

1970 No. 2022 (L.43)

SOLICITORS**The Solicitors' Remuneration (Registered Land) Order 1970**

Made - - - - - 21st December 1970
Laid before Parliament 5th January 1971
Coming into Operation 15th February 1971

We, Quintin McGarel, Baron Hailsham of Saint Marylebone, Lord High Chancellor of Great Britain, Hubert, Baron Parker of Waddington, Lord Chief Justice of England, Alfred, Baron Denning, Master of the Rolls, Godfrey William Rowland Morley, Esquire, O.B.E., T.D., President of The Law Society, Charles Herbert Lea, Esquire, M.C., President of the Birmingham Law Society and Theodore Burton Fox Ruoff, Esquire, C.B., C.B.E., Chief Land Registrar, being the persons authorised by section 56 of the Solicitors Act 1957(a) to make general orders prescribing and regulating the remuneration of solicitors in respect of business under the Land Registration Act 1925(b), do hereby, in exercise of the power vested in us by the said section, order and direct as follows:—

1.—(1) This Order may be cited as the Solicitors' Remuneration (Registered Land) Order 1970 and the Solicitors' Remuneration (Registered Land) Orders 1925 to 1953 and this Order may be cited together as the Solicitors' Remuneration (Registered Land) Orders 1925 to 1970.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) This Order shall come into operation on 15th February 1971 and shall apply to all business for which instructions are accepted on or after that date.

2. The scale of remuneration for transfers on sale, charges, sub-charges, mortgages, sub-mortgages and transfers thereof shall be that set out in the Schedule to this Order and that scale shall be substituted for the scale contained in the Schedule to the Solicitors' Remuneration (Registered Land) Order 1925 (d) as amended (e).

3.—(1) Where a solicitor acts for a vendor on the sale of ten or more parcels of land on a building estate on each of which a dwelling house or other building has been erected and the title to each parcel is the same or substantially the same, the scale charge shall be reduced in accordance with the following table:—

Where the solicitor acts in 10 or more but less than 25 transactions	The scale charge shall be reduced by 10%
Where the solicitor acts in 25 or more but less than 50 transactions	The scale charge shall be reduced by 15%

(a) 1957 c. 27.

(b) 1925 c. 21.

(c) 1889 c. 63.

(d) S.R. & O. 1926/2 (1926, p. 1224).

(e) S.I. 1953/118 (1953 II, p. 1951).

Where the solicitor acts in 50 or more but less than 100 transactions	The scale charge shall be reduced by 20%
Where the solicitor acts in 100 or more transactions	The scale charge shall be reduced by 25%

(2) Any difference between the solicitor and his client as to the application of this paragraph shall be referred to and determined by the president of the local law society for the area in which the land is situated, or, if the solicitor is himself the president, by another solicitor nominated by the President of The Law Society.

4.—(1) If in the case of business to which this paragraph applies the client considers that a reduction, or a greater reduction than that proposed by the solicitor, should be made in the scale charge, the client may (without prejudice to his right to apply under section 69 of the Solicitors Act 1957 for the solicitor's bill to be taxed) require the solicitor to obtain a certificate from the Law Society before the bill is taxed or paid as to what charge would be fair and reasonable in the circumstances, the amount of the charge so certified being, in the absence of taxation, the amount payable to the solicitor by the client.

(2) The business to which this paragraph applies is:—

- (a) work done by the mortgagor's solicitor on a mortgage to a local authority, building society, insurance company or friendly society where the mortgage is contemporaneous with the purchase and the mortgagee is separately represented;
- (b) work done by the lessor's or the lessee's solicitor on the renewal of a lease by means of a short endorsement on, annexure to, or document supplemental to the original lease.

5. The Solicitors' Remuneration (Registered Land) Order 1959(a) is hereby revoked.

Dated 21st December 1970.

Hailsham of St. Marylebone, C.

Parker of Waddington, C.J.

Denning, M.R.

Godfrey Morley,

C. H. Lea,

Theodore B. F. Ruoff.

(a) S.I. 1959/2028 (1959 II, p. 2505).

SCHEDULE

SCALE OF REMUNERATION FOR TRANSFERS ON SALE, CHARGES, SUB-CHARGES,
MORTGAGES, SUB-MORTGAGES AND TRANSFERS THEREOF

Value of Land or Amount of Charge	Scale of Remuneration
(1) Under £100	£11.25
£100 and over but not exceeding £500	£15.00
For each subsequent £100 but not exceeding £1,000	£1.50 per £100
For each subsequent £100 but not exceeding £1,500	£1.00 per £100
For each subsequent £100 but not exceeding £4,000	50p per £100
For each subsequent £100 but not exceeding £13,000	37½p per £100
For each subsequent £100 but not exceeding £17,000	25p per £100
For each subsequent £100 but not exceeding £30,000	20p per £100
(2) Fractions of £100 are to be reckoned as £100 ...	

Where the value of the land or the amount of a charge exceeds £30,000 the remuneration is to be regulated in accordance with Schedule II to the Solicitors' Remuneration Order 1883, as amended.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Solicitors' Remuneration (Registered Land) Orders 1925 to 1953. The Order—

- (1) increases the scale of charges where the consideration is less than £3,000;
- (2) abolishes scale charges where the consideration exceeds £30,000;
- (3) provides for reductions in the scale charge where a solicitor acts for a vendor on the sale of ten or more properties on a building estate;
- (4) enables the scale charge for work done in respect of certain mortgages and on the renewal of leases to be reviewed at the instance of the client.

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