



Land Charges Act 1972

1972 CHAPTER 61

Registration in register of land charges

4 Effect of land charges and protection of purchasers.

- (1) A land charge of Class A (other than a land improvement charge registered after 31st December 1969) or of Class B shall, when registered, take effect as if it had been created by a deed of charge by way of legal mortgage, but without prejudice to the priority of the charge.
- (2) A land charge of Class A created after 31st December 1888 shall be void as against a purchaser of the land charged with it or of any interest in such land, unless the land charge is registered in the register of land charges before the completion of the purchase.
- (3) After the expiration of one year from the first conveyance occurring on or after 1st January 1889 of a land charge of Class A created before that date the person entitled to the land charge shall not be able to recover the land charge or any part of it as against a purchaser of the land charged with it or of any interest in the land, unless the land charge is registered in the register of land charges before the completion of the purchase.
- (4) If a land improvement charge was registered as a land charge of Class A before 1st January 1970, any body corporate which, but for the charge, would have power to advance money on the security of the estate or interest affected by it shall have that power notwithstanding the charge.
- (5) A land charge of Class B and a land charge of Class C (other than an estate contract) created or arising on or after 1st January 1926 shall be void as against a purchaser of the land charged with it, or of any interest in such land, unless the land charge is registered in the appropriate register before the completion of the purchase.
- (6) An estate contract and a land charge of Class D created or entered into on or after 1st January 1926 shall be void as against a purchaser for money or money's worth [^{F1}(or, in the case of an Inland Revenue Charge, a purchaser within the meaning of [^{F2}the Capital Transfer Tax Act 1984])] of a legal estate in the land charged with it,

Changes to legislation: There are currently no known outstanding effects for the Land Charges Act 1972, Section 4. (See end of Document for details)

unless the land charge is registered in the appropriate register before the completion of the purchase.

- (7) After the expiration of one year from the first conveyance occurring on or after 1st January 1926 of a land charge of Class B or Class C created before that date the person entitled to the land charge shall not be able to enforce or recover the land charge or any part of it as against a purchaser of the land charged with it, or of any interest in the land, unless the land charge is registered in the appropriate register before the completion of the purchase.
- (8) A land charge of Class F shall be void as against a purchaser of the land charged with it, or of any interest in such land, unless the land charge is registered in the appropriate register before the completion of the purchase.

Textual Amendments

- F1** Words substituted by virtue of [Finance Act 1975 \(c.7\)](#), s. 52(1), **Sch. 12 para. 18(1)(5)**
- F2** Words substituted by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), s. 276, **Sch. 8 para. 3(2)**
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Modifications etc. (not altering text)

- C1** S. 4 extended (1.12.1991) by [Water Resources Act 1991 \(c. 57, SIF 130\)](#), **ss. 158(4)(b)**, 225(2)(3) (with **ss. 16(6)**, 178, 179, 182, 222(3), 224(1), Sch. 22 paras. 1, 2, 4, Sch. 23 para. 6)
- C2** S. 4 applied (21.5.2016) by [Environment \(Wales\) Act 2016 \(anaw 3\)](#), **ss. 17(1)(b)**, 88(2)(a)
- C3** S. 4(6) modified by [Housing Act 1985 \(c.68, SIF 61\)](#), **Sch. 9A para. 6(2)** (as inserted by [Housing and Planning Act 1986 \(c.63, SIF 61\)](#), s. 8(2), **Sch. 2**)
- C4** S. 4(6) modified by [S.I. 1986/2092](#), art. 10, **Sch. 2 para. 6(2)**

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