
DRAFT STATUTORY INSTRUMENTS

2008 No.

The Land Registration (Network Access) Rules 2008

PART 5

TERMINATION OF ACCESS BY THE REGISTRAR

Termination after notice

8.—(1) This rule applies when the registrar has decided under rule 6(1)(b) to give the Subscriber a notice of termination.

(2) A notice of termination must—

- (a) be in writing,
- (b) state the date and time when the notice will expire in accordance with paragraph (3),
- (c) specify each ground of termination on which the registrar relies,
- (d) specify the facts which, in the opinion of the registrar, justify each ground of termination on which the registrar relies,
- (e) state the effect of paragraphs (4), (5), (6), (7) and (8) of this rule,
- (f) state the effect of paragraph 4 of Schedule 5 to the Act, and
- (g) state the effect of rule 10.

(3) A notice of termination expires at 12 noon on the expiry date.

(4) If the registrar is satisfied that it is no longer appropriate to terminate the agreement, he may withdraw a notice of termination (even if it has expired) at any time before the agreement has terminated.

(5) The registrar withdraws a notice of termination by sending the Subscriber notification to that effect.

(6) If the registrar withdraws a notice of termination where the termination has been suspended and an appeal in relation to the notice of termination is pending before the adjudicator, he must also inform the adjudicator of the withdrawal.

(7) Subject to paragraph (8), the agreement will terminate—

- (a) where termination has not been suspended, on the expiry of the notice of termination, or
- (b) where termination has been suspended, on the expiry of the notice of termination or on the determination of the appeal and of any subsequent appeal, whichever occurs later.

(8) Paragraph (7) does not apply where—

- (a) the notice of termination has been withdrawn under paragraph (4),
- (b) the agreement has been terminated by the Subscriber under paragraph 3(1) of Schedule 5 to the Act,
- (c) the agreement has terminated automatically in accordance with its terms,
- (d) the agreement has been terminated under rule 6(1)(a) or rule 11, or

- (e) the adjudicator or the High Court orders otherwise.
- (9) An agreement may be terminated in accordance with this rule even if termination under this rule has been suspended in respect of a notice of termination based on different facts.
- (10) In this rule—
 - (a) “expiry date” means—
 - (i) where the notice of termination is issued before the date specified in any notice given pursuant to rule 216(2) of the principal rules, the thirty-fifth business day after the date of issue of the notice of termination, and
 - (ii) where the notice of termination is issued on or after the date specified in any notice given pursuant to rule 216(2) of the principal rules, the forty-second business day after the date of issue of the notice of termination, and
 - (b) references to the suspension of termination are to suspension under rule 10.