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STATUTORY INSTRUMENTS

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**2008 No. 1920**

**COMMONHOLD, ENGLAND AND WALES**

The Commonhold (Land Registration)  
(Amendment) Rules 2008

<i>Made</i>	- - - -	<i>17th July 2008</i>
<i>Laid before Parliament</i>		<i>21st July 2008</i>
<i>Coming into force</i>	- -	<i>10th November 2008</i>

The Lord Chancellor makes the following rules in exercise of the powers conferred by section 65 of the Commonhold and Leasehold Reform Act 2002<sup>(1)</sup>.

In accordance with section 127<sup>(2)</sup> of the Land Registration Act 2002, he has received the advice and assistance of the Rule Committee appointed under that section.

**Citation and commencement**

1. These rules may be cited as the Commonhold (Land Registration) (Amendment) Rules 2008 and shall come into force on 10th November 2008.

**Interpretation**

2. In these rules “the principal rules” means the Commonhold (Land Registration) Rules 2004<sup>(3)</sup> and a reference to a rule by number (other than the reference to rule 8 at the head of the Schedule) is a reference to the rule so numbered in the principal rules.

**Amendment to rule 5**

3. In rule 5(3), for “statutory declaration” substitute “statement of truth”.

**Amendments to rule 6**

4.—(1) In the heading to rule 6 and in paragraphs (1) and (6) of that rule, for the words “statutory declaration”, wherever they appear, substitute “statement of truth”.

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(1) [2002 c.15](#).

(2) Section 127 was amended by the Constitutional Reform Act 2005 ([c.4](#)), section 15(1) and Schedule 4, Part 1, paragraphs 301 and 302.

(3) [S.I. 2004/1830](#).

(2) In paragraphs (2) to (5) of rule 6, for the word “declaration”, wherever it appears, substitute “statement”.

**Amendment to rule 14**

5. In rule 14(3)(a), for “statutory declaration” substitute “statement of truth”.

**Amendment to rule 20**

6. In rule 20(4), for “statutory declaration” substitute “statement of truth”.

**Amendment to rule 25**

7. In rule 25, for “panel 9” substitute “panel 7”.

**Amendments to Schedule 1 to the principal rules**

8. In Schedule 1 to the principal rules—

- (a) for Form CM1 substitute Form CM1 in the Schedule to these rules,
- (b) for Form CM2 substitute Form CM2 in the Schedule to these rules, and
- (c) for Form CM4 substitute Form CM4 in the Schedule to these rules.

Signed by authority of the Lord Chancellor

17th July 2008

*Michael Wills*  
Minister of State  
Ministry of Justice



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<p><b>8. Where you would like us to deal with someone else</b> <i>We shall deal only with the applicant, or the person lodging the application if different, unless you place "X" against one or more of the statements below and give the necessary details.</i></p> <p><input type="checkbox"/> Send title information document to the person shown below</p> <p><input type="checkbox"/> Raise any requisitions or queries with the person shown below</p> <p><input type="checkbox"/> Return original documents lodged with this form (see italic text in panel 6) to the person shown below</p> <p><i>If this applies only to certain documents, please specify.</i></p> <p>Name _____</p> <p>Address/DX No. _____</p> <p>Reference _____</p> <p>E-mail _____</p>	
Telephone No. _____	Fax No. _____
<p><b>9. Full name(s) and address(es) for service of every applicant for entry on the register. The address(es) will be entered on the register and used for correspondence and the service of notices.</b> <i>You may give up to three addresses for service one of which must be a postal address but does not have to be within the UK. The other addresses can be a combination of either a postal address, a box number at a UK document exchange or an electronic address. For a company include company's registered number, if any. For Scottish companies use an SC prefix and for limited liability partnerships use an LC prefix before the registered number, if any. For foreign companies give territory in which incorporated.</i></p>	
<p><b>10. Information in respect of any new charge</b> <i>Do not give this information if a Land Registry MD reference is printed on the charge, unless the charge has been transferred.</i></p> <p>Full name and address (including postcode) for service of notices and correspondence of the person to be registered as proprietor of each charge. You may give up to three addresses for service. See panel 9 as to the details you should include.</p> <p><i>Unless otherwise arranged with Land Registry Head Office, we require a certified copy of the chargee's constitution (in English or Welsh) if it is a body corporate but is not a company registered in England and Wales or Scotland under the Companies Acts.</i></p>	
<p><b>11. Name, address(es) and company registration number of the commonhold association</b> <i>If it is not the applicant. See panel 9 as to the details you should include.</i></p>	
<p><b>12. Signature of applicant or their conveyancer</b> _____ <b>Date</b> _____</p>	

