



## 2001 CHAPTER 5

### *General provisions*

#### **Disputes**

**23.—**(1) Any question arising as to the matters mentioned in subsection (4) may be referred to the Registrar in accordance with rules.

(2) On a reference under subsection (1), the Registrar may, after or without holding a hearing (as he sees fit),—

- (a) determine the question; or
- (b) refer the question to the Lands Tribunal for determination by it.

(3) A person aggrieved by a determination of a question by the Registrar under subsection (2)(a) may appeal to the Lands Tribunal, and on such an appeal, or on a reference under subsection (2)(b), the Tribunal may determine the question.

(4) The matters referred to in subsection (1) are—

- (a) the applicability of section 1 or section 2 in a particular case;
- (b) the amount of the redemption money;
- (c) the amount of arrears of ground rent or apportioned ground rent referred to in section 4(2)(b) and (c);
- (d) what abatement is appropriate for the purpose of paragraph 3(3) of Schedule 1;
- (e) the yearly amount of a ground rent which is subject to a future increase or a periodic review and falls to be determined under paragraph 4 or 5 of Schedule 1;

(f) any other difference arising under this Act (but not a difference as to a matter which may be subject to proceedings in a court other than the Lands Tribunal).

(5) Section 2 of the Land Registration Act (power of Registrar to summon witnesses) applies for the purposes of this Act as if the reference in subsection (1) of that section to any matter relating to registration under that Act included any question arising as mentioned in subsection (1).

(6) Section 85(3)(m) of the Land Registration Act (rules about award of costs by Registrar) applies also to the costs incurred on, or subsequent to, a reference to the Registrar under this section.

(7) An appeal from an award of costs by the Registrar under this section, or from his refusal to award costs, lies to the Lands Tribunal.

(8) An award of costs by the Registrar is a money judgment for the purposes of Article 4 of the [Judgments Enforcement \(Northern Ireland\) Order 1981 \(NI 6\)](#).