

Changes to legislation: Education Reform Act 1988, Cross Heading: Right to production of documents of title is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 10

SUPPLEMENTARY PROVISIONS WITH RESPECT TO TRANSFERS

Modifications etc. (not altering text)

- C1** Sch. 10: functions conferred by [The Education \(Inner London Education Authority\) \(Transfer of Functions\) Order 1991 \(S.I.1991/1457\)](#), **arts. 2(b)**, 3
Sch. 10 applied (with modifications) (1.4.1999 in relation to s. 74 of the amending Act and 1.9.1999 in relation to Sch. 21 of the amending Act) by [School Standards and Framework Act 1998 \(c. 31\)](#), s. 74, **Sch. 21 Pt. I para. 2(3)** (with ss. 138(9), 144(6)); S.I. 1999/1016, art. 2(1), **Sch. 1**, s. 74; S.I. 1999/2323, art. 2(1), **Sch.**
Power to amend conferred (1.2.1999) by [School Standards and Framework Act 1998 \(c. 31\)](#), s. 137(4) **(a)** (with ss. 138(9), 144(6)); S.I. 1999/120, art. 2(1), **Sch. 1** (with art. 4).
Sch. 10 applied (with modifications) (1.1.2001) by [The Education \(New Procedures for Property Transfers\) Regulations 2000 \(S.I. 2000/3209\)](#), regs. 5, 6, 7, **Sch. 1**
Sch. 10 modified (E.) (1.1.2001) by [The Education \(New Procedures for Property Transfers\) Regulations 2000 \(S.I. 2000/3209\)](#), **regs. 15, 17**, (with regs. 18, 19)
Sch. 10 modified (W.) (1.9.2001) by [The Change of Category of Maintained Schools \(Wales\) Regulations 2001 \(S.I. 2001/2678\)](#), reg. 16, **Sch. 4 para. 2**
- C1** Sch. 10 applied (E.) (25.5.2007) by [The School Governance \(Federations\) \(England\) Regulations 2007 \(S.I. 2007/960\)](#), regs. 1(1), **41(2)**, 46(2)
- C1** Sch. 10 applied (W.) (12.4.2010) by [The Federation of Maintained Schools and Miscellaneous Amendments \(Wales\) Regulations 2010 \(S.I. 2010/638\)](#), regs. 1(1), **80(2)**, 86(2)
- C1** Sch. 10 applied (1.9.2012) by [The School Governance \(Federations\) \(England\) Regulations 2012 \(S.I. 2012/1035\)](#), regs. 1, **13(2)**, 33(2), 39(2) (with reg. 2)
- C1** Sch. 10 modified (1.10.2013) by [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), **Sch. 4 para. 9**; S.I. 2013/1800, art. 3(h)
- C1** Sch. 10 applied (22.5.2014) by [The Federation of Maintained Schools \(Wales\) Regulations 2014 \(S.I. 2014/1132\)](#), regs. 1(1), **84(2)**, 91(2)

Right to production of documents of title

- 4 ^{F1}(1) Where a transfer [^{F2}to which this Schedule applies] relates to registered land, it shall be the duty of the transferor to execute any such instrument under the Land Registration Acts 1925 to 1986, to deliver any such certificate under those Acts and to do such other things under those Acts as he would be required to execute, deliver or do in the case of a transfer by agreement between the transferor and the transferee.

(2)]

Where on any transfer to which this Schedule applies the transferor is entitled to retain possession of any documents relating in part to the title to any land or other property transferred to the transferee, the transferor shall be treated as having given to the transferee an acknowledgment in writing of the right of the transferee to

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production of that document and to delivery of copies of it; and section 64 of the ^{M1}Law of Property Act 1925 shall have effect accordingly, and on the basis that the acknowledgement did not contain any such expression of contrary intention as is mentioned in that section.

Textual Amendments

- F1** Sch. 10 para. 4(1) and word inserted (6. 5. 1992) by [Further and Higher Education Act 1992 \(c. 13\), s. 93\(1\)](#), [Sch. 8 Pt. I para. 65](#); [S.I. 1992/831, art. 2, Sch. 1](#) (with art. 4).
- F2** Words in Sch. 10 para. 4(1) substituted (1.1.1994) by [1993 c. 35, s. 47\(8\)](#) (with [s. 155\(11\)](#)); [S.I. 1993/3106, art. 4, Sch.1](#) (with art. 5, [Sch. 2](#)) (amended by [S.I. 1994/436, art.2](#))(and continued (1.11.1996) by [1996 c. 56, ss. 582\(1\), 583, Sch. 37 Pt. I para. 82\(2\)\(b\)](#) (with [ss. 1\(4\), 561, 562, Sch. 39](#)).

Modifications etc. (not altering text)

- C1** Sch. 10 para. 4 applied (with modifications) (10.3.1999) by [S.I. 1999/362, reg. 54\(6\)\(a\)](#).
 Sch. 10 para. 4 applied (with modifications) (E.) (31.12.1999) by [S.I. 1999/362, regs. 54A\(1\), 54C\(1\)](#), (as substituted (E.) (31.12.1999) by [S.I. 1999/3297, reg. 2](#))
 Sch. 10 paras. 2-10 applied (with modifications) (W.) (31.7.2000) by [S.I. 1999/362, reg. 54A\(1\)](#) (as substituted (31.7.2000) by [2000/1867, reg. 2, Sch. 2](#))
 Sch. 10 paras. 2-10 applied (with modifications) (W.) (31.7.2000) by [S.I. 1999/362, reg. 54A\(1\)](#) (as substituted (W.) (31.7.2000) by [2000/1867, reg. 2, Sch.](#))

Marginal Citations

- M1** [1925 c. 20](#).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 120(4A) inserted by [2022 asc 1 Sch. 4 para. 5\(2\)](#)
- s. 124A(9A)(9B) inserted by [2022 asc 1 s. 137\(3\)](#)
- s. 125(8)(9) inserted by [2022 asc 1 s. 138\(2\)](#)
- s. 128(1)(b)(iib) omitted by [2011 c. 21 Sch. 16 para. 8](#)
- s. 128(1)(b)(iia) omitted by [2015 c. 20 Sch. 14 para. 35](#)
- s. 128(1A)-(1C) inserted by [2022 asc 1 s. 139\(3\)](#)
- s. 128(7)-(10) inserted by [2022 asc 1 s. 139\(6\)](#)
- s. 232(4ZA)-(4ZC) inserted by [2022 asc 1 s. 138\(3\)\(b\)](#)