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STATUTORY INSTRUMENTS

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**2003 No. 1953**

The Land Registration Act 2002  
(Transitional Provisions) Order 2003

*Matrimonial home rights cautions*

**Matrimonial home rights cautions**

**20.**—(1) The registrar shall not be required, on the application of the proprietor of the registered estate affected, to serve the notice referred to in rule 223 of the 2003 Rules in relation to a matrimonial caution except upon production of—

- (a) a release in writing of the matrimonial home rights protected by the matrimonial caution, or
- (b) a statutory declaration that, as to the whole or any part of the land to which the matrimonial caution relates, no charge under section 2 of the Matrimonial Homes Act 1967<sup>(1)</sup>, section 2 of the Matrimonial Homes Act 1983<sup>(2)</sup> or section 31 of the Family Law Act 1996<sup>(3)</sup> has ever arisen or, if such a charge has arisen, it is no longer subsisting.

(2) In this article “matrimonial caution” means a caution registered under section 2(7) of the Matrimonial Homes Act 1967 before 14th February 1983 which remains in the register after commencement.

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<sup>(1)</sup> 1967 c. 75 (repealed).  
<sup>(2)</sup> 1983 c. 19 (repealed).  
<sup>(3)</sup> 1996 c. 27.