
STATUTORY INSTRUMENTS

2003 No. 1417

The Land Registration Rules 2003

PART 6

**REGISTERED LAND: APPLICATIONS,
DISPOSITIONS AND MISCELLANEOUS ENTRIES**

Execution by an attorney

Documents executed by attorney

61.—(1) If any document executed by an attorney is delivered to the land registry, there must be produced to the registrar—

- (a) the instrument creating the power, or
- (b) a copy of the power by means of which its contents may be proved under section 3 of the Powers of Attorney Act 1971(1), or
- (c) a document which under section 4 of the Evidence and Powers of Attorney Act 1940(2) or section 7(3) of the Enduring Powers of Attorney Act 1985(3) is sufficient evidence of the contents of the power, or
- (d) a certificate by a conveyancer in Form 1.

(2) If an order under section 8 of the Enduring Powers of Attorney Act 1985 has been made with respect to a power or the donor of the power or the attorney appointed under it, the order must be produced to the registrar.

(3) In this rule, “power” means the power of attorney.

Evidence of non-revocation of power more than 12 months old

62.—(1) If any transaction between a donee of a power of attorney and the person dealing with him is not completed within 12 months of the date on which the power came into operation, the registrar may require the production of evidence to satisfy him that the power had not been revoked at the time of the transaction.

(2) The evidence that the registrar may require under paragraph (1) may consist of or include a statutory declaration by the person who dealt with the attorney or a certificate given by that person’s conveyancer in Form 2.

(1) 1971 c. 27.
(2) 1940 c. 28.
(3) 1985 c. 29.

Evidence in support of power delegating trustees' functions to a beneficiary

63.—(1) If any document executed by an attorney to whom functions have been delegated under section 9 of the Trusts of Land and Appointment of Trustees Act 1996⁽⁴⁾ is delivered to the registrar, the registrar may require the production of evidence to satisfy him that the person who dealt with the attorney—

- (a) did so in good faith, and
- (b) had no knowledge at the time of the completion of the transaction that the attorney was not a person to whom the functions of the trustees in relation to the land to which the application relates could be delegated under that section.

(2) The evidence that the registrar may require under paragraph (1) may consist of or include a statutory declaration by the person who dealt with the attorney or a certificate given by that person's conveyancer either in Form 3 or, where evidence of non-revocation is also required pursuant to rule 62, in Form 2.

⁽⁴⁾ 1996 c. 47.