Status: *Point in time view as at 01/04/2007. This version of this schedule contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the Land Registration Act (Northern Ireland) 1970, SCHEDULE 11. (See end of Document for details)*

SCHEDULES

SCHEDULE 11

Section 87(1) and (2).

MATTERS WHICH REQUIRE TO BE REGISTERED IN THE STATUTORY CHARGES REGISTER

1 Any charge acquired before, on or after the 2nd April 1951 by a local authority under—

(a) the Towns Improvement (Ireland) Act 1854 or the Acts incorporated therewith; or

(b) the Public Health Acts (Northern Ireland) 1878 to 1967; or

(c) section 31 of the Planning and Housing Act (Northern Ireland) 1931 ; or

(d) any other statutory provision, being a charge which takes effect by virtue of that provision; and

any similar charge acquired either before, on or after the 2nd April 1951 by a local authority under any local or private Act.

2 Any prohibition of or restriction on the user or mode of user of land imposed on or after the 2nd April 1951 by a local authority by order, instrument or resolution or enforceable by virtue of any conditions attached to any consent, approval or licence granted by a local authority on or after that date, pursuant to any statutory provision, being a prohibition or restriction binding on successive owners of land and not being a prohibition or restriction operating over the whole of the district of the authority or over the whole of any contributory place thereof.

3 Any regulations made by the Ministry of Agriculture under section 21 of the Irish Land Act 1903 or section 26 of the Northern Ireland Land Act 1925 with respect to rights of turbary or of access over any land for the purposes of turbary.

Para.4 rep. by 1971 c.17 (NI)

Paras.5#7 rep. by 1992 NI 15

8 Any statutory conditions attached by virtue of section 7 of the Housing (No.2) Act (Northern Ireland) 1946 to any house in respect of which a grant has been paid under that Act.

9 Any conditions applied to a cottage by virtue of regulations under section 10 of the Hill Farming Act 1946 .

Para.10 rep. by 1993 NI 15

11 Any improvement notice for the time being in force under Part II of the Agriculture Act (Northern Ireland) 1949 .

Para. 12 rep. by 1972 c.3 (NI)

Para. 13 rep. by 1992 NI 15

Para. 14 rep. by 1971 c.16 (NI)

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15 Any wayleave order made under section 14 of the Land Powers (Defence) Act 1958 and any restrictions imposed by section 16(1) of that Act.

16 Any notice under section 1 of the Rights of Light Act (Northern Ireland) 1961 .

Para. 17 rep. by 1992 NI 15

18 Any of the following matters under the Private Streets Act (Northern Ireland) 1964

(a) notices served under section 11;

(b) notices served under section 14(4);

(c) demands served under section 15(1);

(d) charges created under section 15(10);

(e) undertakings given under section 24(1) and undertakings given under section 24(2);

(f) agreements entered into under section 32.

[[F1]18A Any of the following matters under the Private Streets (Northern Ireland) Order**[**[F2] 1980**]**

[F3](a) notices served under Article 11;

(b) notices served under Article 14(5);

(c) demands served under Article 15(1);

(d) charges created under Article 15(10)

(e) undertakings given under Article 24(1) or (2);

(f) agreements entered into under Article 32.]

F1 1980 NI 12
F2 1992 NI 7
F3 Correct title is Private Streets (Northern Ireland) Order 1980

19 Any agreement or covenant under section 2(1), or any waiver under section 2(3),[F4] [[F5] or an agreement or waiver under section 2A,] of the Amenity Lands Act (Northern Ireland) 1965 .

F4 am. by 1972 NI 17, continued in force by 1991 NI 11
F5 1972 NI 17

20 Any condition attached by virtue of subsection (1) of section 24 of the Land Development Values (Compensation) Act (Northern Ireland) 1965 to any relevant land within the meaning of that section and any notice served on any person in relation to that land under that subsection.

