Land Registration Act 2002

2002 CHAPTER 9

PART 3

DISPOSITIONS OF REGISTERED LAND

Powers of disposition

23 Owner’s powers

(1) Owner’s powers in relation to a registered estate consist of—
   (a) power to make a disposition of any kind permitted by the general law in
       relation to an interest of that description, other than a mortgage by demise or
       sub-demise, and
   (b) power to charge the estate at law with the payment of money.

(2) Owner’s powers in relation to a registered charge consist of—
   (a) power to make a disposition of any kind permitted by the general law in
       relation to an interest of that description, other than a legal sub-mortgage, and
   (b) power to charge at law with the payment of money indebtedness secured by
       the registered charge.

(3) In subsection (2)(a), “legal sub-mortgage” means—
   (a) a transfer by way of mortgage,
   (b) a sub-mortgage by sub-demise, and
   (c) a charge by way of legal mortgage.

24 Right to exercise owner’s powers

A person is entitled to exercise owner’s powers in relation to a registered estate or
charge if he is—
   (a) the registered proprietor, or
   (b) entitled to be registered as the proprietor.
25  **Mode of exercise**

(1) A registrable disposition of a registered estate or charge only has effect if it complies with such requirements as to form and content as rules may provide.

(2) Rules may apply subsection (1) to any other kind of disposition which depends for its effect on registration.

26  **Protection of disponees**

(1) Subject to subsection (2), a person’s right to exercise owner’s powers in relation to a registered estate or charge is to be taken to be free from any limitation affecting the validity of a disposition.

(2) Subsection (1) does not apply to a limitation—

   (a) reflected by an entry in the register, or
   (b) imposed by, or under, this Act.

(3) This section has effect only for the purpose of preventing the title of a disponee being questioned (and so does not affect the lawfulness of a disposition).
Changes to legislation:
There are currently no known outstanding effects for the Land Registration Act 2002, Cross Heading: Powers of disposition.