



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 11

INFORMATION ABOUT INTERESTS AND DEALINGS IN LAND

219 Power to require provision of certain classes of information

- (1) Regulations may require the provision of information that is within the scope of a permitted purpose.
- (2) So far as the regulations are to extend to England and Wales, the permitted purposes are—
 - (a) the beneficial ownership purpose (see section 220),
 - (b) the contractual control purpose (see section 221), and
 - (c) the national security purpose (see section 222).
- (3) So far as the regulations are to extend to Scotland or Northern Ireland, the only permitted purpose is the national security purpose.
- (4) Regulations under this section must, for each requirement they impose, specify—
 - (a) the person on whom the requirement falls,
 - (b) the occurrence or circumstances that gives or give rise to the requirement,
 - (c) the time limit for complying with the requirement, and
 - (d) the person to whom the required information is to be provided.
- (5) The occurrence or circumstances specified under subsection (4)(b)—
 - (a) must, in the case of a requirement to provide information within the scope of the national security purpose, and
 - (b) in any other case may,
be (or include) the giving of a notice in accordance with the regulations to the person on whom the requirement falls.
- (6) In relation to such cases, the regulations may also make provision deeming notice to have been given at a certain time in certain circumstances.

Status: This is the original version (as it was originally enacted).

- (7) The person specified under subsection (4)(d) must be—
- (a) the Chief Land Registrar, or
 - (b) another person exercising public functions on behalf of the Crown.
- (8) Regulations under this section may—
- (a) make provision about how information is to be provided (including provision requiring it to be provided by electronic means specified in the regulations);
 - (b) provide for, or make provision about, the application of the regulations to persons outside, or information held outside, the United Kingdom;
 - (c) relate to things done or arising before the coming into force of this section.

220 The beneficial ownership purpose

- (1) Information is within the scope of the beneficial ownership purpose if it appears to the Secretary of State that the information would be useful for the purpose of—
- (a) identifying persons who are beneficial owners of land in England or Wales, or
 - (b) understanding the relationship of those persons with the land that they beneficially own.
- (2) For the purposes of this section, a person beneficially owns land if either of the following subsections applies.
- (3) This subsection applies where—
- (a) the land is owned by a body corporate or partnership, and
 - (b) the person is, in relation to that body corporate or partnership, a beneficial owner within the meaning given by regulation 5 of the Money Laundering Regulations.
- (4) This subsection applies where—
- (a) the land is owned as part of—
 - (i) a trust, foundation or similar legal arrangement, or
 - (ii) the estate of a deceased person in the course of administration, and
 - (b) the person is, in relation to that trust, foundation, arrangement or estate, a beneficial owner within the meaning given by regulation 6 of the Money Laundering Regulations.
- (5) In this section—
- (a) expressions that are also used in regulation 5 or 6 of the Money Laundering Regulations have the same meaning as in that regulation;
 - (b) references to ownership of land (except references to beneficial ownership) are to the legal ownership of a freehold or leasehold estate in the land;
 - (c) “the Money Laundering Regulations” means the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (S.I. 2017/692).

221 The contractual control purpose

- (1) Information is within the scope of the contractual control purpose if it appears to the Secretary of State that the information would be useful for the purpose of understanding relevant contractual rights.

- (2) For the purposes of subsection (1), understanding relevant contractual rights includes identifying the persons holding them and understanding the circumstances in which they were created or acquired.
- (3) “Relevant contractual rights” are rights that—
- (a) arise under a contract,
 - (b) relate to the development, use or disposal of land in England or Wales, and
 - (c) are held for the purposes of an undertaking.
- (4) In this section—
- “contract” includes a deed (whether or not made for consideration);
 - “undertaking” includes—
- (a) a business,
 - (b) a charity or similar endeavour, and
 - (c) the exercise of functions of a public nature.

222 The national security purpose

- (1) Information is within the scope of the national security purpose if—
- (a) the information relates to land that is within subsection (2),
 - (b) the information is within subsection (3), and
 - (c) it appears to the Secretary of State that requiring the provision of the information under section 219 would be justified in the interests of national security.
- (2) Land is within this subsection if it appears to the Secretary of State that a threat to national security arises in connection with the location of the land or anything situated or done on it.
- (3) Information is within this subsection if it appears to the Secretary of State that the information would be useful for the purpose of—
- (a) identifying persons who—
- (i) own relevant interests in the land,
 - (ii) have relevant rights concerning the land, or
 - (iii) have the ability, or are in a position that may involve the ability, to control or influence (directly or indirectly) the owner of a relevant interest in the land, or a person with a relevant right concerning the land, in the exercise of that ownership or right, or
- (b) understanding the relationship of those persons with the land.
- (4) In subsection (3)—
- (a) references to ownership include legal and beneficial ownership;
 - (b) “control or influence” includes control or influence by reason of interests or rights in or under a company, partnership, trust, foundation, or legal structure or arrangement similar to any of those.

Status: This is the original version (as it was originally enacted).

