



# Land Registration Act 2002

## 2002 CHAPTER 9

### PART 8

#### ELECTRONIC CONVEYANCING

#### **91 Electronic dispositions: formalities**

- (1) This section applies to a document in electronic form where—
  - (a) the document purports to effect a disposition which falls within subsection (2), and
  - (b) the conditions in subsection (3) are met.
- (2) A disposition falls within this subsection if it is—
  - (a) a disposition of a registered estate or charge,
  - (b) a disposition of an interest which is the subject of a notice in the register, or
  - (c) a disposition which triggers the requirement of registration,which is of a kind specified by rules.
- (3) The conditions referred to above are that—
  - (a) the document makes provision for the time and date when it takes effect,
  - (b) the document has the electronic signature of each person by whom it purports to be authenticated,
  - (c) each electronic signature is certified, and
  - (d) such other conditions as rules may provide are met.
- (4) A document to which this section applies is to be regarded as—
  - (a) in writing, and
  - (b) signed by each individual, and sealed by each corporation, whose electronic signature it has.
- (5) A document to which this section applies is to be regarded for the purposes of any enactment as a deed.

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*Status: This is the original version (as it was originally enacted).*

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- (6) If a document to which this section applies is authenticated by a person as agent, it is to be regarded for the purposes of any enactment as authenticated by him under the written authority of his principal.
- (7) If notice of an assignment made by means of a document to which this section applies is given in electronic form in accordance with rules, it is to be regarded for the purposes of any enactment as given in writing.
- (8) The right conferred by section 75 of the Law of Property Act 1925 (c. 20) (purchaser's right to have the execution of a conveyance attested) does not apply to a document to which this section applies.
- (9) If subsection (4) of section 36A of the Companies Act 1985 (c. 6) (execution of documents) applies to a document because of subsection (4) above, subsection (6) of that section (presumption of due execution) shall have effect in relation to the document with the substitution of "authenticated" for "signed".
- (10) In this section, references to an electronic signature and to the certification of such a signature are to be read in accordance with section 7(2) and (3) of the Electronic Communications Act 2000 (c. 7).