



Local Land Charges Act 1975

1975 CHAPTER 76

An Act to make fresh provision for and in connection with the keeping of local land charges registers and the registration of matters therein. [12th November 1975]

Modifications etc. (not altering text)

- C1** Words of enactment omitted under authority of Statute Law Revision Act 1948 (c. 62), **s. 3**
- C2** Act amended by Ancient Monuments and Archaeological Areas Act 1979 (c. 46, SIF 3), **s. 8(6)**
- C3** Act modified by Town and Country Planning Act 1984 (c. 10 SIF: 23:1, 2), **s. 5(4)**
- C4** Act modified by Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9, SIF 123:1), **s. 2(2)**
- C5** Act amended by Town and Country Planning Act 1990 (c. 8, SIF 123:1), **s. 110(4)**
- C6** Act modified by Town and Country Planning Act 1990 (c. 8, SIF 123:1), **s. 301(4)**
- C7** Act applied (1.11.1991) by Highways Act 1980 (c. 66, SIF 59), **s. 278(8)**(as substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59), **s. 23** (with ss. 25(2), 167(2); S.I. 1991/2288, art. 3,**Sch.**)
- C8** Act amended (1.3.1993) by Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1, SIF 21:8), **s. 22(8)** (with s. 31(6));Instrument dated 16.2.1993 made by the Archbishops' of Canterbury and York.
- C9** Definition of "land" applied (25. 10. 1991) by Town and Planning Act 1990 (c. 8, SIF 123:1), **s. 106(13)** (as substituted (25.10.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), **s. 12(1)**; S.I. 1991/2272, **art. 3(1)(a)**).
- C10** Act modified (25. 10. 1991) by Town and Planning Act 1990 (c. 8, SIF 123:1), **s. 106(11)** (as substituted (25.10.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), **s. 12(1)**; S.I. 1991/2272, **art. 3(1)(a)**).
- C11** Act modified (1.11.1993) by 1993 c. 28, **s. 70(11)**; S.I. 1993/2134, **art.5**.
- C12** Act modified (5.11.1993) by 1993 c. 42, s. 21, **Sch. 7 para. 23(3)** (with s. 30(1), Sch. 2 para. 9).

Commencement Information

- I1** Act not in force at Royal Assent see **s. 20(3)**; Act wholly in force at 01. 08. 1977.

Status: Point in time view as at 11/02/2021.

Changes to legislation: Local Land Charges Act 1975 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Definition of local land charges

1 Local land charges.

- (1) A charge or other matter affecting land is a local land charge if it falls within any of the following descriptions and is not one of the matters set out in section 2 below:—
- (a) any charge acquired either before or after the commencement of this Act by a local authority [^{F1}or National Park authority], water authority [^{F2}sewerage undertaker] or new town development corporation under the ^{M1}Public Health Acts 1936 ^{M2} and 1937, . . . ^{F3}, the ^{M3}Public Health Act 1961 or [^{F4}the Highways Act ^{M4}1980 (or any Act repealed by that Act)] [^{F5}or the Building Act ^{M5}1984], or any similar charge acquired by a local authority [^{F1}or National Park authority] under any other Act, whether passed before or after this Act, being a charge that is binding on successive owners of the land affected;
 - (b) any prohibition of or restriction on the use of land—
 - (i) imposed by a local authority [^{F1}or National Park authority] on or after 1st January 1926 (including any prohibition or restriction embodied in any condition attached to a consent, approval or licence granted by a local authority [^{F1}or National Park authority] on or after that date), or
 - (ii) enforceable by a local authority [^{F1}or National Park authority] under any covenant or agreement made with them on or after that date,
 being a prohibition or restriction binding on successive owners of the land affected;
 - (c) any prohibition of or restriction on the use of land—
 - (i) imposed by a Minister of the Crown or government department on or after the date of the commencement of this Act (including any prohibition or restriction embodied in any condition attached to a consent, approval or licence granted by such a Minister or department on or after that date), or
 - (ii) enforceable by such a Minister or department under any covenant or agreement made with him or them on or after that date,
 being a prohibition or restriction binding on successive owners of the land affected;
 - (d) any positive obligation affecting land enforceable by a Minister of the Crown, government department or local authority [^{F1}or National Park authority] under any covenant or agreement made with him or them on or after the date of the commencement of this Act and binding on successive owners of the land affected;
 - (e) any charge or other matter which is expressly made a local land charge by any statutory provision not contained in this section.
- (2) For the purposes of subsection (1)(a) above, any sum which is recoverable from successive owners or occupiers of the land in respect of which the sum is recoverable shall be treated as a charge, whether the sum is expressed to be a charge on the land or not.
- [^{F6}(3) For the purposes of this section and section 2 of this Act, the Broads Authority shall be treated as a local authority [or National Park authority].]

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Textual Amendments

- F1** Words in s. 1 inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para.14** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**); S.I. 1995/2950, **art. 2(1)**
- F2** Words inserted by Water Act 1989, (c.15, SIF 130), s. 190(1), Sch. 25 para. 52 (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26, paras. 3(1)(2), 17, 40(4), 57(6), 58)
- F3** Words repealed by **Highways Act 1980** (c. 66, SIF 59), s. 343(2), **Sch. 24 para. 26**
- F4** Words substituted by **Highways Act 1980** (c. 66, SIF 59), s. 343(2), **Sch. 24 para. 26**
- F5** Words inserted by **Building Act 1984** (c. 55, SIF 15), s. 133(1), **Sch. 6 para. 16**
- F6** S. 1(3) added by **Norfolk and Suffolk Broads Act 1988** (c. 4, SIF 81:1), ss. 21, 23(2), 27(2), Sch. 6 para. 14, **Sch. 7**

Modifications etc. (not altering text)

- C13** S. 1(1)(c) modified by **Highways Act 1980** (c. 66, SIF 59), **ss. 73(12), 74(12), 79(16), 177(11)**
- C14** S. 1(1)(d) modified by **Local Government (Miscellaneous Provisions) Act 1982** (c. 30, SIF 81:1), **s. 33(10)**

Marginal Citations

- M1** 1936 c. 49.
- M2** 1937 c. 40.
- M3** 1961 c. 64.
- M4** 1980 c.xx (59).
- M5** 1984 c.35 (15).

2 Matters which are not local land charges.

The following matters are not local land charges:—

- (a) a prohibition or restriction enforceable under a covenant or agreement made between a lessor and a lessee;
- (b) a positive obligation enforceable under a covenant or agreement made between a lessor and a lessee;
- (c) a prohibition or restriction enforceable by a Minister of the Crown, government department or local authority [^{F7}or National Park authority] under any covenant or agreement, being a prohibition or restriction binding on successive owners of the land affected by reason of the fact that the covenant or agreement is made for the benefit of land of the Minister, government department or local authority [^{F7}or National Park authority];
- (d) a prohibition or restriction embodied in any bye-laws;
- (e) a condition or limitation subject to which planning permission was granted at any time before the commencement of this Act or was or is (at any time) deemed to be granted under any statutory provision relating to town and country planning, whether by a Minister of the Crown, government department or local authority [^{F7}or National Park authority];
- (f) a prohibition or restriction embodied in a scheme under the ^{M6}Town and Country Planning Act 1932 or any enactment repealed by that Act;
- (g) a prohibition or restriction enforceable under a forestry dedication covenant entered into pursuant to section 5 of the ^{M7}Forestry Act 1967;
- (h) a prohibition or restriction affecting the whole of any of the following areas:—
 - (i) England, Wales or England and Wales;

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(ii) England, or England and Wales, with the exception of, or of any part of, Greater London;

(iii) Greater London.