<p><b>The completion of this panel on the form is voluntary. No individual property or person will be identified from the information given. The information will be used by Land Registry to improve its forecasting and may be supplied to the Ministry of Justice. Place "X" in the appropriate box.</b></p> <p>The property the subject of this application is</p> <p><input type="checkbox"/> residential                      <input type="checkbox"/> non-residential                      <input type="checkbox"/> mixed</p>		
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**Application for the freehold estate to cease to be registered as a freehold estate in commonhold land during the transitional period**

Land Registry

**CM2**

*If you need more room than is provided for in a panel, use continuation sheet CS and attach to this form.*

<b>1. Administrative area and postcode</b> if known			
<b>2. Title number(s)</b>			
<b>3. Do you wish the land to be amalgamated into one title?</b> Place "X" in the appropriate box. <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>4. If you have already made this application by outline application,</b> insert reference number:			
<input style="width: 150px; height: 20px;" type="text"/>			
<b>5. Application and fee</b> <i>A fee calculator for all types of applications can be found on Land Registry's website at <a href="http://www.landregistry.gov.uk/fees">www.landregistry.gov.uk/fees</a></i>  <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><b>Cessation of commonhold</b></td> <td style="width: 50%; text-align: right;">Fee paid £</td> </tr> </table> <b>Fee payment method:</b> Place "X" in the appropriate box. I wish to pay the appropriate fee payable under the current Land Registration Fee Order: <input type="checkbox"/> by cheque or postal order, amount £ _____ made payable to "Land Registry". <input type="checkbox"/> by Direct Debit under an authorised agreement with Land Registry.	<b>Cessation of commonhold</b>	Fee paid £	<b>FOR OFFICIAL USE ONLY</b> Record of fee paid  <hr/> Particulars of under/over payment  <hr/> Fees debited £  <hr/> Reference number
	<b>Cessation of commonhold</b>	Fee paid £	
	<b>6. Documents lodged with this form</b> Place "X" in the appropriate boxes. We shall retain any original document which is not accompanied by a certified copy. <input type="checkbox"/> Form(s) CON2 <input type="checkbox"/> Statement of truth <input type="checkbox"/> _____ <input type="checkbox"/> _____		
	<b>7. The applicant is:</b> <i>Please provide the full name of the person making the application.</i>  <b>The application has been lodged by:</b> Land Registry Key No. (if appropriate) Name (if different from the applicant) Address/DX No.  Reference E-mail Telephone No.                                      Fax No.		
<b>FOR OFFICIAL USE ONLY</b> Codes Dealing CTB Status RED			

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<b>8. Where you would like us to deal with someone else</b> <i>We shall deal only with the applicant, or the person lodging the application if different, unless you place "X" against one or more of the statements below and give the necessary details.</i>	
<input type="checkbox"/> Send title information document to the person shown below	
<input type="checkbox"/> Raise any requisitions or queries with the person shown below	
<input type="checkbox"/> Return original documents lodged with this form (see italic text in panel 6) to the person shown below <i>If this applies only to certain documents, please specify.</i>	
Name	
Address/DX No.	
Reference	
E-mail	
Telephone No.	Fax No.
<b>9. The Transitional period referred to in section 8 of the Commonhold and Leasehold Reform Act 2002 has not come to an end.</b>	
Signature of applicant or their conveyancer _____ Date _____	

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**Application to add  
land to a commonhold  
registration**

Land Registry

**CM4**

*If you need more room than is provided for in a panel, use continuation sheet CS and attach to this form.*

