STATUTORY INSTRUMENTS

1986 No. 1536

LAND REGISTRATION

The Land Registration (Official Searches) Rules 1986

Made 3rd September 1986 9th September 1986 Laid before Parliament Coming into Operation 1st October 1986

The Lord Chancellor, with the advice and assistance of the Rule Committee appointed in pursuance of section 144 of the Land Registration Act 1925(a), in exercise of the powers conferred on him by that section, hereby makes the following rules:-

Citation, commencement and interpretation

- 1. These rules may be cited as the Land Registration (Official Searches) Rules 1986 and shall come into operation on 1st October 1986.
 - 2.—(1) In these rules, unless the context otherwise requires:—

"the Act" means the Land Registration Act 1925;

"the principal rules" means the Land Registration Rules 1925(b);

"purchaser" means any person (including a lessee or chargee) who in good faith and for valuable consideration acquires or intends to acquire a legal estate in land and "purchase" has a corresponding meaning;

"delivered", except in relation to an application made on form 94A, 94B, 94C or 101, includes received otherwise than in documentary form by such means as the registrar may from time to time authorise;

"issued", except in relation to an official certificate of search in form 94D or 102, includes sent otherwise than in documentary form;

"official search" means any search of the register made by or under the control of officers of the Land Registry pursuant to an application made in accordance with rule 3 of these rules and "official certificate of search" means a result of search given in the prescribed form or issued otherwise than in documentary form;

'priority period" means the period beginning at the time when an application for an official search is deemed by virtue of paragraph (3) below to have been delivered and ending immediately after 9.30 hours on the thirtieth day thereafter;

⁽a) 1925 c.21. (b) S.R. & O. 1925/1093.

- "day list" means the record kept pursuant to rule 7A of the principal rules;
- "proper office" means the district land registry designated as the proper office by Article 2(2) of the Land Registration (District Registries) Order 1984(a);
 - "day" means a day when the Land Registry is open to the public;
- "licensed conveyancer" has the same meaning as in section 11(2) of the Administration of Justice Act 1985 and includes a recognised body within the meaning of section 32(2) of that Act.
- (2) A form referred to by number means the form so numbered in Schedule 1 to these rules.
- (3) An application for an official search made by a purchaser in accordance with rule 3 of these rules which is delivered after 9.30 hours on one day and before or at 9.30 hours on the next day shall be deemed to have been delivered immediately before 9.30 hours on the second day.

Official Search by Purchasers

- 3.—(1) Where a purchaser who has authority to inspect a register applies for an official search of that register, the application may be made on form 94A or 94B or, in such cases as the registrar specifies, may be made otherwise than in documentary form by such means of communication as the registrar may from time to time authorise.
- (2) The application shall be delivered at the proper office and, if in order, shall be entered on the day list and an official certificate of search shall be issued giving the result of search as at the time and date it is deemed to have been delivered.
- (3) Where the application is made on form 94A or 94B it shall, unless the registrar otherwise directs, be delivered in duplicate.
- (4) Where the application is made otherwise than in documentary form it shall, unless the registrar otherwise directs, include the information specified and in the sequence set out in Schedule 2 to these rules.
- (5) An official certificate of search shall be in form 94D or, if issued otherwise than in documentary form, shall include the information specified in Schedule 3 to these rules and may in any case, in the discretion of the registrar, be issued by reference to an accompanying office copy of the register.

4. During the priority period:—

- (1) a copy of the application for official search or a visible and legible reproduction of any application otherwise than in documentary form and
- (2) a copy of the official certificate of search or a visible and legible reproduction of any result issued otherwise than in documentary form

⁽a) S.I. 1984/1579.

shall be made available for inspection by any person entitled to inspect the register of the title concerned.

- 5. Where a purchaser has applied in accordance with rule 3(1) of these rules for an official search, any entry which is made in the register during the priority period relating to that search shall be postponed to a subsequent application to register the instrument effecting the purchase and, if the purchase is dependent on a prior dealing, to a subsequent application to register the instrument effecting that dealing provided each such subsequent application:—
 - (i) is deemed to have been delivered at the proper office within the priority period;
 - (ii) affects the same land or charge as the postponed entry; and
 - (iii) is in due course completed by registration.
- 6.—(1) Where two or more official certificates of search relating to the same land or the same charge have been issued and are in operation pursuant to these rules, such certificates shall, as far as relates to the priority thereby conferred, take effect, unless the applicants otherwise agree, in the order in which the applications for official search were deemed to have been delivered.
- (2) Where two or more applications for official search relating to the same land or the same charge are deemed to have been delivered at the same time the official certificates of search shall, as far as relates to the priority thereby conferred, take effect in such order as may be agreed by the applicants or, failing agreement, as may be determined under rule 298 of the principal rules.
- (3) Where one transaction is dependent upon another the registrar may, for the purposes of this rule assume (unless or until the contrary appears) that applicants for search have agreed that their applications shall have priority as between each other so as to give effect to the sequence of the instruments effecting their transactions.
- (4) Where an official search has been made in respect of a particular title and, by virtue of rule 85 of the principal rules, an application relating to that title is deemed to have been delivered at the same time as the expiry of the priority period relating to that search, the time of the delivery of the application shall be deemed to be within that priority period.