Textual Amendments

F7 Words in s. 2 inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para.14** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**

Modifications etc. (not altering text)

C15 S. 2(a)(b) excluded (1.11.1993) by 1993 c. 28, s. 70(11); S.I. 1993/2134, **art. 5**.

C16 S. 2(c) excluded (22.7.2008) by Crossrail Act 2008 (c. 18), s. 44(3)

C17 S. 2(c) excluded (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), **ss. 18(3), 70(1)**

C18 S. 2(c) excluded (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), **ss. 15(3), 64(1)**

Marginal Citations

M6 1932 c. 48.

M7 1967 c. 10.

Local land charges [^{F8} register], registration and related matters

Textual Amendments

F8 Word in cross-heading substituted (12.4.2015) by Infrastructure Act 2015 (c. 7), s. 57(5)(e), **Sch. 5 para. 2** (with Sch. 5 Pt. 4)

[^{F93} The local land charges register

- (1) The Chief Land Registrar must keep the local land charges register.
- (2) The local land charges register is a register of—
 - (a) each local land charge registered in a local land charges register for a local authority's area immediately before this section first had effect in relation to that area, and
 - (b) each local land charge subsequently registered under section 5 or 6 or another relevant enactment in respect of land which is wholly or partly within that area.
- (3) Subsection (2) is subject to any later variation or cancellation of the registration of the local land charge.
- (4) The local land charges register may be kept in electronic form.
- (5) In this section—

“local authority” means—

 - (a) a district council,
 - (b) a county council in England for an area for which there is no district council,

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- (c) a county council in Wales,
- (d) a county borough council,
- (e) a London borough council,
- (f) the Common Council of the City of London, or
- (g) the Council of the Isles of Scilly;

“ relevant enactment ” means a provision which is made by or under an Act and which provides for the registration of a charge or other matter as a local land charge.

- (6) For the purposes of this section the area of the Common Council of the City of London includes the Inner Temple and the Middle Temple.]

Textual Amendments

F9 S. 3 substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 3** (with [Sch. 5 Pt. 4](#))

^{F10}4 The appropriate local land charges register.

Textual Amendments

F10 S. 4 omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 4** (with [Sch. 5 Pt. 4](#))

5 Registration.

^{F11}(1)

[^{F12}(2) Subject to subsection (6) below, the originating authority as respects a local land charge must apply to the Chief Land Registrar for its registration in the local land charges register; and on the application being made the Chief Land Registrar must register the charge accordingly.

- (3) The registration in the local land charges register of a local land charge, or of any matter which when registered becomes a local land charge, must be carried out by reference to the land affected.]

(4) In this Act, “the originating authority”, as respects a local land charge, means the Minister of the Crown, government department, local authority or other person by whom the charge is brought into existence or by whom, on its coming into existence, the charge is enforceable; and for this purpose—

- (a) where a matter that is a local land charge consists of or is embodied in, or is otherwise given effect by, an order, scheme or other instrument made or confirmed by a Minister of the Crown or government department on the application of another authority the charge shall be treated as brought into existence by that other authority; and
- (b) a local land charge brought into existence by a Minister of the Crown or government department on an appeal from a decision or determination of another authority or in the exercise of powers ordinarily exercisable by

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another authority shall be treated as brought into existence by that other authority.

- (5) The registration of a local land charge may be cancelled pursuant to an order of the court.
- (6) Where a charge or other matter is registrable in ^{F13} the local land charges register] and before the commencement of this Act was also registrable in a register kept under the ^{M8}Land Charges Act 1972, then, if before the commencement of this Act it was registered in a register kept under that Act, there shall be no duty to register it, or to apply for its registration, under this Act and section 10 below shall not apply in relation to it.

Textual Amendments

- F11** S. 5(1) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\), s. 57\(5\)\(e\), Sch. 5 para. 5\(2\)](#) (with [Sch. 5 Pt. 4](#))
- F12** S. 5(2)(3) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\), s. 57\(5\)\(e\), Sch. 5 para. 5\(3\)](#) (with [Sch. 5 Pt. 4](#))
- F13** Words in s. 5(6) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\), s. 57\(5\)\(e\), Sch. 5 para. 5\(4\)](#) (with [Sch. 5 Pt. 4](#))

Modifications etc. (not altering text)

- C19** S. 5(4) excluded by [Highways Act 1980 \(c. 66, SIF 59\), s. 224\(3\)](#)

Marginal Citations

- M8** 1972 c. 61.

6 Local authority's right to register a general charge against land in certain circumstances.

- (1) Where a local authority have incurred any expenditure in respect of which, when any relevant work is completed and any requisite resolution is passed or order is made, there will arise in their favour a local land charge (in this section referred to as "the specific charge"), the following provisions of this section shall apply.
- ^{F14}(2) At any time before the specific charge comes into existence, the Chief Land Registrar must register a general charge against the land, without any amount being specified, in the local land charges register if the originating authority make an application for that purpose.]
- (3) A general charge registered under this section shall be a local land charge, but section ^{F15} 5(2)] above shall not apply in relation to such a charge.
- (4) If a general charge is registered under this section ^{F16} the originating authority] shall, when the specific charge comes into existence, notify the ^{F17} Chief Land Registrar] of that fact, and any such notification shall be treated as an application (subject to subsection (5) below) for the cancellation of the general charge and the registration of the specific charge.
- (5) Where a general charge is registered under this section its registration shall be cancelled within such period starting with the day on which the specific charge comes into existence, and not being less than 1 year, as may be prescribed, and the specific charge shall not be registered before the general charge is cancelled.

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- (6) If the registration of the general charge is duly cancelled within the period specified in subsection (5) above and the specific charge is registered forthwith upon the cancellation or was discharged before the cancellation, then, for the purposes of section 10 below, the specific charge shall be treated as having come into existence at the time when the general charge was cancelled.

Textual Amendments

- F14** S. 6(2) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 6(2)** (with [Sch. 5 Pt. 4](#))
- F15** Word in s. 6(3) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 6(3)** (with [Sch. 5 Pt. 4](#))
- F16** Words in s. 6(4) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 6(4)(a)** (with [Sch. 5 Pt. 4](#))
- F17** Words in s. 6(4) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 6(4)(b)** (with [Sch. 5 Pt. 4](#))

7 Effect of registering certain financial charges.

A local land charge falling within section 1(1)(a) above shall, when registered, take effect as if it had been created by a deed of charge by way of legal mortgage within the meaning of the ^{M9}Law of Property Act 1925, but without prejudice to the priority of the charge.

Marginal Citations

- M9** 1925 c. 20.

