

*These notes refer to the Land Registration Act 2002
(c.9) which received Royal Assent on 26 February 2002*

LAND REGISTRATION ACT 2002

EXPLANATORY NOTES

SUMMARY

21. The following is a summary of the contents of the Act:

Part 1: Preliminary

- to continue provision for a register of title to estates in land, and explain what interests can be the subject of title registration;

Part 2: First registration of title

- to specify who is entitled to apply voluntarily for the first registration of a title;
- to define when an application must be made, on whom the duty to make it lies; and the consequences of failing to do so;
- to define the titles in freehold and leasehold land which may be registered, and the effects of registration;
- to provide for cautions against first registration;

Part 3: Dispositions of registered land

- to define the powers of an owner of registered land, and who can exercise them;
- to make provision to protect disponees from the effect of limits on powers which are not the subject of an entry in the register;
- to define the dispositions of registered land which must be registered;
- to lay down rules about the effect of dispositions on the priority of interests effecting registered land;

Part 4: Notices and restrictions

- to provide for the registration of third party rights against registered titles by means of notices in the register and for the entry of restrictions which limit the circumstances in which an entry in the register may be made in respect of a disposition of registered land without the approval of the Registrar or a court;

Part 5: Charges

- to make provision about the relative priority of charges on registered land and about powers and duties of chargees;

Part 6: Registration: General

- to make provision about the effects of registration of title;
- to make provision about alteration of the register;
- to make provision for public access to the register;

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- to make provision for procedures for priority periods during which the rights of intending buyers can be protected;
- to make provision for a right to object to applications to the Registrar and for the reference of disputes about applications to the adjudicator;

Part 7: Special cases

- to make special provision for a number of cases for which that is appropriate, including various matters relating to the Crown, and the treatment on pending actions, writs, orders and deeds of arrangement (including bankruptcy petitions and orders);

Part 8: Electronic conveyancing

- to enable dispositions with a connection to land registration to be made by means of documents in electronic form;
- to enable registration to be made a pre-condition to effect dispositions of registered land or other interests which are the subject of a notice in the register;
- to enable an electronic network to be set up to carry out functions related to registration;
- to provide for circumstances in which conveyancers may be required to use electronic means to complete and register transactions simultaneously;

Part 9: Adverse possession

- to introduce a new regime for dealing with adverse possession in relation to certain registered interests;

Part 10: Land registry

- to make provision about the land registry, including the conduct of business and fees;

Part 11: Adjudication

- to establish a new independent officer to determine disputes between individual parties relating to land registration, and to regulate proceedings before him;

Part 12: Miscellaneous and general

- to enable specific provision to be made for a number of rights in land, and other miscellaneous and general provisions.