SCHEDULE 3

Section 18.

CONSEQUENTIAL AMENDMENTS

Law of Property Act 1925

1 In section 97 of the [M1]Law of Property Act 1925 (priorities as between puisne mortgages) for the words from "to mortgages" to "1925), or" (which were inserted by section 9(2) of the [M2]Land Registration and Land Charges Act 1971) there shall be substituted the words "to mortgages or charges to which the Land Charges Act 1972 does not apply by virtue of section 14(3) of that Act (which excludes certain land charges created by instruments necessitating registration under the Land Registration Act 1925), or".

Marginal Citations

M1 1925 c. 20.

M2 1971 c. 54.

2—6 . . . . . [F1]

Textual Amendments

F1 Sch. 3 paras. 2–6 repealed (with savings) by Local Land Charges Act 1975 (c.76, SIF 98:2) s. 19, Sch. 2

Agricultural Credits Act 1928

7 For section 9(7) of the [M3]Agricultural Credits Act 1928 (agricultural charges) there shall be substituted—

"(7) The Schedule to this Act shall have effect in relation to official searches in the register of agricultural charges.";

and at the end of that Act there shall be added—

"SCHEDULE

OFFICIAL SEARCHES IN THE REGISTER OF AGRICULTURAL CHARGES

1 Where any person requires search to be made at the Land Registry for entries of agricultural charges, he may on payment of a prescribed fee lodge at the Land Registry a requisition in that behalf.

2 The reference to the Land Registry in paragraph 1 above shall, if the Land Registrar so directs, be read as a reference to such office of Her Majesty's Land Registry (whether in London or elsewhere) as may be specified in the direction.

3 The Land Registrar shall make the search required, and shall issue a certificate setting forth the result of the search.

4 In favour of a purchaser or an intending purchaser, as against persons interested under or in respect of an agricultural charge, the certificate,

according to its tenor, shall be conclusive, affirmatively or negatively, as the case may be.

5 Every requisition under this Schedule shall be in writing, signed by the person making it, specifying the name against which he desires search to be made, or in relation to which he requires a certificate of result of search, and other sufficient particulars.

6 If any officer, clerk or person employed in the Land Registry commits, or is party or privy to, any act of fraud or collusion, or is wilfully negligent, in the making of or otherwise in relation to any certificate under this Schedule, he shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment for a term not exceeding two years, or on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20, or to both such imprisonment and fine.

7 A solicitor, or a trustee, personal representative, agent, or other person in a fiduciary position, shall not be answerable for any loss that may arise from error in a certificate under this Schedule obtained by him."

Marginal Citations

M3 1928 c. 43.

8—12 . . . . . **F2**

Textual Amendments

F2 Sch. 3 paras. 8–12 repealed by Matrimonial Homes Act 1983 (c.19, SIF 49:5), s. 12(2), **Sch. 3**

Changes to legislation:
There are currently no known outstanding effects for the Land Charges Act 1972, SCHEDULE 3.