Searches

8 Personal searches.

- (1) Any person may search in [^{F18} the local land charges register] on paying the prescribed fee [^{F19} (if any)].
- [^{F20}(1A) If [^{F21} the local land charges register is kept in electronic] form, the entitlement of a person to search in it is satisfied if the [^{F22} Chief Land Registrar] makes the portion of it which he wishes to examine available for inspection in visible and legible form.]
- (2) Without prejudice to [^{F23}subsections (1) and (1A)] above, [^{F24} the Chief Land Registrar] may provide facilities for enabling persons entitled to search in the ^{F25}... local land charges register to see photographic or other images or copies of any portion of the register which they may wish to examine.

Textual Amendments

- F18** Words in s. 8(1) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 7(2)(a)** (with [Sch. 5 Pt. 4](#))
- F19** Words in s. 8(1) inserted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 7(2)(b)** (with [Sch. 5 Pt. 4](#))

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- F20** S. 8(1A) inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), [s. 34\(b\)](#)
- F21** Words in [s. 8\(1A\)](#) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 7\(3\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F22** Words in [s. 8\(1A\)](#) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 7\(3\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F23** Words substituted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), [s. 34\(c\)](#)
- F24** Words in [s. 8\(2\)](#) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 7\(4\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F25** Word in [s. 8\(2\)](#) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 7\(4\)\(b\)](#) (with [Sch. 5 Pt. 4](#))

9 Official searches.

- (1) Where any person requires an official search of the ^{F26}... local land charges register to be made in respect of any land, he may make a requisition in that behalf to the [^{F27} Chief Land Registrar].
- ^{F28}(2)
- [^{F29}(3) The prescribed fee (if any) shall be payable in the prescribed manner in respect of any requisition made under this section.]
- (4) Where a requisition is made to [^{F30} the Chief Land Registrar] under this section and the fee [^{F31} (if any)] payable in respect of it is paid in accordance with subsection (3) ^{F32}... above, [^{F33} the Chief Land Registrar] shall thereupon make the search required and shall issue an official certificate setting out the result of the search.

Textual Amendments

- F26** Word in [s. 9\(1\)](#) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 8\(2\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F27** Words in [s. 9\(1\)](#) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 8\(2\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F28** [S. 9\(2\)](#) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 8\(3\)](#) (with [Sch. 5 Pt. 4](#))
- F29** [S. 9\(3\)](#) substituted for [s. 9\(3\)\(3A\)](#) (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 8\(4\)](#) (with [Sch. 5 Pt. 4](#))
- F30** Word in [s. 9\(4\)](#) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 8\(5\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F31** Words in [s. 9\(4\)](#) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), [s. 148\(1\)](#), [Sch. 4 para. 84\(3\)\(a\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), [Sch. 1 para. 11\(e\)](#)
- F32** Words in [s. 9\(4\)](#) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 8\(5\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F33** Words in [s. 9\(4\)](#) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [s. 57\(5\)\(e\)](#), [Sch. 5 para. 8\(5\)\(c\)](#) (with [Sch. 5 Pt. 4](#))

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Compensation for non-registration or defective official search certificate

10 Compensation for non-registration or defective official search certificate.

(1) Failure to register a local land charge in the ^{F34}... local land charges register shall not affect the enforceability of the charge but where a person has purchased any land affected by a local land charge, then—

(a) in a case where a material personal search of the ^{F34}... local land charges register was made in respect of the land in question before the relevant time, if at the time of the search the charge was in existence but not registered in that register; or

^{F35}(aa) [^{F36} if] the ^{F34} ... local land charges register is kept [^{F37} in electronic] form and a material personal search of that register was made in respect of the land in question before the relevant time, if the entitlement to search in that register conferred by section 8 above was not satisfied as mentioned in subsection (1A) of that section; or]

(b) in a case where a material official search of the ^{F34}... local land charges register was made in respect of the land in question before the relevant time, if the charge was in existence at the time of the search but (whether registered or not) was not shown by the official search certificate as registered in that register,

the purchaser shall (subject to section 11(1) below) be entitled to compensation for any loss suffered by him [^{F38} in consequence.]

^{F39}(2)

(3) For the purposes of this section—

(a) a person purchases land where, for valuable consideration, he acquires any interest in land or the proceeds of sale of land, and this includes cases where he acquires as lessee or mortgagee and shall be treated as including cases where an interest is conveyed or assigned at his direction to another person;

(b) the relevant time—

(i) where the acquisition of the interest in question was preceded by a contract for its acquisition, other than a qualified liability contract, is the time when that contract was made;

(ii) in any other case, is the time when the purchaser acquired the interest in question or, if he acquired it under a disposition which took effect only when registered [^{F40} in the register of title kept under the Land Registration Act 2002], the time when that disposition was made;

and for the purposes of sub-paragraph (i) above, a qualified liability contract is a contract containing a term the effect of which is to make the liability of the purchaser dependent upon, or avoidable by reference to, the outcome of a search for local land charges affecting the land to be purchased.

(c) a personal search is material if, but only if—

(i) it is made after the commencement of this Act, and

(ii) it is made by or on behalf of the purchaser or, before the relevant time, the purchaser or his agent has knowledge of the result of it;

(d) an official search is material if, but only if—

(i) it is made after the commencement of this Act, and

(ii) it is requisitioned by or on behalf of the purchaser or, before the relevant time, the purchaser or his agent has knowledge of the contents of the official search certificate.

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- (4) Any compensation for loss under this section shall be paid by the ^{F41} Chief Land Registrar]; and where the purchaser has incurred expenditure for the purpose of obtaining compensation under this section, the amount of the compensation shall include the amount of the expenditure reasonably incurred by him for that purpose (so far as that expenditure would not otherwise fall to be treated as loss for which he is entitled to compensation under this section).
- (5) Where any compensation for loss under this section is paid by ^{F42} the Chief Land Registrar], then, unless an application for registration of the charge was made to ^{F43} the Chief Land Registrar] by the originating authority in time for it to be practicable for ^{F43} the Chief Land Registrar] to avoid incurring liability to pay that compensation, an amount equal thereto shall be recoverable from the originating authority by ^{F43} the Chief Land Registrar].
- ^{F44}(5A) An amount equal to any compensation paid under this section by the Chief Land Registrar in respect of a local land charge is also recoverable from the originating authority in a case where the matter within subsection (1) giving rise to the Chief Land Registrar's liability is a consequence of—
- (a) an error made by the originating authority in applying to register the local land charge, or
 - (b) an error made by the originating authority in applying for the registration of the local land charge to be varied or cancelled.]
- (6) Where any compensation for loss under this section is paid by ^{F45} the Chief Land Registrar], no part of the amount paid, or of any corresponding amount paid to ^{F46} the Chief Land Registrar] by the originating authority under subsection (5)^{F47} or (5A)] above, shall be recoverable by ^{F48} the Chief Land Registrar] or the originating authority from any other person except as provided by subsection (5)^{F47} or (5A)] above or under a policy of insurance or on grounds of fraud.
- ^{F49}(6A) The Chief Land Registrar may insure against the risk of liability to pay compensation under this section.]
- (7) In the case of an action to recover compensation under this section the cause of action shall be deemed for the purposes of the ^{F50} Limitation Act 1980] to accrue at the time when the local land charge comes to the notice of the purchaser; and for the purposes of this subsection the question when the charge came to his notice shall be determined without regard to the provisions of section 198 of the ^{M10}Law of Property Act 1925 (under which registration under certain enactments is deemed to constitute actual notice).
- ^{F51}(8) Where the amount claimed by way of compensation under this section does not exceed £5,000, proceedings for the recovery of such compensation may be begun in ^{F52}the county court].]
- (9) If in any proceedings for the recovery of compensation under this section the court dismisses a claim to compensation, it shall not order the purchaser to pay the ^{F53}Chief Land Registrar's] costs unless it considers that it was unreasonable for the purchaser to commence the proceedings.

