



Land Registration Act 1925

1925 CHAPTER 21

PART III

REGISTERED DEALINGS WITH REGISTERED LAND.

Dispositions of Freehold Land.

18 Powers of disposition of registered freeholds.

- (1) Where the registered land is a freehold estate the proprietor may, in the prescribed manner, transfer the registered estate in the land or any part thereof, and, subject to any entry in the register to the contrary, may in the prescribed manner—
- (a) transfer the fee simple in possession of all or any mines or minerals apart from the surface; or of the surface without all or any of the mines and minerals;
 - (b) grant an annuity or a rentcharge in possession (either perpetual or for a term of years absolute) in any form which sufficiently refers in the prescribed manner to the registered land charged;
 - (c) grant in fee simple in possession any easement, right, or privilege in, over, or derived from the registered land or any part thereof, in any form which sufficiently refers, in the prescribed manner, to the registered servient tenement and to the dominant tenement, whether being registered land or not;
 - (d) transfer the fee simple in possession of the registered land or any part thereof, subject to the creation thereof, by way of reservation, in favour of any person of an annuity or a rentcharge in possession (either perpetual or for a term of years absolute), or of any easement, right, or privilege in possession (either in fee simple or for a term of years absolute);
 - (e) grant (subject or not to the reservation of an easement, right, or privilege) a lease of the registered land or any part thereof, or of all or any mines and minerals apart from the surface, or of the surface without all or any of the mines and minerals, or of an easement, right or privilege in or over the land, or any part thereof, for any term of years absolute for any purpose (but where by way of mortgage subject to the provisions of this Act and the Law of Property

Status: This is the original version (as it was originally enacted).

Act, 1925, relating thereto), and in any form which sufficiently refers, in the prescribed manner, to the registered land.

- (2) A perpetual annuity or rentcharge in possession may be granted or reserved to any person with or without a power of re-entry, exercisable at any time, on default of payment thereof, or on breach of covenant, and shall have incidental thereto all the powers and remedies (as varied if at all by the disposition creating the rentcharge) for recovery thereof conferred by the Law of Property Act, 1925; and where an easement, right, or privilege is reserved in a registered disposition for a legal estate, the reservation shall operate to create the same for the benefit of the land for the benefit of which the right is reserved.
- (3) A lease for a term, not exceeding twenty-one years, to take effect in possession or within one year from the date thereof at a rent without taking a fine may be granted and shall take effect under this section notwithstanding that a caution, notice of deposit of a certificate, restriction, or inhibition (other than a bankruptcy inhibition) may be subsisting, but subject to the interests intended to be protected by any such caution, notice, restriction, or inhibition.
- (4) The foregoing powers of disposition shall (subject to the express provisions of this Act and of the Law of Property Act, 1925, relating to mortgages) apply to dispositions by the registered proprietor by way of charge or mortgage; but no estate, other than a legal estate, shall be capable of being disposed of, or created under, this section.
- (5) In this Act " transfer " or " disposition " when referring to registered freehold land includes any disposition authorised as aforesaid; and " transferee " has a corresponding meaning.