



2001 CHAPTER 5

The redemption of ground rents

Compulsory redemption in case of dwelling-house

2.—(1) Subject to subsection (4) and to section 3, this section applies where—

- (a) there is a conveyance of a dwelling-house to be held for an estate in fee simple or for a leasehold estate subject (in either case) to a ground rent; and
- (b) the dwelling-house is in a compulsory registration area (within the meaning of the Land Registration Act).

(2) Subject to subsection (5) and to section 3, this section also applies where there is a transfer of a dwelling-house to be held for an estate in fee simple or for a leasehold estate subject (in either case) to a ground rent.

(3) Where this section applies, the Registrar shall refuse to accept the conveyance or transfer (and accordingly shall not register a person as owner by virtue of that conveyance or transfer) unless he is satisfied that the ground rent has been redeemed by that person under this Act.

(4) Subsection (1) does not apply to a conveyance made on or after the day on which that subsection comes into operation in pursuance of an obligation assumed before that day.

(5) Subsection (2) does not apply to a transfer made on or after the day on which that subsection comes into operation in pursuance of an obligation assumed before that day.

(6) A recital in a conveyance or transfer as to the date on which an obligation was assumed is, for the purposes of subsection (4) or (5), conclusive evidence of that fact.

(7) Where a dwelling-house is held in undivided shares, the conveyance or transfer of such a share is, for the purposes of this section, a conveyance or transfer of the dwelling-house.

(8) In this section “conveyance” means a conveyance or other assurance of unregistered land for value in money or money’s worth and includes an assignment of a lease but does not include a grant of a lease, the surrender of a lease or the grant of a mortgage; and “transfer”, in relation to registered land, has a corresponding meaning.