Textual Amendments

F34 Word in s. 10(1) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\), s. 57\(5\)\(e\), Sch. 5 para. 9\(2\)\(a\)](#) (with [Sch. 5 Pt. 4](#))

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- F35** S. 10(1)(aa) inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. [34\(d\)\(i\)](#)
- F36** Word in s. 10(1)(aa) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(2\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F37** Words in s. 10(1)(aa) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(2\)\(c\)](#) (with [Sch. 5 Pt. 4](#))
- F38** Words substituted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. [34\(d\)\(ii\)](#)
- F39** S. 10(2) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(3\)](#) (with [Sch. 5 Pt. 4](#))
- F40** Words in s. 10(3)(b)(ii) substituted (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), s. [136\(2\)](#), [Sch. 11 para. 13](#) (with s. [129](#)); S.I. [2003/1725](#), art. [2\(1\)](#)
- F41** Words in s. 10(4) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(4\)](#) (with [Sch. 5 Pt. 4](#))
- F42** Words in s. 10(5) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(5\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F43** Words in s. 10(5) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(5\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F44** S. 10(5A) inserted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(6\)](#) (with [Sch. 5 Pt. 4](#))
- F45** Words in s. 10(6) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(7\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F46** Words in s. 10(6) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(7\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F47** Words in s. 10(6) inserted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(7\)\(c\)](#) (with [Sch. 5 Pt. 4](#))
- F48** Words in s. 10(6) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(7\)\(d\)](#) (with [Sch. 5 Pt. 4](#))
- F49** S. 10(6A) inserted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(8\)](#) (with [Sch. 5 Pt. 4](#))
- F50** Words in s. 10(7) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(9\)](#) (with [Sch. 5 Pt. 4](#))
- F51** S. 10(8) substituted (01. 07. 1991) for s. 10(8)(8A) by S.I. [1991/724](#), art. [2\(8\)](#), [Sch. Pt. I](#) (with art. [12](#)).
- F52** Words in s. 10(8) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. [61\(3\)](#), [Sch. 9 para. 52](#); S.I. [2014/954](#), art. [2\(c\)](#) (with art. [3](#)) (with transitional provisions and savings in S.I. [2014/956](#), arts. [3-11](#))
- F53** Words in s. 10(9) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. [57\(5\)\(e\)](#), [Sch. 5 para. 9\(10\)](#) (with [Sch. 5 Pt. 4](#))

Modifications etc. (not altering text)

- C20** S. 10 extended (1.7.1991) by S.I. [1991/724](#), art. [2\(2\)\(a\)](#) (with art. [12](#)).
- C21** S. 10 excluded (1.11.1993) by [1993 c. 28](#), s. [70\(13\)](#); S.I. [1993/2134](#), art. [5](#).

Marginal Citations

- M10** [1925 c. 20](#).

11 Mortgages, trusts for sale and settled land.

- (1) Where there appear to be grounds for a claim under section 10 above in respect of an interest that is subject to a mortgage—

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- (a) the claim may be made by any mortgagee of the interest as if he were the person entitled to that interest but without prejudice to the making of a claim by that person;
 - (b) no compensation shall be payable under that section in respect of the interest of the mortgagee (as distinct from the interest which is subject to the mortgage);
 - (c) any compensation payable under that section in respect of the interest that is subject to the mortgage shall be paid to the mortgagee or, if there is more than one mortgagee, to the first mortgagee and shall in either case be applied by him as if it were proceeds of sale.
- (2) Where an interest is [^{F54}subject to a trust of land] any compensation payable in respect of it under section 10 above shall be dealt with as if it were proceeds of sale arising under the trust.
- (3) Where an interest is settled land for the purposes of the ^{M11}Settled Land Act 1925 any compensation payable in respect of it under section 10 above shall be treated as capital money arising under that Act.

Textual Amendments

F54 Words in s. 11(2) substituted (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para.14**; S.I. 1996/2974, **art.2**

Marginal Citations

M11 1925 c. 18.

Miscellaneous and supplementary

12 Office copies as evidence.

An office copy of an entry in [^{F55}the local land charges register] shall be admissible in evidence in all proceedings and between all parties to the same extent as the original would be admissible.

Textual Amendments

F55 Words in s. 12 substituted (12.4.2015) by **Infrastructure Act 2015 (c. 7)**, s. 57(5)(e), **Sch. 5 para. 10** (with **Sch. 5 Pt. 4**)

13 Protection of solicitors, trustees etc.

A solicitor or a trustee, personal representative, agent or other person in a fiduciary position, shall not be answerable in respect of any loss occasioned by reliance on an erroneous official search certificate or an erroneous office copy of an entry in [^{F56}the local land charges register].

Textual Amendments

F56 Words in s. 13 substituted (12.4.2015) by **Infrastructure Act 2015 (c. 7)**, s. 57(5)(e), **Sch. 5 para. 11** (with **Sch. 5 Pt. 4**)

Status: Point in time view as at 11/02/2021.

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Modifications etc. (not altering text)

- C22** S. 13 extended by [Administration of Justice Act 1985 \(c. 61, SIF 98:1\)](#), [s. 34\(2\)\(d\)](#)
- C23** S. 13 extended (01. 01. 1992) by [Administration of Justice Act 1985 \(c. 61, SIF 76:1\)](#), s. 9, [Sch. 2 para. 37\(d\)](#); [S.I. 1991/2683](#), [art. 2](#).
- C24** S. 13 extended (*prosp.*) by [Building Societies Act 1986 \(c. 53, SIF 16\)](#), [ss. 54\(3\)\(a\)\(5\)](#), 119(5), 124, 126, Sch. 21 paras. 9(d), 12(2)(3) (the said s. 124 which induces Sch. 21 being repealed (*prosp.*) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 125(7), [Sch. 20](#))

^{F57} **13A Specification of fees by registering authorities in England**

Textual Amendments

- F57** S. 13A omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 12\(1\)](#) (with [Sch. 5 Pt. 4](#))

14 Rules.

- (1) The Lord Chancellor may, with the concurrence of the Treasury as to fees, make rules for carrying this Act into effect and, in particular, rules—
- (a) for regulating the practice of [^{F58} the Chief Land Registrar] in connection with the registration of local land charges or matters which, when registered, become local land charges;
 - (b) as to forms and contents of applications for registration, and the manner in which such applications are to be made;
 - (c) as to the manner in which the land affected or to be affected by a local land charge is, where practicable, to be identified for purposes of registration;
 - (d) as to the manner in which and the times at which registrable matters are to be registered;
 - (e) as to forms and contents of requisitions for official searches and of official search certificates;
 - (f) for regulating personal searches and related matters;
 - [^{F59}(fa) as to the variation without an order of the court of the registration of a local land charge—
 - (i) on the application or with the consent of the person by whom it is enforceable, or
 - (ii) of the Chief Land Registrar's own motion;]
 - [^{F60}(g) as to the cancellation without an order of the court of the registration of a local land charge—
 - (i) on its cesser,
 - (ii) on the application or with the consent of the person by whom it is or was enforceable, or
 - (iii) of the Chief Land Registrar's own motion;”, and]
 - [^{F61}(h) for prescribing the fees to be paid to the Chief Land Registrar for services relating to local land charges provided by the Chief Land Registrar.]
- (2) Without prejudice to the generality of subsection (1) above, the power to make rules under that subsection shall include

