
STATUTORY INSTRUMENTS

2023 No. 696

The Register of Overseas Entities (Penalties and Northern Ireland Dispositions) Regulations 2023

PART 5

Northern Ireland Dispositions

Amendment of the Land Registration Act (Northern Ireland) 1970

10.—(1) Schedule 8A to the Land Registration Act (Northern Ireland) 1970⁽¹⁾ is amended as follows.

(2) After paragraph 4 (Registrable dispositions by overseas entity entitled to be registered (but not registered)), insert—

“4A. Consent to registration of dispositions that cannot otherwise be registered

(1) The Secretary of State may consent to the registration of a disposition that would otherwise be prohibited by an inhibition entered under paragraph 3, or by paragraph 4, if satisfied—

- (a) that at the time of the disposition the person to whom it was made did not know, and could not reasonably have been expected to know, of the prohibition, and
- (b) that in all the circumstances it would be unjust for the disposition not to be registered.

(2) The Secretary of State may by regulations make provision in connection with applications for consent, and the giving of consent, under sub-paragraph (1).

(3) The regulations may, for example, make provision about—

- (a) who may apply;
- (b) evidence;
- (c) time limits.

(4) Regulations made under sub-paragraph (2) are to be made by statutory instrument within the meaning given by section 1 of the Statutory Instruments Act 1946⁽²⁾ subject to annulment in pursuance of a resolution of either House of Parliament.”.

(3) In paragraph 3(5) —

- (a) omit “or” at the end of paragraph (d), and
- (b) after paragraph (d) insert—

“(da) the Secretary of State gives consent under paragraph 4A to the registration of the disposition, or”.

(4) In paragraph 4(3) —

(1) 1970 c. 18.
(2) 1946 c. 36

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) omit “or” at the end of paragraph (d), and
 - (b) after paragraph (d) insert—
 - “(da) the Secretary of State gives consent under paragraph 4A to the registration of the disposition, or”.
- (5) In paragraph 5(1), after “An overseas entity must not make a registrable disposition of a qualifying estate if” insert “, disregarding the possibility of consent under paragraph 4A,”.