223 Requirements may include transactional information

- (1) The information that may (if it falls within the scope of a permitted purpose) be required to be provided under [section 219](#) includes transactional information about instruments, contracts or other arrangements—
 - (a) creating, altering, extinguishing, evidencing, or transferring relevant interests in land, or
 - (b) conferring, amending, assigning, terminating or otherwise modifying relevant rights concerning land.
- (2) “Transactional information” means—
 - (a) details of the parties to a transaction;
 - (b) details of persons on whose behalf or for whose benefit the parties to a transaction are or were acting;
 - (c) details of the terms of a transaction;
 - (d) details of persons providing professional services in relation to a transaction;
 - (e) details of the source of any money paid or other consideration given in connection with a transaction;
 - (f) copies of documents giving effect to or evidencing a transaction.
- (3) “Transaction”, in subsection (2), means an instrument, contract or other arrangement within subsection (1).

224 Use of information

- (1) Regulations may provide for—
 - (a) the retention of information provided further to a requirement imposed under [section 219](#);
 - (b) the sharing of such information with persons exercising functions of a public nature, for use for the purposes of such functions;
 - (c) the publication of such information.
- (2) In the case of a requirement to provide information within the scope of the national security purpose, regulations under subsection (1) may be made so as to apply to information provided further to the requirement only so far as appears to the Secretary of State to be justified in the interests of national security.
- (3) Regulations may provide for the payment of fees—
 - (a) by persons providing information further to a requirement imposed under [section 219](#), and
 - (b) to the person to whom the information is provided, in respect of any functions conferred on that person under subsection (1).
- (4) No civil liability is to arise from the sharing or publication of information under regulations under this section by reason of any inaccuracy or omission in the information as provided further to a requirement imposed under [section 219](#).

225 Offences

- (1) A person who, without reasonable excuse, fails to comply with a requirement imposed under [section 219](#) commits an offence.
- (2) A person commits an offence if—

Status: This is the original version (as it was originally enacted).

- (a) the person provides information in response to a requirement imposed under section 219,
 - (b) the information is false or misleading in a material particular, and
 - (c) the person knows that the information is false or misleading or is reckless as to whether it is.
- (3) But an offence under this section is committed under the law of a given jurisdiction only if the requirement in question is imposed by regulations extending to that jurisdiction.
- (4) A person who commits an offence under subsection (1) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding the maximum term for summary offences or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding level 5 on the standard scale (or both);
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).
- (5) In subsection (4)(a), “the maximum term for summary offences” means—
- (a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 comes into force, 6 months;
 - (b) if the offence is committed after that time, 51 weeks.
- (6) A person guilty of an offence under subsection (2) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);
 - (d) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both).
- (7) If—
- (a) an entity within subsection (8) commits an offence under this section, and
 - (b) a person who is, or is purporting to act as, a relevant officer of the entity authorises or permits, participates in, or fails to take all reasonable steps to prevent the commission of the offence,
- that person also commits the offence.
- (8) The entities within this subsection are those specified in the first column of the following table; and “relevant officer”, in relation to such an entity, means a person acting in a capacity specified in the corresponding entry in the second column.

Entity	“Relevant officer”
A company.	A director, manager, secretary or similar officer.
A partnership.	A partner.

Status: This is the original version (as it was originally enacted).

Entity	“Relevant officer”
A body corporate (other than a company) or unincorporated body whose affairs are managed by a governing body.	A member of the governing body.
A body corporate (other than a company) or unincorporated body whose affairs are managed by its members.	A member.

- (9) An offence under this section committed under the law of Scotland by a person outside Scotland may be prosecuted in—
- (a) a sheriff court district in which the person is apprehended or in custody, or
 - (b) a sheriff court district determined by the Lord Advocate,
- as if the offence had been committed in that district (and in that event the offence is for all incidental or consequential purposes deemed to have been committed in that district).
- (10) In subsection (9), “sheriff court district” is to be read in accordance with section 307(1) of the Criminal Procedure (Scotland) Act 1995.

226 Enforcement of requirements

- (1) Regulations may make provision to prevent a relevant registration act from being carried out in relation to a relevant interest in land or relevant right concerning land in relation to which a requirement imposed under section 219 has not been complied with.
- (2) For the purposes of subsection (1), a relevant registration act is any act that would or could be carried out in relation to the register of title kept under the Land Registration Act 2002.
- (3) Regulations under subsection (1) may—
 - (a) amend the Land Registration Act 2002;
 - (b) make consequential amendments of any other enactment.

227 Interpretation of Part 11

In this Part—

“person” includes any entity that has legal personality under the law by which it is governed;

“regulations” means regulations made by the Secretary of State;

“relevant interest in land” means an estate, interest, right or power in or over land in the United Kingdom, except an advowson, franchise or manor;

“relevant right concerning land” means a right or power, arising under a contract or otherwise, that is not a relevant interest in land but concerns the ownership, control or use of land in the United Kingdom.