



# Land Charges Act 1925

## 1925 CHAPTER 22

### PART VII

#### SEARCHES AND OFFICIAL SEARCHES

#### 16 Power to make searches

Any person may search in any register or index kept in pursuance of this Act on paying the prescribed fee.

#### 17 Official certificates of search

- (1) Where any person requires search to be made at the registry for entries of any matters or documents, whereof entries are required or allowed to be made in the registry by this Act, he may on payment of the prescribed fee lodge at the registry a requisition in that behalf.
- (2) The registrar shall thereupon make the search required, and shall issue a certificate setting forth the result thereof.
- (3) In favour of a purchaser or an intending purchaser, as against persons interested under or in respect of matters or documents whereof entries are required or allowed as aforesaid, the certificate, according to the tenor thereof, shall be conclusive, affirmatively or negatively, as the case may be.
- (4) Every requisition under this section shall be in writing, signed by the person making the same, specifying the name against which he desires search to be made, or in relation to which he requires a certificate of result of search, and other sufficient particulars.
- (5) If any officer, clerk, or person employed in the registry commits, or is party or privy to, any act of fraud or collusion, or is wilfully negligent, in the making of or otherwise in relation to any certificate under this section, he shall be guilty of a misdemeanour and shall be liable on conviction on indictment to imprisonment for a term not exceeding two years, or on summary conviction to imprisonment for a term not exceeding three

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*Status: This is the original version (as it was originally enacted).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

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months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

- (6) Nothing in this section or in any rule made under this Act affects any right which any person may have independently of this section to make any search in the registry; and every such search may be made as if this section or any such rule had not been enacted or made.
- (7) Where a solicitor obtains a certificate of result of search under this section, he shall not be answerable in respect of any loss that may arise from error in the certificate.
- (8) Where the solicitor is acting for trustees, executors, agents, or other persons in a fiduciary position, those persons also shall not be so answerable.
- (9) Where such persons obtain such a certificate without a solicitor, they shall also be protected in like manner.