
STATUTORY INSTRUMENTS

2005 No. 1766

The Land Registration (Amendment) Rules 2005

Citation and commencement

1. These rules may be cited as the Land Registration (Amendment) Rules 2005 and shall come into force on 24th October 2005.

Interpretation

2. In these rules “the principal rules” means the Land Registration Rules 2003(1) and a reference to a rule by number is a reference to the rule in the principal rules so numbered.

Amendment to rule 91(1)

3. In rule 91(1), there shall be inserted after “Schedule 4” the words “(varied, where appropriate, as permitted by rule 91A)”.

New rule 91A

4. After rule 91, the following rule shall be inserted—

“Completion of standard forms of restriction

91A.—(1) Subject to paragraphs (2) and (3), where a standard form of restriction is to affect part only of the registered estate, then, where it refers to a disposition, or to a disposition of a specified type, to which it applies, that reference may be followed by the words “of the part of the registered estate” together with a sufficient description, by reference to a plan or otherwise, to identify clearly the part so affected.

(2) The words incorporated pursuant to paragraph (1) shall be in place of the words “of the registered estate” where those latter words appear in a standard form of restriction and are referring to a disposition, or to a disposition of a specified type, to which the restriction applies.

(3) The registrar may alter the words of any restriction affecting part of the registered estate only that he intends to enter in the register so that such part is described by reference to the relevant title plan or in another appropriate way.

(4) A restriction in Form L, M, N, O, P, S or T may commence with the word “Until . . .” followed by a calendar date.”.

Amendment to rule 92

5. There shall be substituted for rule 92(2)(b) the following sub-paragraph—

“(b) where rule 198(2)(d) applies, the address for service of the person named in the restriction,”.

Amendments to rule 93

- 6.—(1) Rule 93 shall be amended as follows.
- (2) In paragraph (u), the final “and” shall be deleted.
- (3) In paragraph (v), the full stop shall be replaced by “, and”.
- (4) After paragraph (v), the following paragraph shall be inserted—
 - “(w) the Legal Services Commission where it has a statutory charge, created by section 16(6) of the Legal Aid Act 1988⁽²⁾ or by section 10(7) of the Access to Justice Act 1999⁽³⁾, over a beneficial interest in registered land held under a trust of land and is applying for a restriction in Form JJ to be entered in the register of that land.”.

Amendment to rule 140

7. After rule 140(4), the following paragraph shall be inserted—
 - “(4A) A qualifying applicant who applies for a search in the index of proprietors' names under paragraph (2) may apply at the same time in the Form CIT attached to the Form PN1 for official copies of every individual register referred to in the entries (if any) in the index relating to the particulars given in the search application.”.

Amendment to rule 198

8. There shall be substituted for rule 198(2)(d) the following sub-paragraph—
 - “(d) a person named in—
 - (i) a standard form of restriction set out in Schedule 4, whose address is required by that restriction, or
 - (ii) any other restriction, whose consent or certificate is required, or to whom notice is required to be given by the registrar or another person,except where the registrar is required to enter the restriction without application.”.

Amendments to rule 217

- 9.—(1) In rule 217(1), the definition of “conveyancer” shall be amended as follows—
 - (a) after “Executives,” in (c) of the definition there shall be inserted the word “or (d) a duly certificated notary public,” and
 - (b) after the words “licensed conveyancer” where they last appear in the definition, there shall be substituted for the words from “or” to “Executives”—“, fellow of the Institute of Legal Executives or duly certificated notary public”.
- (2) In rule 217(3), for “Forms AA to HH” there shall be substituted “Forms AA to LL”.

New Form CIT in Schedule 1 to the principal rules

10. There shall be substituted for Form CIT in Schedule 1 to the principal rules Form CIT in Schedule 1 to these rules.

(2) 1988 c. 34.
(3) 1999 c. 22.

Amendments to Schedule 4 to the principal rules

11. Schedule 4 to the principal rules shall be amended in accordance with Schedule 2 to these rules.

Amendments to Schedule 5 to the principal rules

12. Schedule 5 to the principal rules shall be amended in accordance with Schedule 3 to these rules.

Signed by authority of the Lord Chancellor

30th June 2005

Cathy Ashton
Parliamentary Under Secretary of State,
Department for Constitutional Affairs