<b>1. Administrative area and postcode</b> if known					
<b>2. Existing commonhold title number(s) to which land is to be added</b> <i>Common parts and/or units as appropriate.</i>					
<b>3. Title number(s) of land to be added to commonhold</b>					
<b>4. If you have already made this application by <b>outline application</b>,</b> insert reference number:	<input type="text"/>				
<b>5. Application and fee</b> <i>A fee calculator for all types of applications can be found on Land Registry's website at <a href="http://www.landregistry.gov.uk/fees">www.landregistry.gov.uk/fees</a></i>  <table border="0"> <tr> <td><b>Addition of land to commonhold</b></td> <td>Fee paid £</td> </tr> </table> <b>Fee payment method:</b> <i>Place "X" in the appropriate box.</i> I wish to pay the appropriate fee payable under the current Land Registration Fee Order: <input type="checkbox"/> by cheque or postal order, amount £_____ made payable to "Land Registry". <input type="checkbox"/> by Direct Debit under an authorised agreement with Land Registry.	<b>Addition of land to commonhold</b>	Fee paid £	<b>OFFICIAL USE ONLY</b> Record of fee paid  Particulars of under/over payment  Fees debited £  Reference number		
<b>Addition of land to commonhold</b>	Fee paid £				
<b>6. Documents lodged with this form</b> <i>Place "X" in the appropriate boxes. We shall retain any original document which is not accompanied by a certified copy.</i>  <input type="checkbox"/> Form(s) CON1/Court order <input type="checkbox"/> Director's certificate <input type="checkbox"/> Form COE <input type="checkbox"/> Statement of truth <input type="checkbox"/>					
<b>7. The applicant is:</b> <i>Please provide the full name of the person making the application.</i>  <table border="0"> <tr> <td> <b>The application has been lodged by:</b>                      Land Registry Key No. (if appropriate)                      Name (if different from the applicant)                      Address/DX No.                       Reference                      E-mail                      Telephone No.                 </td> <td> <b>FOR OFFICIAL USE ONLY</b>                      Codes Dealing                       Status  <b>RED</b> </td> </tr> <tr> <td><input type="text"/></td> <td>Fax No. <input type="text"/></td> </tr> </table>		<b>The application has been lodged by:</b> Land Registry Key No. (if appropriate) Name (if different from the applicant) Address/DX No.  Reference E-mail Telephone No.	<b>FOR OFFICIAL USE ONLY</b> Codes Dealing  Status <b>RED</b>	<input type="text"/>	Fax No. <input type="text"/>
<b>The application has been lodged by:</b> Land Registry Key No. (if appropriate) Name (if different from the applicant) Address/DX No.  Reference E-mail Telephone No.	<b>FOR OFFICIAL USE ONLY</b> Codes Dealing  Status <b>RED</b>				
<input type="text"/>	Fax No. <input type="text"/>				

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<input type="checkbox"/> Raise any requisitions or queries with the person shown below	
<input type="checkbox"/> Return original documents lodged with this form (see italic text in panel 6) to the person shown below <i>If this applies only to certain documents, please specify.</i>	
Name	
Address/DX No.	
Reference	
E-mail	
Telephone No.	Fax No.
<b>9.</b> A separate application in Form CM3 amending the commonhold community statement accompanies this application	
<b>Signature of applicant or their conveyancer</b> _____ <b>Date</b> _____	



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## EXPLANATORY NOTE

*(This note is not part of the rules)*

These rules amend the Commonhold (Land Registration) Rules 2004 (the principal rules).

They provide for evidence in support of certain applications to be given in the form of a statement of truth instead of a statutory declaration. “Statement of truth” is defined in rule 215A of the Land Registration Rules 2003 (S.I. 2003/1417), as inserted by paragraph 72 of Schedule 1 to the Land Registration (Amendment) Rules 2008 (S.I. 2008/1919). The definition applies to the principal rules by virtue of rule 3(1) of those rules.

Accordingly, rules 3, 4, 5 and 6 amend rules 5 (application for registration of a freehold estate in land as a freehold estate in commonhold), 6 (contents of the statutory declaration to accompany an application under rule 5), 14 (application for cessation of a commonhold during the transitional period) and 20 (application to add land to a commonhold registration) of the principal rules respectively to require, or to refer to, a statement of truth instead of a statutory declaration. Rule 8 of, and the Schedule to, these rules substitute new Forms CM1, CM2 and CM4 in Schedule 1 to the principal rules. These are the application forms required by rules 5, 14 and 20 of the principal rules. The only substantive change is that panel 6 of each new form refers to a statement of truth, while the same panel in each of the replaced forms referred to a statutory declaration.

Rule 7 amends rule 25 of the principal rules because a new Form OC1 (application for official copies of a register/plan) is inserted into Schedule 1 to the Land Registration Rules 2003, by rule 4(2) of, and Schedule 2 to, the Land Registration (Amendment) Rules 2008. Rule 25 requires an application for official copies of the individual register and title plan of the common parts in relation to a commonhold to be made by inserting prescribed words of reference to the common parts in a specified numbered panel in Form OC1. Rule 7 amends rule 25 to refer to the panel number of the equivalent panel in the new Form OC1.

An impact assessment has not been produced for this instrument as no significant impact on the private or voluntary sectors is foreseen.