

# LAND REGISTRATION ACT 2002

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## EXPLANATORY NOTES

### COMMENTARY ON THE SECTIONS

#### *Schedule 7: the Land Registry*

#### **Holding of office by Chief Land Registrar, Remuneration etc. of Chief Land Registrar, and Parliamentary disqualification**

275. *Paragraphs 1,2 and 7* The Chief Land Registrar will hold the office on the terms determined by the Lord Chancellor, including pay, expenses and allowances, and the provision of a pension. The Chief Land Registrar may resign or be removed from office if he is unable or unfit to act, but otherwise shall continue in office until the term of his appointment ends. When the appointment ends, he is eligible for reappointment. If there are special circumstances on the termination of the appointment, the Lord Chancellor has power to pay compensation. For the first time, the office of Chief Land Registrar becomes a disqualifying office for the purpose of membership of the House of Commons or the Northern Ireland Assembly.

#### **Staff, and Indemnity for members**

276. *Paragraphs 3 and 4* The registrar may choose his staff and appoint them on such terms and conditions as he, with the approval of the Minister for the Civil Service, sees fit. Following the model of the Land Registration Act 1925, the Act protects any member of the land registry from a claim in damages for anything done or omitted to be done in relation to land registration, unless it is shown that they acted in bad faith.

#### **Seal, and Documentary evidence**

277. *Paragraphs 5 and 6* Paragraph 5 continues the effect of the existing legislation which allows documents sealed with the Land Registry seal to be admissible in evidence without further proof. Additionally paragraph 6 provides that the forms and directions made by the Chief Land Registrar are admissible in evidence under the Documentary Evidence Act 1868.