
STATUTORY INSTRUMENTS

2003 No. 1417

The Land Registration Rules 2003

PART 6

REGISTERED LAND: APPLICATIONS,
DISPOSITIONS AND MISCELLANEOUS ENTRIES

Applications

Outline applications

- 54.**—(1) An outline application is an application made in accordance with this rule.
- (2) Subject to Schedule 2, any application may be made by outline application if it satisfies the following conditions—
- (a) the application must not be—
 - (i) an application which can be protected by an official search with priority within the meaning of rule 147,
 - (ii) an application for first registration,
 - (iii) an application for a caution against first registration or in respect of the cautions register,
 - (iv) an application dealing with part only of the land in a registered title, whether or not also involving any other registered title,
 - (v) an application under Part 13, and
 - (b) the right, interest or matter the subject of the application must exist at the time the application is made.
- (3) During the currency of any notice given under Schedule 2, and subject to and in accordance with the limitations contained in that notice, an outline application may be made by—
- (a) an oral application,
 - (b) telephone, or
 - (c) electronic means.
- (4) An outline application must contain the following particulars when made—
- (a) the title number(s) affected,
 - (b) if there is only one proprietor or applicant for first registration and that person is an individual, his surname, otherwise the proprietor's or such applicant's full name or the full name of one of the proprietors or such applicants, as appropriate,
 - (c) the nature of the application,
 - (d) the name of the applicant,
 - (e) the name and address of the person or firm lodging the application,

(f) any other particulars specified in any notice made under Schedule 2.

(5) Every outline application must be allocated an official reference number and must be identified on the day list as such and must be marked with the date and time at which the application is taken as made and the registrar must acknowledge receipt of any outline application by notifying the applicant, as soon as practicable, of the official reference number allocated to it.

(6) Without prejudice to the power of the registrar to cancel an application under rule 16, the outline application must be cancelled by the registrar unless there is delivered at the appropriate office before the expiry of the reserved period the relevant application form prescribed by these rules, duly completed in respect of the outline application, quoting the official reference number of the outline application and accompanied by the appropriate documentation and the prescribed fee.

(7) If the outline application has been cancelled before the form required by paragraph (6) is delivered at the appropriate office, the registrar shall accept the form as an application in its own right.

(8) In this rule the “appropriate office” is the same office as the proper office, designated under an order under section 100(3) of the Act, for the receipt of an application relating to the land in respect of which the outline application is made, but on the assumption that if the order contains exceptions none of the exceptions apply to the application.

(9) In this rule “reserved period” means the period expiring at 12 noon on the fourth business day following the day that the outline application was taken as made.

Priority of applications

55.—(1) Where two or more applications relating to the same registered title are under the provisions of rule 15 taken as having been made at the same time, the order in which, as between each other, they rank in priority shall be determined in the manner prescribed by this rule.

(2) Where the applications are made by the same applicant, they rank in such order as he may specify.

(3) Where the applications are not made by the same applicant, they rank in such order as the applicants may specify that they have agreed.

(4) Where the applications are not made by the same applicant, and the applicants have not specified the agreed order of priority, the registrar must notify the applicants that their applications are regarded as having been delivered at the same time and request them to agree, within a specified time (being not less than fifteen business days), their order of priority.

(5) Where the parties fail within the time specified by the registrar to indicate the order of priority of their applications the registrar must propose the order of priority and serve notice on the applicants of his proposal.

(6) Any notice served under paragraph (5) must draw attention to the right of any applicant who does not agree with the registrar’s proposal to object to another applicant’s application under the provisions of section 73 of the Act.

(7) Where one transaction is dependent upon another the registrar must assume (unless the contrary appears) that the applicants have specified that the applications will have priority so as to give effect to the sequence of the documents effecting the transactions.

Dispositions affecting two or more registered titles

56.—(1) A disposition affecting two or more registered titles may, on the written request of the applicant, be registered as to some or only one of the registered titles.

(2) The applicant may later apply to have the disposition registered as to any of the other registered titles affected by it.

Duty to disclose unregistered interests that override registered dispositions

57.—(1) Subject to paragraph (2), a person applying to register a registrable disposition of a registered estate must provide information to the registrar about any of the interests that fall within Schedule 3 to the Act that—

- (a) are within the actual knowledge of the applicant, and
- (b) affect the estate to which the application relates,

in Form DI.

(2) The applicant is not required to provide information about—

- (a) an interest that under section 33 or 90(4) of the Act cannot be protected by notice,
- (b) a public right,
- (c) a local land charge, or
- (d) a leasehold estate in land if—

- (i) it is within paragraph 1 of Schedule 3 to the Act, and
- (ii) at the time of the application, the term granted by the lease has one year or less to run.

(3) In this rule and in Form AP1, a “disclosable overriding interest” is an interest that the applicant must provide information about under paragraph (1).

(4) The applicant must produce to the registrar any documentary evidence of the existence of a disclosable overriding interest that is under his control.

(5) Where the applicant provides information about a disclosable overriding interest under this rule, the registrar may enter a notice in the register in respect of that interest.