



Law of Property Act 1969

1969 CHAPTER 59

PART II

CLOSING OF YORKSHIRE DEEDS REGISTRIES

17 Land charges registered in Yorkshire deeds registry

(1) As from the date which under section 16(3) of this Act is the relevant date in relation to a Yorkshire deeds registry—

- (a) section 10(6) of the Land Charges Act 1925 (certain land charges affecting land in any of the three ridings to be registered in the appropriate local deeds registry) shall not apply to the registration of any charge so far as it affects land which is then within the jurisdiction of the registry ; and
- (b) section 97 of the Law of Property Act 1925 (priorities as between certain mortgages of unregistered land not within the jurisdiction of a local deeds registry to be determined according to dates of registration under the Land Charges Act 1925) shall apply in relation to land which is then within the jurisdiction of the registry as it applies to land which was never within the jurisdiction of any local deeds registry ;

and accordingly as from that date the enactments specified in Part II of Schedule 2 to this Act shall, to the extent specified in the third column of that Schedule, be repealed as respects that registry and the area which is then within its jurisdiction.

(2) As soon as may be after subsection (1) of this section has come into force in relation to a Yorkshire deeds registry, the register of land charges maintained there pursuant to section 10(6) of the Land Charges Act 1925 shall be transferred to the Land Charges Department of Her Majesty's Land Registry in accordance with directions given for the purpose by the Chief Land Registrar.

(3) The Chief Land Registrar may direct that, during such period (not exceeding seven days) as he considers requisite for effecting the transfer of a register under subsection (2) of this section, no search shall be permitted in that register under section 16 of the Land Charges Act 1925 and that any certificate issued during that period under section 17 of that Act shall not be conclusive as to the existence or

Status: This is the original version (as it was originally enacted).

otherwise of any entry of a matter or document whereof entries were required or allowed to be made in that register.

- (4) The Chief Land Registrar shall give notice of any direction under the last foregoing subsection in such manner as appears to him to be appropriate.
- (5) A puisne mortgage registered in the deeds register maintained at a Yorkshire deeds registry shall be registrable under the Land Charges Act 1925 to the same extent as a puisne mortgage not registered in any local deeds register, and accordingly in section 10(1) of that Act, in Class C(i), the words " and (where the whole of the land affected is within the jurisdiction of a local deeds registry) not being registered in the local deeds register " are hereby repealed.
- (6) No fee shall be payable on the registration as a land charge under the Land Charges Act 1925 of a mortgage which becomes capable of registration under that Act by virtue of subsection (5) of this section.
- (7) Where before the commencement of this Act a person has purported to register under the Land Charges Act 1925 a mortgage which was incapable of such registration because already registered in the deeds register maintained at a Yorkshire deeds registry, the purported registration shall be treated as valid notwithstanding the prior registration in the deeds register.