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- [^{F62}(a)] power to make rules (with the concurrence of the Treasury as to fees) for carrying into effect the provisions of any statutory provision by virtue of which any matter is registrable in [^{F63} the local land charges register].
- [^{F64}(aa) power to make rules—
- (i) prescribing different fees for different services or descriptions of service;
 - (ii) prescribing services or descriptions of service for which no fees are payable;]
- [^{F65}(b) power to make rules about communications for the purposes of this Act, or any statutory provision by virtue of which any matter is registrable in the local land charges register, including rules as to—
- (i) the particular means of communication which may or must be used for such purposes (which may include an electronic means of communication),
 - (ii) the circumstances in which a particular means of communication may or must be used (which may be all circumstances, subject to exceptions);
 - (iii) the form or contents of anything sent using a particular means of communication;
- (ba) power to make rules requiring or enabling anything which is provided to or by the Chief Land Registrar for the purposes of this Act, or any statutory provision by virtue of which any matter is registrable in the local land charges register, to be provided in electronic form;
- (bb) power to make rules enabling the Chief Land Registrar, or a person providing services to the Chief Land Registrar, to determine—
- (i) any matter within paragraph (b), or
 - (ii) whether anything of the kind referred to in paragraph (ba) may or must be provided in electronic form; and]
- (c) power to make rules modifying the application of sections 10 and 11 above in cases where—
- (i) the rules provide for the making of a requisition for, or the issuing of, an official search certificate by electronic means, and
 - (ii) there has been any error or failure in those means.
- (3) The power to make rules under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F58** Words in s. 14(1)(a) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(2\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F59** S. 14(1)(fa) inserted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(2\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F60** S. 14(1)(g) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(2\)\(c\)](#) (with [Sch. 5 Pt. 4](#))
- F61** S. 14(1)(h) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(2\)\(d\)](#) (with [Sch. 5 Pt. 4](#))
- F62** “(a)” and paragraphs (b) and (c) inserted by the [Local Government and Housing Act 1989 \(c. 42\)](#), SIF 81:1, s. 158(2)

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- F63** Words in s. 14(2)(a) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(3\)\(a\)](#) (with [Sch. 5 Pt. 4](#))
- F64** S. 14(2)(aa) inserted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(3\)\(b\)](#) (with [Sch. 5 Pt. 4](#))
- F65** S. 14(2)(b)-(bb) substituted for s. 14(2)(b) (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(3\)\(c\)](#) (with [Sch. 5 Pt. 4](#))

Modifications etc. (not altering text)

- C25** S. 14(1) certain functions transferred (31.12.2004) by [The National Assembly for Wales \(Transfer of Functions\) Order 2004 \(S.I. 2004/3044\)](#), art. 1(2), [Sch. 1](#) (with art. 3)
- C26** S. 14(1) function deemed to have been transferred by S.I. 2004/3044 and 2006 c. 32, Sch. 11 (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 13\(4\)-\(6\)](#) (with [Sch. 5 Pt. 4](#))

15 Expenses.

There shall be paid out of money provided by Parliament—

- (a) any administrative expenses incurred by a Minister of the Crown or government department in consequence of this Act;
- (b) any expenditure incurred by a Minister of the Crown or government department in the payment of any amount recoverable from him or them under this Act by ^{F66}the Chief Land Registrar];
- (c) any increase attributable to this Act in the sums so payable under any other Act.

Textual Amendments

- F66** Words in s. 15(b) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 14](#) (with [Sch. 5 Pt. 4](#))

16 Interpretation.

(1) In this Act, except where the context otherwise requires—

^{F67} ...

“the court” means the High Court, or the county court in a case where the county court has jurisdiction;

“land” includes mines and minerals, whether or not severed from the surface, buildings or parts of buildings (whether the division is horizontal, vertical or made in any other way) and other corporeal hereditaments;

“official search certificate” means a certificate issued pursuant to section 9(4) above;

“the originating authority”, as respects a local land charge, has the meaning provided by section 5(4) above;

“personal search” means a search pursuant to section 8 above;

“prescribed” means prescribed by rules made under section 14 above;

^{F67} ...

“statutory provision” means a provision of this Act or of any other Act or Measure, whenever passed, or a provision of any rules, regulations, order or similar instrument made (whether before or after the passing of this Act) under an Act, whenever passed.

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[^{F68}(1A) Any reference in this Act to an office copy of an entry includes a reference to the reproduction of an entry in a register kept [^{F69} in electronic] form.]

(2) Except in so far as the context otherwise requires, any reference in this Act to an enactment is a reference to that enactment as amended, extended or applied by or under any other enactment, including this Act.

Textual Amendments

F67 Words in s. 16(1) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\), s. 57\(5\)\(e\), Sch. 5 para. 15\(2\)](#) (with [Sch. 5 Pt. 4](#))

F68 S. 16(1A) inserted by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\), s. 34\(e\)](#)

F69 Words in s. 16(1A) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\), s. 57\(5\)\(e\), Sch. 5 para. 15\(3\)](#) (with [Sch. 5 Pt. 4](#))

17 Amendments of other statutory provisions.

(1) The ^{M12}Land Charges Act 1972 shall be amended as follows:—

(a) for section 1(3) there shall be substituted—

“(3) Where any charge or other matter is registrable in more than one of the registers kept under this Act, it shall be sufficient if it is registered in one such register, and if it is so registered the person entitled to the benefit of it shall not be prejudicially affected by any provision of this Act as to the effect of non-registration in any other such register.

(3A) Where any charge or other matter is registrable in a register kept under this Act and was also, before the commencement of the Local Land Charges Act 1975, registrable in a local land charges register, then, if before the commencement of the said Act it was registered in the appropriate local land charges register, it shall be treated for the purposes of the provisions of this Act as to the effect of non-registration as if it had been registered in the appropriate register under this Act ; and any certificate setting out the result of an official search of the appropriate local land charges register shall, in relation to it, have effect as if it were a certificate setting out the result of an official search under this Act.”

(b) in section 2(4) and in section 2(5) the words “(not being a local land charge)” shall be inserted after “any of the following”.

(2)

Modifications etc. (not altering text)

C27 The text of s. 17(1)(a)(b), 17(2), 19(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M12 [1972 c.61](#)

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18 Power to amend local Acts.

- (1) Subject to the provisions of this section, the Lord Chancellor may by order made by statutory instrument repeal or amend any relevant local Act provision that appears to him to be inconsistent with, or to require modification in consequence of, any provision of this Act.
- (2) For the purposes of this section, a relevant local Act provision is a provision—
 - (a) contained in any local Act passed before this Act, and
 - (b) providing for any matter to be, or to be registered as, a local land charge or otherwise requiring or authorising the registration of any matter in a local land charges register.
- (3) An order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament and may be varied or revoked by a subsequent order under this section.
- (4) Before making an order under this section the Lord Chancellor shall consult any local authority appearing to him to be concerned.

