
STATUTORY INSTRUMENTS

2003 No. 1417

The Land Registration Rules 2003

PART 13

INFORMATION ETC

Official searches for the purpose of the Family Law Act 1996 and information requests

Application for official search for the purpose of the Family Law Act 1996 by a mortgagee

158.—(1) A mortgagee of land comprised in a registered title that consists of or includes all or part of a dwelling-house may apply for an official search certificate of the result of a search of the relevant individual register for the purpose of section 56(3) of the Family Law Act 1996(1).

(2) Subject to rule 132(1), an application under paragraph (1) must be made in Form MH3.

Issue of official search certificate result following an application made by a mortgagee for the purpose of section 56(3) of the Family Law Act 1996

159.—(1) An official search certificate giving the result of a search in respect of an application made under rule 158 may, at the registrar's discretion, be issued in one or both of the following ways—

- (a) in paper form, or
- (b) under rule 132(2).

(2) Subject to paragraph (3), an official search certificate issued under paragraph (1) must include the information specified in Part 5 of Schedule 6.

(3) If an official search certificate is to be, or has been, issued under paragraph (1)(a), another official search certificate issued under rule 132(2) by virtue of paragraph (1)(b) in respect of the same application need only include the information specified at A, E and F of Part 5 of Schedule 6.

Information requested by an applicant for an official search for the purpose of the Family Law Act 1996

160. If an application has been made under rule 158 the registrar may, at his discretion, during the currency of a relevant notice given under Schedule 2, and in accordance with the limitations contained in that notice, before the official search has been completed, inform the applicant, by any means of communication, whether or not—

- (a) a matrimonial home rights notice or matrimonial home rights caution has been entered in the individual register of the relevant registered title, or
- (b) there is a pending application for the entry of a matrimonial home rights notice entered on the day list.

Status: *This is the original version (as it was originally made).*
