



Land Registration Act 1925 (repealed)

1925 CHAPTER 21 15 and 16 Geo 5

PART VII

RECTIFICATION OF REGISTER AND INDEMNITY

82 Rectification of the register.

- (1) The register may be rectified pursuant to an order of the court or by the registrar, subject to an appeal to the court, in any of the following cases, but subject to the provisions of this section:—
- (a) Subject to any express provisions of this Act to the contrary, where a court of competent jurisdiction has decided that any person is entitled to any estate right or interest in or to any registered land or charge, and as a consequence of such decision such court is of opinion that a rectification of the register is required, and makes an order to that effect;
 - (b) Subject to any express provision of this Act to the contrary, where the court, on the application in the prescribed manner of any person who is aggrieved by any entry made in, or by the omission of any entry from, the register, or by any default being made, or unnecessary delay taking place, in the making of any entry in the register, makes an order for the rectification of the register;
 - (c) In any case and at any time with the consent of all persons interested;
 - (d) Where the court or the registrar is satisfied that any entry in the register has been obtained by fraud;
 - (e) Where two or more persons are, by mistake, registered as proprietors of the same registered estate or of the same charge;
 - (f) Where a mortgagee has been registered as proprietor of the land instead of as proprietor of a charge and a right of redemption is subsisting;
 - (g) Where a legal estate has been registered in the name of a person who if the land had not been registered would not have been the estate owner; and
 - (h) In any other case where, by reason of any error or omission in the register, or by reason of any entry made under a mistake, it may be deemed just to rectify the register.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

*Changes to legislation: There are currently no known outstanding effects for the
 Land Registration Act 1925 (repealed), Section 82. (See end of Document for details)*

- (2) The register may be rectified under this section, notwithstanding that the rectification may affect any estates, rights, charges, or interests acquired or protected by registration, or by any entry on the register, or otherwise.
- (3) The register shall not be rectified, except for the purpose of giving effect to an overriding interest [^{F1}or an order of the court], so as to affect the title of the proprietor who is in possession—
- [^{F2}(a) unless the proprietor has caused or substantially contributed to the error or omission by fraud or lack of proper care; or]
- (b)^{F3}
- (c) unless for any other reason, in any particular case, it is considered that it would be unjust not to rectify the register against him.
- (4) Where a person is in possession of registered land in right of a minor interest, he shall, for the purposes of this section, be deemed to be in possession as agent for the proprietor.
- (5) The registrar shall obey the order of any competent court in relation to any registered land on being served with the order or an official copy thereof.
- (6) On every rectification of the register the land certificate and any charge certificate which may be affected shall be produced to the registrar unless an order to the contrary is made by him.

Textual Amendments

- F1** Words inserted by [Administration of Justice Act 1977 \(c. 38, SIF 37\)](#), **s. 24(a)**
- F2** [S. 82\(3\)\(a\)](#) substituted by [Administration of Justice Act 1977 \(c. 38, SIF 37\)](#), **s. 24(b)**
- F3** [S. 82\(3\)\(b\)](#) repealed by [Administration of Justice Act 1977 \(c. 38, SIF 37\)](#), **Sch. 5 Pt. VI**

Textual Amendments applied to the whole legislation

- F1** Act repealed (prosp.) by [Land Registration Act 2002 \(c. 9\)](#), ss. 135, 136(2), **Sch. 13** (with s. 129, [Sch. 12](#))

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Land Registration Act 1925 (repealed), Section 82.