
STATUTORY INSTRUMENTS

2003 No. 1417

The Land Registration Rules 2003

PART 15

GENERAL PROVISIONS

Proceedings before the registrar

Costs

202.—(1) A person who has incurred costs in relation to proceedings before the registrar may request the registrar to make an order requiring a party to those proceedings to pay the whole or part of those costs.

(2) The registrar may only order a party to proceedings before him to pay costs where those costs have been occasioned by the unreasonable conduct of that party in relation to the proceedings.

(3) Subject to paragraph (5), a request for the payment of costs must be made by delivering to the registrar a written statement in paper form by 12 noon on the twentieth business day after the completion of the proceedings to which the request relates.

(4) The statement must—

- (a) identify the party against whom the order is sought and include an address where notice may be served on that party,
- (b) state in full the grounds for the request,
- (c) give an address to which communications may be sent, and
- (d) be signed by the person making the request or his conveyancer.

(5) During the currency of a relevant notice given under Schedule 2, and subject to and in accordance with the limitations contained in the notice, a request under this rule may also be made by delivering the written statement to the registrar, by any means of communication, other than as mentioned in paragraph (3).

(6) The registrar must give notice of the request to the party against whom the order is sought at the address provided under paragraph (4)(a) and if that party has an address for service in an individual register that relates to the proceedings, at that address.

(7) An address for a party provided under paragraph (4)(a) is to be regarded for the purpose of rule 199 as if it was an address for service given under rule 198(2)(h).

(8) The notice must give the recipient a period ending at 12 noon on the twentieth business day after the issue of the notice, or such other period as the registrar thinks appropriate, to deliver a written response to the registrar by the method and to the address stated in the notice.

(9) The response must—

- (a) state whether or not the recipient opposes the request,
- (b) if he does, state in full the grounds for that opposition,

- (c) give an address to which communications may be sent, and
- (d) be signed by the recipient or his conveyancer.

(10) The registrar must determine the matter on the basis of: the written request and any response submitted to him, all the circumstances including the conduct of the parties, and the result of any enquiries he considers it necessary to make.

(11) The registrar must send to all parties his written reasons for any order he makes under paragraph (1).

(12) An order under paragraph (1) may—

- (a) require a party against whom it is made to pay to the requesting party the whole or such part as the registrar thinks fit of the costs incurred in the proceedings by the requesting party,
- (b) specify the sum to be paid or require the costs to be assessed by the court (if not otherwise agreed), and specify the basis of the assessment to be used by the court.