
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules are made under the Land Registration Act 2002 (the Act), and make provision for the creation of legal charges in electronic form.

Rule 3, made under section 91 of the Act, provides for certain kinds of legal charge to be created by means of an electronic document. In accordance with section 91(3), it lays down conditions that must be met if such a document is to be effective. Schedule 1 states what information such a charge must contain, while allowing for optional information. Rule 4 requires that, when notified in accordance with the provisions of the charge that the charge is to take effect, the registrar must send the person giving the notification an acknowledgement stating the time and date that it was received.

Rules 5 and 6, and Schedule 2, amend or disapply certain provisions of the Land Registration Rules 2003 to cater for electronic legal charges, retention and deletion of electronic documents and applications to the registrar under paragraph 1 of Schedule 5 to the Act to enter into a network access agreement. Additionally, rule 15 (time at which applications are taken to be made) is amended. This rule covers certain applications, whether or not they are delivered in electronic form.

An Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Land Registry, 32 Lincoln's Inn Fields, London WC2A 3PH.