

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Land Registration Act 2002, Paragraph 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 8

#### INDEMNITIES

**Modifications etc. (not altering text)**

- C1** Sch. 8: Power to apply, exclude or modify conferred (E.W.) (27.9.2004) by 2002 c. 15, ss. 6(6)(g), 181(1); S.I. 2004/1832, art. 2

#### *Entitlement*

- 1 (1) A person is entitled to be indemnified by the registrar if he suffers loss by reason of—
- (a) rectification of the register,
  - (b) a mistake whose correction would involve rectification of the register,
  - (c) a mistake in an official search,
  - (d) a mistake in an official copy,
  - (e) a mistake in a document kept by the registrar which is not an original and is referred to in the register,
  - (f) the loss or destruction of a document lodged at the registry for inspection or safe custody,
  - (g) a mistake in the cautions register, or
  - (h) failure by the registrar to perform his duty under section 50.
- (2) For the purposes of sub-paragraph (1)(a)—
- (a) any person who suffers loss by reason of the change of title under section 62 is to be regarded as having suffered loss by reason of rectification of the register, and
  - (b) the proprietor of a registered estate or charge claiming in good faith under a forged disposition is, where the register is rectified, to be regarded as having suffered loss by reason of such rectification as if the disposition had not been forged.
- (3) No indemnity under sub-paragraph (1)(b) is payable until a decision has been made about whether to alter the register for the purpose of correcting the mistake; and the loss suffered by reason of the mistake is to be determined in the light of that decision.

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