21 Any condition applied to a unit of land under Schedule 3 to the Agriculture Act 1967 .

[[F6]22 Any of the following matters under the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995—

(a) an entry in the schedule compiled and maintained under Article 3(1);

(b) a notice served under Article 10(2)(b)**]**

F6 1995 NI 9

Para. 23 rep. by 1992 NI 15

[[F7]24 A grant or agreement referred to in section 55(5) of Civil Aviation Act 1982.**]**

F7 1982 c.16

[[F8]25 Any order under Article 7 or 8 of the Airports (Northern Ireland) Order 1994.**]**

F8 1994 NI 1

[[F9]26 Any Part I or Part II conditions, within the meaning of the Housing on Farms Act (Northern Ireland) 1972 , attached to any premises by virtue of that Act.]

F9 1972 c.3 (NI)

[[F10]27 Any of the following matters under the Planning (Northern Ireland) Order 1991—

(a) an entry in a list compiled under Article 42;

(b) tree preservation orders;

(c) enforcement notices which take effect in relation to any land;

(d) listed building enforcement notices which take effect in relation to any land;

(e) any conditions imposed on the grant of planning permission—

(i) relating to the occupancy of a dwelling house; or

(ii) requiring that a dwelling house on any land which is under the control of the applicant be demolished or cease to be used as a dwelling house;

(f) notices under Article 82 which take effect in relation to any land;

(g) orders under Article 39;

[F11](gg) **[** planning agreements under Article 40;**]**

(h) any designation under Article 50(1),

and any matter under the Planning (Northern Ireland) Order 1972 corresponding to any matter mentioned above.**]**

F10 1991 NI 11
F11 2003 NI 8

[[F12]28 Any of the following matters under the Water and Sewerage Services (Northern Ireland) Order 2006—

(a) a requirement of a private supply notice to which Article 121(5) applies;

(b) a covenant under Article 217(6);

(c) an agreement under Article 225.**]**

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F12 Sch. 11 para. 28 substituted (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 9** (with arts. 8(8),121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (with transitional, transitory and saving provisions in art. 3, Sch. 2)

[F13 31 Particulars specified in Article 11(4) of the Land Acquisition and Compensation (Northern Ireland) Order 1973 .]

F13 1973 NI 21

[F14 32 Any of the following matters under the Roads (Northern Ireland) Order 1993—

(a) a notice under Article 49;

(b) a condition imposed under Article 75 on the use of a building;

(c) a condition imposed under Article 76 on the use of any land;

(d) an agreement under Article 117;

(e) a charge under Article 122.**]**

F14 1993 NI 15

Paras. 33, 34 rep. by 1992 NI 15

[F15 35 An Order under Article 39(2)(a) of the Matrimonial Causes (Northern Ireland) Order 1978 to the extent that by virtue of Article 39(3)(b) of that Order it renders liable to be set aside at the instance of an applicant for financial relief a disposition of any land in Northern Ireland which is specified in the order.]

F15 1978 NI 15

[F16 36 An occupation order under the Family Homes and Domestic Violence (Northern Ireland) Order 1998 to the extent that by virtue of paragraph 1(b) of Schedule 1 to that Order it renders liable to be set aside at the instance of the applicant for the order a disposition of any land in Northern Ireland which is specified in the order.**]**

F16 1998 NI 6

[F17 37 Any of the following matters under the Housing (Northern Ireland) Order 1981

(a) any clearance order made under Article 33;

(b) any notice served under Article 35;

[F18 (bb) any closing order made under Article 38 of that Order;**]**

(c) any charge created under Article 42;

(d) any declaration made under Article 47 declaring an area to be a proposed re-development area;

(e) any declaration made under Article 52 declaring an area to be a housing action area, any extension of the duration of a housing action area under Article 53(2) and any amendment of such a declaration under Article 54;

Sub-paras. (f), (g) rep. by 1992 NI 15

(h) the statutory condition attaching by virtue of Article 123 to land held by a registered housing association and to grant-aided land, as, defined in Schedule 9, held by an unregistered housing association.]

