



# Land Registration Act 2002

## 2002 CHAPTER 9

### PART 2

#### FIRST REGISTRATION OF TITLE

### CHAPTER 1

#### FIRST REGISTRATION

##### *Classes of title*

#### **10 Titles to leasehold estates**

- (1) In the case of an application for registration under this Chapter of a leasehold estate, the classes of title with which the applicant may be registered as proprietor are—
  - (a) absolute title,
  - (b) good leasehold title,
  - (c) qualified title, and
  - (d) possessory title;and the following provisions deal with when each of the classes of title is available.
- (2) A person may be registered with absolute title if—
  - (a) the registrar is of the opinion that the person's title to the estate is such as a willing buyer could properly be advised by a competent professional adviser to accept, and
  - (b) the registrar approves the lessor's title to grant the lease.
- (3) A person may be registered with good leasehold title if the registrar is of the opinion that the person's title to the estate is such as a willing buyer could properly be advised by a competent professional adviser to accept.

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**Changes to legislation:** There are currently no known outstanding effects for the Land Registration Act 2002, Section 10. (See end of Document for details)

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- (4) In applying subsection (2) or (3), the registrar may disregard the fact that a person's title appears to him to be open to objection if he is of the opinion that the defect will not cause the holding under the title to be disturbed.
- (5) A person may be registered with qualified title if the registrar is of the opinion that the person's title to the estate, or the lessor's title to the reversion, has been established only for a limited period or subject to certain reservations which cannot be disregarded under subsection (4).
- (6) A person may be registered with possessory title if the registrar is of the opinion—
- (a) that the person is in actual possession of the land, or in receipt of the rents and profits of the land, by virtue of the estate, and
  - (b) that there is no other class of title with which he may be registered.

**Modifications etc. (not altering text)**

- C1** S. 10(6) modified (10.11.2008) by [The Land Registration Rules 2003 \(S.I. 2003/1417\)](#), rule 196A (as inserted by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rules 2(1), 4(1), [Sch. 1 para. 63](#))

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