this section, the registrar—
  - (a) must give notice of the objection to the applicant, and
  - (b) may not determine the application until the objection has been disposed of.
- (6) Subsection (5) does not apply if the objection is one which the registrar is satisfied is groundless.
- (7) If it is not possible to dispose by agreement of an objection to which subsection (5) applies, the registrar must refer the matter to the adjudicator.

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(8) Rules may make provision about references under subsection (7).

#### **74 Effective date of registration**

An entry made in the register in pursuance of—

- (a) an application for registration of an unregistered legal estate, or
- (b) an application for registration in relation to a disposition required to be completed by registration,

has effect from the time of the making of the application.

**Status:**

Point in time view as at 13/10/2003.

**Changes to legislation:**

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