19 Repeals and transitional provisions.

- (1) The enactments specified in Schedule 2 to this Act (which include certain spent provisions) and the instrument there specified are hereby repealed to the extent specified in the third column of that Schedule.
- (2) Nothing in this Act shall operate to impose any obligation to register or apply for the registration of any local land charge within the meaning of this Act which immediately before the commencement of this Act was by virtue of subsection (7)(b)(i) of section 15 of the ^{M13}Land Charges Act 1925 not required by that section to be registered as a local land charge, except after the expiration of one year from the commencement of this Act; and a purchaser shall not be entitled to compensation under section 10 above by virtue of section 10(1)(a) or, where the charge was not registered at the time of the search, section 10(1)(b) in respect of a local land charge which at the time of the search was not required to be registered.

^{F70}(3)

- (4) ^{F71}... nothing in this Act shall render enforceable against any purchaser whose purchase was completed before the commencement of this Act any local land charge which immediately before the commencement of this Act was not enforceable against him.

Textual Amendments

F70 S. 19(3) repealed (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), s. 136(2), **Sch. 13** (with s. 129, [Sch. 12 para. 1](#)); [S.I. 2003/1725](#), art. 2(1)

F71 Words in s. 19(4) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 16** (with [Sch. 5 Pt. 4](#))

Modifications etc. (not altering text)

C28 The text of s. 17(1)(a)(b), 17(2), 19(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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Marginal Citations

M13 1925 c. 22.

20 Short title etc.

- (1) This Act may be cited as the Local Land Charges Act 1975.
- (2) This Act binds the Crown, but nothing in this Act shall be taken to render land owned by or occupied for the purposes of the Crown subject to any charge to which, independently of this Act, it would not be subject.
- ^{F72}(3)
- (4) This Act extends to England and Wales only.

Textual Amendments

F72 S. 20(3) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 12](#)

Modifications etc. (not altering text)

C29 Power of appointment conferred by s. 20(3) fully exercised: 1.8.1977 appointed by [S.I. 1977/984](#), [art. 2](#)

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SCHEDULE 1

Section 17.

CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C30** The text of Sch. 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

ACTS

The ^{M14}Law of Property Act 1925

Marginal Citations

M14 1925 c. 20.

In section 198 of the Law of Property Act 1925—

- (a) in subsection (1), for the words from “under” to “elsewhere” substitute “in any register kept under the Land Charges Act 1972 or any local land charges register”;
- (b) in subsection (2), for “under the Land Charges Act 1925” substitute “in any such register”.

The ^{M15}Land Registration Act 1925

Marginal Citations

M15 1925 c. 21.

F73 ...

Textual Amendments

F73 Sch. 1 entry repealed (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), s. 136(2), [Sch. 13](#) (with s. 129, [Sch. 12 para. 1](#)); S.I. 2003/1725, art. 2(1)

Textual Amendments

F73 Sch. 1 entry repealed (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), s. 136(2), [Sch. 13](#) (with s. 129, [Sch. 12 para. 1](#)); S.I. 2003/1725, art. 2(1)

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The ^{M16}Ancient Monuments Act 1931

Marginal Citations

M16 1931 c. 16.

F74
...

Textual Amendments

F74 Sch. 1 entries repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 12**

Textual Amendments

F74 Sch. 1 entries repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 12**

The ^{M17}Requisitioned Land and War Works Act 1948

Marginal Citations

M17 1948 c. 17.

In section 14 of the Requisitioned Land and War Works Act 1948—

- (a) in subsection (1), for the words from “in the prescribed manner” to the end of the subsection substitute “in the appropriate local land charges register ; and on any application being made for that purpose to the authority keeping that register that authority shall register the rights accordingly.”;
- (b) in subsection (3), for the words from “but the said section” to the end of the subsection substitute “but the rights conferred by that section shall, as respects the land on which the line as diverted, and any such works, are constructed be a local land charge ; and for the purposes of the Local Land Charges Act 1975 the Minister maintaining and using, or authorising the maintenance and use of, the said line or works shall be treated as the originating authority as respects such charge.”;
- (c) for subsection (4) substitute—

“(4) Rights registered in a local land charges register in pursuance of subsection (1) of this section shall be a local land charge, but

- (a) section 5(2) and section 10 of the Local Land Charges Act 1975 shall not apply in relation thereto ; and
- (b) a certificate setting out the result of an official search of the appropriate local land charges register shall, as respects any pipeline or works accessory thereto, be conclusive of the question whether, at the time of the issue of the certificate, rights registrable under subsection (1) of this section were registered.”

Status: Point in time view as at 11/02/2021.

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Textual Amendments

F75 Entries relating to Civil Aviation Act 1949 repealed by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), s. 109, [Sch. 16](#)

Textual Amendments

F75 Entries relating to Civil Aviation Act 1949 repealed by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), s. 109, [Sch. 16](#)

The ^{M18}Coast Protection Act 1949

Marginal Citations

M18 [1949 c. 74](#).

For section 8(8) of the Coast Protection Act 1949 substitute—

“(8) A works scheme indicating land as contributory land shall, when operative, be a local land charge as respects the contributory land.”

The ^{M19}Public Utilities Street Works Act 1950

Marginal Citations

M19 [1950 c. 39](#).

F74
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Textual Amendments

F74 Sch. 1 entries repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 12](#)

The ^{M20}Hill Farming Act 1954

Marginal Citations

M20 [1954 c. 23](#).

F76
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Textual Amendments

F76 Sch. 1 entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#) Group 1

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Textual Amendments

F76 Sch. 1 entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#) Group 1

The ^{M21}Underground Works (London) Act 1956

Marginal Citations

M21 1956 c. 59.

For section 6(9) of the Underground Works (London) Act 1956 substitute—

“(9) The restriction imposed by subsection (1) of this section shall be a local land charge, and for the purposes of the Local Land Charges Act 1975 the registering authority shall be treated as the originating authority as respects such charge”

F77

Textual Amendments

F77 Entries relating to Housing Act 1957 repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), s. 152, [Sch. 26](#)

Textual Amendments

F77 Entries relating to Housing Act 1957 repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), s. 152, [Sch. 26](#)

The ^{M22}Land Powers (Defence) Act 1958

Marginal Citations

M22 1958 c. 30.

In section 17 of the Land Powers (Defence) Act 1958—

(a) for subsection (1) substitute—

“(1) A wayleave order shall be a local land charge.

(1A) Notwithstanding subsection (1) of this section and subject to subsection (1B) of this section, where, before the commencement of the Local Land Charges Act 1975, a draft wayleave order was registered in the appropriate local land charges register there shall be no duty to register, or to apply for the registration of, any wayleave order made pursuant to the draft order, and section 10 of the said Act shall not apply in relation to any such wayleave order.

