

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

Examination of title

3.—(1) In section 14(5) of the 1970 Act for the words from “unless the title” onwards substitute “until his right to be so registered has been shown to the satisfaction of the Registrar”.

(2) In section 19 of the 1970 Act:

(a) in subsection (5) for the words from “unless” onwards substitute

“until he has produced such evidence of title to—

(a) the leasehold estate; and

(b) the freehold estate; and

(c) any intermediate estate which may exist,

as the Registrar considers necessary to justify registration with the proposed class of title”;

(b) in subsection (6) for the words from “unless” onwards substitute “until his right to be so registered has been shown to the satisfaction of the Registrar”.

(3) In section 28 of the 1970 Act for “the examination of any title under this Act” substitute “where the examination of any title is required under this Act or is necessary to facilitate any registration, such examination”; and in paragraph (a) of that section for “sufficient” substitute “, where notice is given, an”, and for “come in and state” substitute “submit”; and in paragraph (c) for “approve” substitute “register”.

(4) In section 29(1) of the 1970 Act for “and his solicitor shall each” substitute “or his solicitor shall” and for the words from “course” onwards substitute “documentation lodged in connection with the particular application for registration”.

(5) In section 30(1) of the 1970 Act for “which requires” substitute “and”, and after “land” insert “is necessary to facilitate registration”.

Other amendments of the 1970 Act

4.—(1) In section 32(2) of the 1970 Act after “subsection” insert “and paragraph 1(2) of Part I of Schedule 7”.

(2) In section 54(1) of the 1970 Act after “Act” insert “or Land Registry Rules”.

(3) In section 59(2) of the 1970 Act for “indemnity” substitute “compensation”.

(4) In section 67A of the 1970 Act, at the end, insert:

“(10) In this section references to a disposition of registered land include a lease, a charge and the creation or disposal of any interest in such land or in a charge of such land, and “purchaser” includes a lessee, a chargee and a person in whose favour such an interest is created or disposed of.”.

Status: This is the original version (as it was originally made).

(5) In section 68(1) of the 1970 Act for “protecting the Insurance Fund against” substitute “avoiding”.

(6) In section 82(1)(a) of the 1970 Act after “court” insert “or the Lands Tribunal”.

(7) In section 94 of the 1970 Act, in the definition of “the registry map”, for “(2)” substitute “(1)”; and at the appropriate places in alphabetical order insert:

““the register” means the title register and the registry map;

“the title register” means the register maintained pursuant to section 10;”.

(8) In Schedule 2 to the 1970 Act, Part I, entry 2, column 1 for the words from “capable of being” to “subsidiary interests” substitute “comprising incorporeal rights held in gross or rights prescribed under section 10(1)(d)”; and in entry 3, column 1 after “mortgage” (and within the brackets) insert “or land comprising incorporeal rights held in gross or rights prescribed under section 10(1)(d)”.

(9) In Schedule 9 to the 1970 Act, paragraph 1(1)(d), before “document” insert “a”.

(10) In Schedule 10 to the 1970 Act, paragraph 6, for “against the Insurance Fund” substitute “for compensation”.

(11) In Schedule 11 to the 1970 Act, paragraph 18A, for “1979” substitute “1980”.