Status: *Point in time view as at 13/10/2003.*
Changes to legislation: *There are currently no known outstanding effects for the Land Registration Act 2002, SCHEDULE 10. (See end of Document for details)*

SCHEDULES

SCHEDULE 10

Section 126

MISCELLANEOUS AND GENERAL POWERS

PART 1

MISCELLANEOUS

Dealings with estates subject to compulsory first registration

1 (1) Rules may make provision—

(a) applying this Act to a pre-registration dealing with a registrable legal estate as if the dealing had taken place after the date of first registration of the estate, and

(b) about the date on which registration of the dealing is effective.

(2) For the purposes of sub-paragraph (1)—

(a) a legal estate is registrable if a person is subject to a duty under section 6 to make an application to be registered as the proprietor of it, and

(b) a pre-registration dealing is one which takes place before the making of such an application.

Regulation of title matters between sellers and buyers

2 (1) Rules may make provision about the obligations with respect to—

(a) proof of title, or

(b) perfection of title,

of the seller under a contract for the transfer, or other disposition, for valuable consideration of a registered estate or charge.

(2) Rules under this paragraph may be expressed to have effect notwithstanding any stipulation to the contrary.

Implied covenants

3 Rules may—

(a) make provision about the form of provisions extending or limiting any covenant implied by virtue of Part 1 of the Law of Property (Miscellaneous Provisions) Act 1994 (c. 36) (implied covenants for title) on a registrable disposition;

(b) make provision about the application of section 77 of the Law of Property Act 1925 (c. 20) (implied covenants in conveyance subject to rents) to transfers of registered estates;

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(c) make provision about reference in the register to implied covenants, including provision for the state of the register to be conclusive in relation to whether covenants have been implied.

Land certificates

4 Rules may make provision about—

(a) when a certificate of registration of title to a legal estate may be issued,

(b) the form and content of such a certificate, and

(c) when such a certificate must be produced or surrendered to the registrar.

PART 2

GENERAL

Notice

5 (1) Rules may make provision about the form, content and service of notice under this Act.

(2) Rules under this paragraph about the service of notice may, in particular—

(a) make provision requiring the supply of an address for service and about the entry of addresses for service in the register;

(b) make provision about—

(i) the time for service,

(ii) the mode of service, and

(iii) when service is to be regarded as having taken place.

Applications

6 Rules may—

(a) make provision about the form and content of applications under this Act;

(b) make provision requiring applications under this Act to be supported by such evidence as the rules may provide;

(c) make provision about when an application under this Act is to be taken as made;

(d) make provision about the order in which competing applications are to be taken to rank;

(e) make provision for an alteration made by the registrar for the purpose of correcting a mistake in an application or accompanying document to have effect in such circumstances as the rules may provide as if made by the applicant or other interested party or parties.

Statutory statements

7 Rules may make provision about the form of any statement required under an enactment to be included in an instrument effecting a registrable disposition or a disposition which triggers the requirement of registration.

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Residual power

8 Rules may make any other provision which it is expedient to make for the purposes of carrying this Act into effect, whether similar or not to any provision which may be made under the other powers to make land registration rules.

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

Changes to legislation:
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