

1976 No. 1332

LAND REGISTRATION

The Land Registration Rules 1976

<i>Made - - - -</i>	<i>28th July 1976</i>
<i>Laid before Parliament</i>	<i>23rd August 1976</i>
<i>Coming into Operation</i>	<i>1st November 1976</i>

The Lord Chancellor, with the advice and assistance of the Rule Committee appointed in pursuance of section 144 of the Land Registration Act 1925(a), in exercise of the powers conferred on him by that section, hereby makes the following Rules:—

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Land Registration Rules 1976 and shall come into operation on 1st November 1976.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. The Land Registration Rules 1925(c), as amended(d), shall be further amended as follows:—

(1) For rule 9, there shall be substituted the following rule:—

“Index of proprietors’ names

9.—(1) There shall also be kept an index of proprietors’ names showing in respect of the register of each title the name of the proprietor of the land and of the proprietor of any registered charge, together in each case with the title number:

Provided that it shall not be necessary for there to be entered in the index either—

(a) the name of any building society, local authority or government department as proprietor of a charge, or

(b) until such time as the Lord Chancellor shall direct, the name of any corporate or joint proprietor of land or of a charge registered as proprietor prior to 1st May 1972.

(2) Any person may apply in Form 104 for a search to be made in the index in respect of either his own name or the name of some other person in whose property he is able to satisfy the Registrar that he is interested generally (for instance, as his trustee in bankruptcy or his personal representative).

(a) 1925 c. 21.

(b) 1889 c. 63.

(c) S.R. & O. 1925/1093 (Rev. XII, p. 81: 1925, p. 717).

(d) There are no relevant amendments.

(3) On receiving any such application the Registrar shall make the search and shall supply the applicant with details of every entry in the index relating to the particulars stated in the application, together with a short description of the property comprised in each title concerned and, in the case of the proprietor of a charge, the date of the charge.

(4) In this rule "index" includes any device or combination of devices serving the purpose of an index."

(2) In paragraph (1) of rule 247 for the words "whenever practicable" there shall be substituted the words "if the proprietor so requests".

(3) The following form shall be added at the end of the Schedule thereto:—
"FORM 104—Application for an official search in the index of proprietors' names (Rule 9).

To: The Chief Land Registrar, H.M. Land Registry, Burrington Way, Plymouth, PL5 3LP.

[Name of applicant] hereby applies for an official search to be made in the index of proprietors' names in respect of:

FULL NAME

ADDRESS(ES)

.....

[In any case where the search is required in a name other than that of the applicant

The applicant is interested generally in the property of the above-named person [*here state the nature of the applicant's interest, "as trustee in bankruptcy", "as personal representative", or as the case may be*].

Signature of applicant or his solicitor.....

[Name of solicitor].....

Address of applicant or solicitor.....

.....

Date.....

Note:—Separate applications should be made in respect of any former or alternative names. Every address which may have been used as an address for service for entry on the register should be stated."

3. The rules mentioned in columns 1 and 2 of the Schedule to these Rules are hereby revoked to the extent specified in column 3 of that Schedule.

Dated 28th July 1976.

Elwyn-Jones, C.

SCHEDULE
STATUTORY RULES REVOKED

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Title	Reference	Extent of revocation
The Land Registration Rules 1925	S.R. & O. 1925/1093 (Rev. XII, p. 81: 1925, p. 717)	Rule 12(2). In paragraph (1) of rule 83 the words "and Land Registry fee". Rule 247(2).
The Land Registration (Official Searches) Rules 1969	S.I. 1969/1179 (1969 II, p. 3474)	In paragraph (2) of rule 6 the words "and (iv) the appropriate Land Registry fee". In paragraph (1) of rule 11 and of rule 12 the words "accompanied by the appropriate Land Registry fee".

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Land Registration Rules 1925. They make fresh provision for the index of proprietors' names, relax the requirement to enter on the register the price paid or value declared in respect of a registered title and make other minor amendments.

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