Rentcharges Act 1977

1977 CHAPTER 30

Redemption

8   Application for redemption certificate

(1) The owner of any land affected by a rentcharge may apply to the Secretary of State, in accordance with this section, for a certificate (in this Act referred to as a " redemption certificate ") certifying that the rentcharge has been redeemed.

(2) Every application under this section shall be in such form and shall contain such information and be accompanied by such documents as may be prescribed by regulations.

(3) In any case where the Secretary of State considers that any additional document or information ought to be furnished by the applicant he may require the applicant—

   (a)   to deliver to him such documents (including documents of title and, in the case of registered land, an authority to inspect the register), and

   (b)   to furnish him with such information,

as the Secretary of State may specify.

(4) No application may be made under this section in respect of a rentcharge of a kind mentioned in section 2(3) or 3(3)(a) above.

(5) An application under this section may only be made—

   (a)   if the period for which the rentcharge concerned would remain payable if it were not redeemed is ascertainable, and

   (b)   in the case of a rentcharge which has at any time been a variable rentcharge, if it has ceased to be variable at the time of making the application.

For the purposes of this section a rentcharge shall (at any time) be treated as variable if at any time thereafter the amount of the rentcharge will, or may, vary in accordance with the provisions of the instrument under which it is payable.

(6) Where an applicant's documents of title are in the custody of a mortgagee the mortgagee shall, if requested to do so by the Secretary of State for the purpose of an

application made under this section, deliver those documents to the Secretary of State on such terms as to their custody and return as the mortgagee may reasonably require.