
STATUTORY INSTRUMENTS

2003 No. 2431

LAND REGISTRATION, ENGLAND AND WALES

The Land Registration Act 2002
(Transitional Provisions) (No 2) Order 2003

Made - - - - 14th September 2003

Coming into force - - 13th October 2003

The Lord Chancellor, in exercise of the powers conferred on him by section 134 of the Land Registration Act 2002⁽¹⁾, hereby makes the following Order—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Land Registration Act 2002 (Transitional Provisions) (No 2) Order 2003 and shall come into force on 13th October 2003.

(2) In this Order “the Act” means the Land Registration Act 2002.

A right in respect of the repair of a church chancel

2.—(1) For the period of ten years beginning with the day on which Schedule 1 to the Act comes into force, it has effect with the insertion at the end of—

“16. A right in respect of the repair of a church chancel.”

(2) For the period of ten years beginning with the day on which Schedule 3 to the Act comes into force, it has effect with the insertion at the end of—

“16. A right in respect of the repair of a church chancel.”

Status: *This is the original version (as it was originally made). UK
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Signed by authority of the Lord Chancellor

14th September 2003

David Lammy
Parliamentary Under Secretary of State,
Department for Constitutional Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes a transitional provision under the Land Registration Act 2002 (2002 c. 9) (“the Act”). The provision is in addition to the transitional provisions contained in Schedule 12 to the Act and in the Land Registration Act 2002 (Transitional Provisions) Order 2003 (SI 2003/1953). The Act repeals the Land Registration Act (1925 c. 21) (“the 1925 Act”).

Liability to repair the chancel of any church is an overriding interest under section 70(1)(c) of the 1925 Act. The Order extends the overriding status of this interest for a transitional period of ten years.

The Order does this by inserting a new paragraph 16 at the end of Schedule 1 to the Act (unregistered interests which override first registration) and a new paragraph 16 at the end of Schedule 3 of the Act (unregistered interests which override registered dispositions), each referring to a right in respect of the repair of a church chancel. The Order provides that Schedules 1 and 3 to the Act have effect with the insertion of these paragraphs for the period of ten years beginning with the day on which those Schedules come into force.