



# Land Registration Act 1925

## 1925 CHAPTER 21

### PART IV

#### NOTICES, CAUTIONS, INHIBITIONS AND RESTRICTIONS.

##### *Notices.*

#### **49 Rules to provide for notices of other rights, interests and claims.**

- (1) The provisions of the last foregoing section shall be extended by the rules so as to apply to the registration of notices of or of claims in respect of—
  - (a) The grant or reservation of any annuity or rentcharge in possession, either perpetual or for a term of years absolute :
  - (b) The severance of any mines or minerals from the surface, except where the mines and minerals severed are expressly included in the registration:
  - (c) Land charges until the land charge is registered as a registered charge :
  - (d) The right of any person interested in the proceeds of sale of land held on trust for sale or in land subject to a settlement to require that (unless a trust corporation is acting as trustee) there shall be at least two trustees of the disposition on trust for sale or of the settlement:
  - (e) The rights of any widow in respect of dower or under the Intestates' Estates Act, 1890, and any right to free bench or other like right saved by any statute coming into force concurrently with this Act (which rights shall take effect in equity as minor interests):
  - (f) Creditors' notices and any other right, interest, or claim which it may be deemed expedient to protect by notice instead of by caution, inhibition, or restriction.
- (2) A notice shall not be registered in respect of any estate, right, or interest which (independently of this Act) is capable of being overridden by the proprietor under a trust for sale or the powers of the Settled Land Act, 1925, or any other statute, or of a settlement, and of being protected by a restriction in the prescribed manner:

---

*Status: This is the original version (as it was originally enacted).*

---

Provided that notice of such an estate right or interest may be lodged pending the appointment of trustees of a disposition on trust for sale or a settlement, and if so lodged, shall be cancelled if and when the appointment is made and the proper restriction (if any) is entered.

- (3) A notice when registered in respect of a right, interest, or claim shall not affect prejudicially—
- (a) The powers of disposition of the personal representative of the deceased under whose will or by the operation of whose intestacy the right, interest, or claim arose; or
  - (b) The powers of disposition (independently of this Act) of a proprietor holding the registered land on trust for sale.