(1B) Subsection (1A) of this section shall not apply to any wayleave order so far as the order applies to land not affected by the draft wayleave order or, where the registration of the draft order was, before the commencement of the said Act of 1975, varied in consequence of the order as made differing from the draft,

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- so far as it applies to land not shown as affected in the registered particulars of the draft order as varied.”
- (b) in subsection (2)(a), for the words from “in the prescribed manner” to “situated” substitute “in the appropriate local land charges register”
 - (c) after subsection (2) insert—
 - “(2A) Where an application is made for the registration of a notice in the appropriate local land charges register in pursuance of subsection (2) of this section, the authority keeping that register shall register the notice accordingly.”
 - (d) for subsection (3) substitute—
 - “(3) A notice registered in a local land charges register in pursuance of subsection (2) of this section shall be a local land charge, but—
 - (a) section 5(2) and section 10 of the Local Land Charges Act 1975 shall not apply in relation thereto ; and
 - (b) a certificate setting out the result of an official search of the appropriate local land charges register shall, as respects any land, be conclusive of the question whether, at the time of the issue of the certificate, a notice registrable in pursuance of subsection (2) of this section was registered in the register.”
 - (e) in subsection (4)—
 - (i) for “the said subsection (6)” substitute “section 14 of the Local Land Charges Act 1975”, and
 - (ii) omit paragraphs (a) and (b) and the words “under this section” in paragraph (c).

The ^{M23}Opencast Coal Act 1958

Marginal Citations

M23 1958 c. 69.

In section 11 of the Opencast Coal Act 1958—

- (a) for subsection (1) substitute—
 - “(1) A compulsory rights order shall be a local land charge.”
- (b) omit subsection (2)
- (c) in subsection (3), for the words from “by virtue of” to “preceding subsection” substitute “under section 14 of the, Local Land Charges Act 1975 for the purposes of this section”.

F78

Textual Amendments

F78 Entries relating to Highways Act 1959 repealed by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(3), [Sch. 25](#)

Textual Amendments

F78 Entries relating to Highways Act 1959 repealed by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(3), [Sch. 25](#)

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The ^{M24}Rights of Light Act 1959

Marginal Citations

M24 1959 c. 56.

In the Rights of Light Act 1959—

- (a) in section 2(4), for the words from “the proper officer” onwards substitute “that authority to register the notice in the appropriate local land charges register, and—
- (a) any notice so registered under this section shall be a local land charge ;
but
- (b) section 5(1) and (2) and section 10 of the Local Land Charges Act 1975 shall not apply in relation thereto.”
- (b) in section 5, omit subsection (1), and for the words from “by virtue of” to “preceding subsection” in subsection (2) substitute “under section 14 of the Local Land Charges Act 1975 for the purposes of section 2 of this Act”.

^{F79}(c)

Textual Amendments

F79 Words in [Sch. 1](#) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 31](#) (with [Sch. 5 Pt. 4](#))

Textual Amendments

F79 Words in [Sch. 1](#) omitted (12.4.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 31](#) (with [Sch. 5 Pt. 4](#))

The ^{M25}Land Drainage Act 1961

Marginal Citations

M25 1961 c. 48.

In section 30 of the Land Drainage Act 1961, omit the words from “and any such” to the end of the subsection in subsection (8) and after that subsection insert—

“(8A) A scheme made under this section shall be a local land charge.”

The ^{M26}Covent Garden Market Act 1961

Marginal Citations

M26 1961 c. 49.

For section 48(1) of the Covent Garden Market Act 1961 substitute—

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“(1) A restriction imposed by section twenty-three of the Covent Garden Market Act 1966 shall be a local land charge, and for the purposes of the Local Land Charges Act 1975 the registering authority shall be treated as the originating authority as respects such charge.”

F80

Textual Amendments

F80 Entries relating to Housing Act 1961 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c.71, SIF 61\), ss. 3, 5\(2\), Sch. 1 Pt. I, Sch. 4](#)

Textual Amendments

F80 Entries relating to Housing Act 1961 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c.71, SIF 61\), ss. 3, 5\(2\), Sch. 1 Pt. I, Sch. 4](#)

The ^{M27}Housing Act 1964

Marginal Citations

M27 1964 c. 56.

F74
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Textual Amendments

F74 Sch. 1 entries repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), Sch. 1 Pt. 12](#)

The ^{M28}Gas Act 1965

Marginal Citations

M28 1965 c. 36.

In the Gas Act 1965—

(a) for section 5(10) substitute—

“(10) The following shall be local land charges, namely, a storage authorisation order, any conditions attached to a consent given by the Secretary of State under this section and, save in so far as it revokes any conditions, any further decision taken by the Secretary of State under subsection (8) of this section.”

(b) in section 11(3), for the words from “registered” onwards substitute “a local land charge.”;

(c) for section 27(1) substitute—

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“(1) For the purposes of the Local Land Charges Act 1975, the Corporation shall be treated as the originating authority as respects any matter which is a local land charge by virtue of this Part of this Act.”

(d) omit section 27(2) to (4).

F81

Textual Amendments

F81 Entries relating to New Towns Act 1965 repealed by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), s. 81, [Sch. 13](#)

Textual Amendments

F81 Entries relating to New Towns Act 1965 repealed by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), s. 81, [Sch. 13](#)

The ^{M29}Agriculture Act 1967

Marginal Citations

M29 [1967 c. 22.](#)

In the Agriculture Act 1967—

(a) for section 45(6) substitute—

“(6) As respects the area of a Rural Development Board established under this section the provisions of this Part of this Act controlling sales of land and controlling afforestation shall be a local land charge, and for the purposes of the Local Land Charges Act 1975 the appropriate Minister shall be treated as the originating authority as respects such charge.”

(b) omit section 45(7) and (8) and the words “(7) and (8)” in section 45(9);

(c) for paragraph 2(1) of Schedule 3 substitute—

“(1) As respects a unit of land to which this Schedule applies, the conditions specified in this Schedule shall (notwithstanding section 2(a) or (b) of the Local Land Charges Act 1975) be a local land charge, and for the purposes of that Act the appropriate Minister or, where this Schedule is applied to the unit by a conveyance by a Rural Development Board, the relevant Rural Development Board shall be treated as the originating authority as respects such charge.”

(d) omit paragraph 2(2) and (3) of Schedule 3.

The ^{M30}Leasehold Reform Act 1967

Marginal Citations

M30 [1967 c. 88.](#)

Status: Point in time view as at 11/02/2021.

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In section 19 of the Leasehold Reform Act 1967—

- (a) in subsection (10), for the words from “shall be registered” to “so registered” substitute “shall (notwithstanding section 2(a) or (b) of the Local Land Charges Act 1975) be a local land charge and for the purposes of that Act the landlord for the area to which it relates shall be treated as the originating authority as respects such charge ; and where a scheme is registered in the appropriate local land charges register”;
- (b) after subsection (10) insert—

“(10A) Section 10 of the Local Land Charges Act 1975 shall not apply in relation to schemes which, by virtue of this section, are local land charges.”

