

Status: Point in time view as at 01/12/1991.

Changes to legislation: There are currently no known outstanding effects for the Land Charges Act 1972. (See end of Document for details)

SCHEDULE 1

Section 1.

ANNUITIES

- 1 No further entries shall be made in the register of annuities.
- 2 An entry of an annuity made in the register of annuities before 1st January 1926 may be vacated in the prescribed manner on the prescribed evidence as to satisfaction, cesser or discharge being furnished.
- 3 The register shall be closed when all the entries in it have been vacated or the prescribed evidence of the satisfaction, cesser or discharge of all the annuities has been furnished.
- 4 An annuity which before 1st January 1926 was capable of being registered in the register of annuities shall be void as against a creditor or a purchaser of any interest in the land charged with the annuity unless the annuity is for the time being registered in the register of annuities or in the register of land charges.

SCHEDULE 2

Section 2.

CLASS A LAND CHARGES

- 1 Charges created pursuant to applications under the enactments mentioned in this Schedule may be registered as land charges of Class A by virtue of paragraph (b) of section 2(2) of this Act:—

(a) The Tithe Act 1918 (8 & 9 Geo. 5. c. 54)	Sections 4(2) and 6(1) (charge of consideration money. for redemption of tithe rentcharge).
(b) The Tithe Annuities Apportionment Act 1921 (11 & 12 Geo. 5. c. 20)	Section 1 (charge of apportioned part of tithe redemption annuity).
(c) The Landlord and Tenant Act 1927 (17 & 18 Geo. 5. c. 36)	Paragraph (7) of Schedule 1 (charge in respect of improvements to business premises).
(d) [^{F1} The Land Drainage Act 1991(1991 c. 59)]	[^{F2} Section 34(2)] (charge in respect of sum paid in commutation of certain obligations to repair banks, water-courses etc).
(e) The Tithe Act 1936 (26 Geo. 5 & 1 Edw. 8. c. 43)	Section 30(1) (charge for redemption of corn rents etc.).
(f) The Civil Defence Act 1939 (2 & 3 Geo. 6. c. 31)	Sections 18(4) and 19(1) (charges in respect of civil defence works).
(g) The Agricultural Holdings Act 1948	[^{F3} Section 74 (charge in respect of sums due to] occupier of agricultural holding). ... ^{F4}
(h) The Corn Rents Act 1963 (1963 c. 14)	Section 1(5) (charge under a scheme for the apportionment or redemption of

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<p>[^{F5}(i) The Agricultural Holdings Act 1986]</p>	<p>corn rents or other payments in lieu of tithes).</p> <p>[^{F5}Section 85 (charges in respect of sums due to tenant of agricultural holding).]</p> <p>[^{F5}Section 86 (charges in favour of landlord of agricultural holding in respect of compensation for or cost of certain improvements).]</p>
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Textual Amendments

- F1** Words in Sch. 2 para. 1(d) substituted (1.12.1991) by virtue of [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2, 4(2), **Sch. 1 para. 21(a)**
- F2** Words in Sch. 2 para. 1(d) substituted (1.12.1991) by virtue of [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2, 4(2), **Sch. 1 para. 21(b)**
- F3** Words substituted by [Agricultural Holdings Act 1986 \(c.5, SIF 2:3\)](#), ss. 99, 100, 101, Sch. 13 para. 3, Sch. 14 para. 51(1)(2), **Sch. 15 Pt. I**
- F4** Words repealed by [Agricultural Holdings Act 1986 \(c.5, SIF 2:3\)](#), ss. 99, 100, 101, Sch. 13 para. 3, Sch. 14 para. 51(1)(2), **Sch. 15 Pt. I**
- F5** Sch. 2 para. 1(i) inserted by [Agricultural Holdings Act 1986 \(c.5, SIF 2:3\)](#), s. 100, **Sch. 14 para. 51(1)(3)**

- 2 The following provisions of paragraph 1 above shall cease to have effect upon the coming into operation of the first scheme under the Corn Rents Act 1963, that is to say:—
- (a) in sub-paragraph (a), the words “and 6(1)”; and
 - (b) sub-paragraph (e).
- 3 [^{F6}The reference in paragraph 1(g) above to section 74 of the Agricultural Holdings Act 1948 and the references in paragraph 1(i) above to section 85 and 86 of the Agricultural Holdings Act 1986] include references to any previous similar enactment.

Textual Amendments

- F6** Sch. 2 para. 3 substituted by [Agricultural Holdings Act 1986 \(c.5, SIF 2:3\)](#), s. 100, **Sch. 14 para. 51(1)(3)**

SCHEDULE 3

Section 18.