F17 1981 NI 3
F18 1992 NI 15

Para. 37A rep. by 1992 NI 15

[[F19]38 Any of the following matters under the Access to the Countryside (Northern Ireland) Order 1983—

(a) a public path creation agreement, a public path creation order, a public path extinguishment order, or a public path diversion order;

(b) an access agreement, an access order, or an instrument or order varying or revoking an access agreement or order.**]**

F19 1983 NI 18

[[F20]39 Any agreement, covenant or waiver under Article 8(1), 9,**[**[F21] or 17**]** of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985, and any declaration made and confirmed under Article 24 of that Order.**]**

F20 1985 NI 1
F21 2002 NI 7

[[F22]40 Any conditions imposed under Article 4(1) of the Social Need (Northern Ireland) Order 1986 for the repayment of financial assistance under that Order, being conditions which provide that they shall be a statutory charge.**]**

F22 1986 NI 14

[[F23]41 Any of the following matters under the Housing (Northern Ireland) Order 1992—

(a) the statutory condition attached by virtue of Article 13 to land acquired by a registered housing association;

(b) any grant condition registrable by virtue of Articles 57(5), 58(3), 59(3), 60(7) or 61(3);

(c) the statutory condition of participation in a group repair scheme as an assisted participant, registrable under Article 68(3);

(d) any grant condition registrable by virtue of regulations made under Article 73(3);

(e) any notice served under Article 76(1), 79(1), 80(1) or 84(4);

(f) any charge under Article 84(8);

(g) any notice served under paragraph 2 of Schedule 4, any undertaking accepted under paragraph 5 of that Schedule or any closing order made under paragraph 6 of that Schedule.**]**

F23 1992 NI 15

[F24 42 Any agreement under regulation 13 of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 and any entry in the register under regulation 10 of those Regulations.]

F24 SR 1995/380

[F25[F26 43] Any declaration under Article 46 of the Street Works (Northern Ireland) Order 1995.]

F25 1995 NI 19
F26 2003 NI 2

[F27 43 Any declaration under Article 28(1) of the Environment (Northern Ireland) Order 2002, any management agreement under Article 34 of that Order or any waiver relating thereto and any management notice under Article 35 of that Order.]

F27 2002 NI 7

PROSPECTIVE

[F28[F29 44] Any charge under Article 61 of the Waste and Contaminated Land (Northern Ireland) Order 1997.]

F28 Sch.11 para. 42 added (prosp.) by The Waste and Contaminated Land (Northern Ireland) Order 1997 (S.I. 1997/2778 (N.I. 19)), arts. 1(2), 83(1), **Sch. 5 para. 1**
F29 Sch. 11 para. 44: Sch. 11 para. 42 renumbered as Sch. 11 para. 44 (1.10.2003 for certain purposes and otherwise 1.12.2003) by S.I. 2003/412 (N.I. 2), **Sch. 4 para. 1(3)**

[F30 45 Any of the following matters under Part III of the Housing (Northern Ireland) Order 2003—

(a) a grant condition registrable by virtue of Article 76(3), 77(3), 78(3), 79(3), 80(3), 81(3) and 83(2);

(b) a statutory condition of participation in a group repair scheme as an assisted participant registrable under Article 100(2) or 101(3);

(c) a charge under Article 117(5).]

F30 2003 NI 2

[F31 46 An order under paragraph 67(2) of Schedule 15 to the Civil Partnership Act 2004 to the extent that by virtue of paragraph 69(1)(b) of that Schedule it renders liable to be set aside at the instance of an applicant for financial relief a disposition of any land in Northern Ireland which is specified in the order.]

F31 2004 c.33

[[F32]47 Any charge created under Article 25(6) of the Private Tenancies (Northern Ireland) Order 2006.**]**

F32 Sch. 11 para. 47 inserted (1.4.2007) by Private Tenancies (Northern Ireland) Order 2006 (S.I. 2006/1459 (N.I. 10)), arts. 1(3), 74, **Sch. 4 para. 1**; S.R. 2006/428, **art. 3(c)**

[[F33]48 Any agreement under regulations under Article 29A of the Rates (Northern Ireland) Order 1977.**]**

F33 Sch. 11 para. 48 added (1.12.2006) by Rates (Amendment) (Northern Ireland) Order 2006 (S.I. 2006/2954 (N.I. 18)), arts. 1(3)(4), **10(2)**; S.R. 2006/464, art. 2(2), **Sch. 2**

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