



# Land Registration Act 2002

## 2002 CHAPTER 9

### PART 4

#### NOTICES AND RESTRICTIONS

##### *Restrictions*

#### **42 Power of registrar to enter**

- (1) The registrar may enter a restriction in the register if it appears to him that it is necessary or desirable to do so for the purpose of—
  - (a) preventing invalidity or unlawfulness in relation to dispositions of a registered estate or charge,
  - (b) securing that interests which are capable of being overreached on a disposition of a registered estate or charge are overreached, or
  - (c) protecting a right or claim in relation to a registered estate or charge.
- (2) No restriction may be entered under subsection (1)(c) for the purpose of protecting the priority of an interest which is, or could be, the subject of a notice.
- (3) The registrar must give notice of any entry made under this section to the proprietor of the registered estate or charge concerned, except where the entry is made in pursuance of an application under section 43.
- (4) For the purposes of subsection (1)(c), a person entitled to the benefit of a charging order relating to an interest under a trust shall be treated as having a right or claim in relation to the trust property.

**Status:**

Point in time view as at 13/10/2003.

**Changes to legislation:**

There are currently no known outstanding effects for the Land Registration Act 2002, Section 42.