CONSEQUENTIAL AMENDMENTS

Law of Property Act 1925

- 1 In section 97 of the ^{M1}Law of Property Act 1925 (priorities as between puisne mortgages) for the words from “to mortgages” to “1925), or” (which were inserted by section 9(2) of the ^{M2}Land Registration and Land Charges Act 1971) there shall be substituted the words “to mortgages or charges to which the Land Charges Act 1972 does not apply by virtue of section 14(3) of that Act (which excludes

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certain land charges created by instruments necessitating registration under the Land Registration Act 1925), or”.

Marginal Citations

- M1 1925 c. 20.
- M2 1971 c. 54.

2—6 F7

Textual Amendments

- F7 Sch. 3 paras. 2–6 repealed (with savings) by [Local Land Charges Act 1975 \(c.76, SIF 98:2\)](#) s. 19, Sch. 2

Agricultural Credits Act 1928

7 For section 9(7) of the ^{M3}Agricultural Credits Act 1928 (agricultural charges) there shall be substituted—

“(7) The Schedule to this Act shall have effect in relation to official searches in the register of agricultural charges.”;

and at the end of that Act there shall be added—

“SCHEDULE

OFFICIAL SEARCHES IN THE REGISTER OF AGRICULTURAL CHARGES

- 1 Where any person requires search to be made at the Land Registry for entries of agricultural charges, he may on payment of a prescribed fee lodge at the Land Registry a requisition in that behalf.
- 2 The reference to the Land Registry in paragraph 1 above shall, if the Land Registrar so directs, be read as a reference to such office of Her Majesty’s Land Registry (whether in London or elsewhere) as may be specified in the direction.
- 3 The Land Registrar shall make the search required, and shall issue a certificate setting forth the result of the search.
- 4 In favour of a purchaser or an intending purchaser, as against persons interested under or in respect of an agricultural charge, the certificate, according to its tenor, shall be conclusive, affirmatively or negatively, as the case may be.
- 5 Every requisition under this Schedule shall be in writing, signed by the person making it, 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.
- 6 If any officer, clerk or person employed in the Land 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 Schedule, he shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment for a term not exceeding two years, or on summary conviction

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to imprisonment for a term not exceeding three months or to a fine not exceeding £20, or to both such imprisonment and fine.

- 7 A solicitor, or a trustee, personal representative, agent, or other person in a fiduciary position, shall not be answerable for any loss that may arise from error in a certificate under this Schedule obtained by him.”

Marginal Citations

M3 1928 c. 43.

8—12 **F8**

Textual Amendments

F8 Sch. 3 paras. 8—12 repealed by [Matrimonial Homes Act 1983 \(c.19, SIF 49:5\)](#), s. 12(2), [Sch. 3](#)

SCHEDULE 4

. **F9**

Textual Amendments

F9 Sch. 4 repealed (with savings) by [Local Land Charges Act 1975 \(c.76, SIF 98:2\)](#) s. 19, Sch. 2

SCHEDULE 5

Section 18.

REPEALS

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 22.	The Land Charges Act 1925.	Sections 1 to 14, except section 10(6). Section 15(6). Section 16(2). Section 17. Section 19(2). In section 20, paragraphs (1), (3), (5) and (7), in paragraph (10) the words “ ‘registry’ means His Majesty’s Land Registry,” and paragraphs (11) and (13). Sections 21 to 23. In section 24, paragraph (b).
16 & 17 Geo. 5. c. 11.	The Law of Property (Amendment) Act 1926.	Section 4. In the Schedule, the first entry relating to section 10 of the Land Charges Act 1925.

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26 Geo. 5. and 1 Edw. 8. c. 43.	The Tithe Act 1936.	Section 13(10).
11 & 12 Geo. 6. c. 63.	The Agricultural Holdings Act 1948.	In Schedule 7, paragraph 3.
1967 c. 75.	The Matrimonial Homes Act 1967.	Section 2(6), except so far as it relates to paragraphs 1 and 4 of the Schedule. In the Schedule, paragraphs 2 and 3.
1969 c. 59.	The Law of Property Act 1969.	Section 25(7). Sections 26 and 27.
1971 c. 54.	The Land Registration and Land Charges Act 1971.	Sections 5 to 11. In section 12, the words from “and for” to the end of the section. In section 15(1), paragraph (b) and the word “and” immediately preceding it. In section 15(2), the words from “and Part II” to the end of the subsection, In section 15(3), the words “Without prejudice to subsection (2) above”. Schedule 1.

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