F82

Textual Amendments

F82 Entries relating to Civil Aviation Act 1968 repealed by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), s. 109, [Sch. 16](#)

Textual Amendments

F82 Entries relating to Civil Aviation Act 1968 repealed by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), s. 109, [Sch. 16](#)

F83

Textual Amendments

F83 Entries relating to Highways Act 1971 repealed by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(3), [Sch. 25](#)

Textual Amendments

F83 Entries relating to Highways Act 1971 repealed by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(3), [Sch. 25](#)

F84

Textual Amendments

F84 Entries relating to Civil Aviation Act 1971 repealed by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), s. 109, [Sch. 16](#)

Textual Amendments

F84 Entries relating to Civil Aviation Act 1971 repealed by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), s. 109, [Sch. 16](#)

F85

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Textual Amendments

F85 Entries relating to Town and Country Planning Act 1971 repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 3, Sch. 1 Pt. I](#)

Textual Amendments

F85 Entries relating to Town and Country Planning Act 1971 repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 3, Sch. 1 Pt. I](#)

The ^{M31}Field Monuments Act 1972

Marginal Citations

M31 [1972 c. 43.](#)

F74 ...

Textual Amendments

F74 Sch. 1 entries repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), Sch. 1 Pt. 12](#)

The ^{M32}Land Compensation Act 1973

Marginal Citations

M32 [1973 c. 26.](#)

In the Land Compensation Act 1973—

- (a) in section 8, omit the words from “and any particulars” to the end of the subsection in subsection (4) and after that subsection insert—

“(4A) Any particulars deposited pursuant to subsection (4) above shall be a local land charge and for the purposes of the Local Land Charges Act 1975 the council with whom any such particulars are deposited shall be treated as tge originating authority as respects the charge thereby constituted .”

F74(b)

- (c) in section 52(8), substitute “Before” for “Where”, insert “to be made” after “payment” in the second place where that word occurs, and omit the words from “and any particulars” onwards;

- (d) after section 52(8) insert—

“(8A) Any particulars deposited pursuant to subsection (8) above shall be a local land charge and for the purposes of the Local Land Charges Act 1975 the council with whom any such particulars are desoposited shall be treated as the originating authority as respects the charge thereby constituted.”

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- (e) in section 52(9), for the words from the beginning to “the claimant” substitute “Where a local land charge is registered in the appropriate local land charges register pursuant to subsection (8A) above and the advance payment to which the charge relates is made to the claimant, then if thereafter he”.

Textual Amendments

F74 Sch. 1 entries repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 12](#)

F86

Textual Amendments

F86 Entries relating to Housing Act 1974 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), ss. 3, 5(2), [Sch. 1 Pt. I](#), [Sch. 4](#)

Textual Amendments

F86 Entries relating to Housing Act 1974 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), ss. 3, 5(2), [Sch. 1 Pt. I](#), [Sch. 4](#)

MEASURE

The ^{M33}Pastoral Measure 1968

Marginal Citations

M33 [1968 No. 1.](#)

F74
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Textual Amendments

F74 Sch. 1 entries repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 12](#)

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SCHEDULE 2

Section 19.

REPEALS

<i>Acts</i>		
Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 22.	The Land Charges Act 1925.	The whole Act.
16 & 17 Geo. 5. c. 11.	The Law of Property (Amendment) Act 1926.	In the Schedule, the entries relating to section 15 of the Land Charges Act 1925.
21 & 22 Geo. 5. c. 16.	The Ancient Monuments Act 1931.	In section 6(3) and (4), the words from “(subject” to “by this Act)”, In section 11, the words from “and every such” onwards.
4 & 5 Geo. 6. c. 50.	The Agriculture (Miscellaneous Provisions) Act 1945.	In section 8(4), the words from “and shall” to “accordingly”.
9 & 10 Geo. 6. c. 20.	The Building Materials and Housing Act 1945.	Section 8.
11 & 12 Geo. 6. c. 17.	The Requisitioned Land and War Works Act 1946.	In section 14(1), the words “in the prescribed manner”.
12 & 13 Geo. 6. c. 67.	The Civil Aviation Act 1949.	In section 33, in subsection (1) the words from “becomes operative” onwards, and subsections (2) and (3).
14 Geo. 6. c. 39.	The Public Utilities Street Works Act 1950.	In Schedule 7, paragraph 5(b).
1 & 2 Eliz. 2. c. 49.	The Historic Buildings and Ancient Monuments Act 1953.	In section 19, subsections (1) and (3) and, in subsection (2), the words “as amended by the preceding subsection”.
2 & 3 Eliz. 2. c. 23.	The Hill Farming Act 1954.	Section 2(2).
5 & 6 Eliz. 2. c. 57.	The Housing Act 1957.	Section 15(6).
6 & 7 Eliz. 2. c. 30.	The Land Powers (Defence) Act 1958.	In section 17(4), paragraphs (a) and (b) and the words “under this section” in paragraph (c).
6 & 7 Eliz. 2. c. 69.	The Opencast Coal Act 1958.	Section 11(2).
7 & 8 Eliz. 2. c. 25.	The Highways Act 1959.	In section 72(4), the words from the beginning to “that section” In section 73(3), the words from the beginning to “that section” In section 81(5), the words from “but subject” to “that section” In section 169, the words from “subject to the provisions” to “that section” In section 181(3), the words from the beginning to “local land charges”.
		Section 304.
Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2. c. 54.	The Weeds Act 1959.	In section 3(3), the words “and shall be registrable under section 15 of the Land Charges Act 1925 accordingly”.
7 & 8 Eliz. 2. c. 56.	The Rights of Light Act 1959.	Section 3(1).
9 & 10 Eliz. 2. c. 48.	The Land Drainage Act 1961.	In section 30(8), the words from “and any such” onwards.
9 & 10 Eliz. 2. c. 49.	The Covent Garden Market Act 1961.	Section 48(3) and (4).
1963 c. 33.	The London Government Act 1963.	Section 79.
1965 c. 16.	The Airports Authority Act 1965.	In Schedule 4, paragraph 9(1).
1965 c. 36.	The Gas Act 1965.	Section 27(2) to (4).
1966 c. 1.	The Covent Garden Market Act 1966.	In Schedule 4 and in Schedule 5, the entries relating to section 48.
1967 c. 1.	The Land Commission Act 1967.	In section 11, in subsection (5) the words “the proper officer of”, and subsection (6).
1967 c. 22.	The Agriculture Act 1967.	In section 45, subsections (7) and (8) and, in subsection (9), the words “(7) and (8)”.
1968 c. 61.	The Civil Aviation Act 1968.	In Schedule 3, paragraph 2(2) and (3).
1971 c. 41.	The Highways Act 1971.	In section 18(3), the words “Subject to subsection (4) below”.
1971 c. 54.	The Land Registration and Land Charges Act 1971.	In section 38(2), the words from “subject to the provisions” to “that section”.
1971 c. 75.	The Civil Aviation Act 1971.	Section 16(3) and (4).
1972 c. 61.	The Land Charges Act 1972.	In Schedule 2, in paragraph 9(1) the words “(2) and”, In section 2(3), the words “within the meaning of the Land Charges Act 1925”.
1972 c. 70.	The Local Government Act 1972.	Section 18(2). In Schedule 3, paragraphs 2 to 6. Schedule 4. Section 212. In Schedule 29, in paragraph 25(3) the words from “and for the word” onwards.
1973 c. 26.	The Land Compensation Act 1973.	In section 24(3), the words “Subject to subsection (4) below”.
Number	Title	Extent of Repeal
1971 No. 1732.	The Temples Order 1971.	Article 5(6).

Status:

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