



Land Registration Act 2002

2002 CHAPTER 9

PART 6

REGISTRATION: GENERAL

Quality of title

62 Power to upgrade title

- (1) Where the title to a freehold estate is entered in the register as possessory or qualified, the registrar may enter it as absolute if he is satisfied as to the title to the estate.
- (2) Where the title to a leasehold estate is entered in the register as good leasehold, the registrar may enter it as absolute if he is satisfied as to the superior title.
- (3) Where the title to a leasehold estate is entered in the register as possessory or qualified the registrar may—
 - (a) enter it as good leasehold if he is satisfied as to the title to the estate, and
 - (b) enter it as absolute if he is satisfied both as to the title to the estate and as to the superior title.
- (4) Where the title to a freehold estate in land has been entered in the register as possessory for at least twelve years, the registrar may enter it as absolute if he is satisfied that the proprietor is in possession of the land.
- (5) Where the title to a leasehold estate in land has been entered in the register as possessory for at least twelve years, the registrar may enter it as good leasehold if he is satisfied that the proprietor is in possession of the land.
- (6) None of the powers under subsections (1) to (5) is exercisable if there is outstanding any claim adverse to the title of the registered proprietor which is made by virtue of an estate, right or interest whose enforceability is preserved by virtue of the existing entry about the class of title.

Changes to legislation: There are currently no known outstanding effects for the Land Registration Act 2002, Section 62. (See end of Document for details)

- (7) The only persons who may apply to the registrar for the exercise of any of the powers under subsections (1) to (5) are—
- (a) the proprietor of the estate to which the application relates,
 - (b) a person entitled to be registered as the proprietor of that estate,
 - (c) the proprietor of a registered charge affecting that estate, and
 - (d) a person interested in a registered estate which derives from that estate.
- (8) In determining for the purposes of this section whether he is satisfied as to any title, the registrar is to apply the same standards as those which apply under section 9 or 10 to first registration of title.
- (9) The [^{F1}Secretary of State] may by order amend subsection (4) or (5) by substituting for the number of years for the time being specified in that subsection such number of years as the order may provide.

Textual Amendments

- F1** Words in s. 62(9) substituted (9.11.2011) by [The Transfer of Functions \(Her Majesty's Land Registry, the Meteorological Office and Ordnance Survey\) Order 2011 \(S.I. 2011/2436\)](#), art. 1(2), [Sch. 2 para. 4\(2\)](#)

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