Search by Telephone or Telex

- 7.—(1) A person having authority to inspect the entries in the register may apply by his solicitor or licensed conveyancer to the proper office by telephone or telex for a search to ascertain whether any adverse entry has been made in the register since a given date being either the date of the issue of an office copy of the subsisting entries thereon or the date on which the land or charge certificate was officially examined with the register.
- (2) Where an application is made by telephone the following particulars shall be supplied:—
 - (a) The title number and a short description of the property;

- (b) The full name of the proprietor who has authorised the inspection of the register;
- (c) The name, address and telephone number of the solicitor or licensed conveyancer making the application together with the name of the person for whom he is acting; and
- (d) The date from which the search is to be made.
- (3) An application by telex shall be made in the form set out in Schedule 4 to these rules.
- **8.**—(1) Upon receipt of an application by telephone or telex the search shall be made as soon as practicable without regard to any pending applications not yet entered on the day list.
 - (2) Where the result of a search is given by telephone it shall include:—
 - (i) the number of the title;
 - (ii) a statement as to whether the search has extended to the whole or been limited to a part of the land comprised in the title;
 - (iii) a short description of the property;
 - (iv) the date from which the search has been made; and
 - (v) the result.
- (3) The result of a search sent by telex shall be in the form set out in Schedule 4 to these rules.
- (4) A search made pursuant to this rule shall not be regarded as an official search for the purposes of section 83(3) of the Act or of rule 295 of the principal rules, and shall not confer upon the applicant priority for the registration of any dealing.

Official Search without Priority

- **9.**—(1) A person (not being a purchaser requiring an official search under rule 3 of these rules) who has authority to inspect the register may apply for an official search of that register without priority.
- (2) The application may be made on form 94C or, in such cases as the registrar specifies, may be made otherwise than in documentary form by such means of communication as the registrar may from time to time authorise.
- (3) Where the application is made on form 94C it shall, unless the registrar otherwise directs, be delivered in duplicate.
- (4) Where the application is made otherwise than in documentary form it shall, unless the registrar otherwise directs, include the information specified in and in the sequence set out in Schedule 2 to these rules.
- (5) The application shall be delivered to the proper office and on completion of the search an official certificate of search shall be issued but such a certificate shall not confer upon the applicant priority for the registration of any dealing and shall so state.

- (6) Subject to paragraph (7) below the official certificate of search shall be in form 94D or, if issued otherwise than in documentary form, shall include the information specified in Schedule 3 to these rules.
- (7) The result of search may in any case, in the discretion of the registrar, be issued by reference to an accompanying office copy of the register.

Certificates of official inspection of filed plan

- 10.—(1) A person who has authority to inspect a filed plan may apply for a certificate of inspection of that filed plan.
- (2) The application may be made on form 101 or, in such cases as the registrar specifies, may be made otherwise than in documentary form by such means of communication as the registrar may from time to time authorise.
- (3) Where the application is made on form 101 it shall be delivered in duplicate.
- (4) Where the application is made otherwise than in documentary form, it shall, unless the registrar otherwise directs, include the information specified in and in the sequence set out in Schedule 5 to these rules.
- (5) The application shall be delivered to the proper office and on completion of the inspection an official certificate of inspection shall be issued but such a certificate shall not confer upon the applicant priority for the registration of any dealing.
- (6) The official certificate of inspection shall either be in form 102 or, if issued otherwise than in documentary form, shall include the information specified in Schedule 5 to these rules.
- (7) An official inspection of the filed plan made pursuant to an application under these rules shall be regarded as an official search for the purpose of section 83(3) of the Act and rule 295 of the principal rules.

Condition of use, suspension and limitation of certain facilities

11. The registrar may impose conditions on the use of any facilities authorised by him pursuant to these rules for searches or inspections to be made otherwise than in forms 94A, 94B, 94C or 101 and may, in his discretion, suspend or limit any such facilities and may likewise suspend or limit the facilities provided by rules 7 and 8 of these rules for searches to be made by telephone or telex.

Revocation

12. The Land Registration (Official Searches) Rules 1981(a) are hereby revoked.

Hailsham of St Marylebone, C.

Dated 3rd September 1986

Form 94D H.M. Land Registry Land Registration (Official Searches) Rules 1986

Official Certificate of the Result of Search

It is hereby certified that the the following result:	official search	applied for	has been	made	with
Since	19				

Application for a

HM Land Registry

Form 101

[Rule 10 Land Registration (Official Searches) Rules, 1986]

Certificate of Inspection of the Filed Plan

(1) Please complete white boxes on page 1.

The attached duplicate must also be completed; a carbon copy will suffice.

..... District Land Registry,

(2) This panel is intended for use with a standard window envelope. Please send this application to the appropriate district land registry serving the area in which the property is situated. This information is contained in explanatory leaflet No 9 which can be obtained free of charge from any District Land Registry.

(3) A separate form must be used for each title number affected.

Administrative County and district or London Borough

Title number(3)

(4) Please give the number or name of Short description of property^{co} the plot and the road together with the phase number of the estate (if appropriate).

Full name(s) of the registered proprietor(s)

Full name(s) of applicant(s) if other than the registered proprietor(s)

Application is made for an inspection of the filed plan of the above-mentioned title to ascertain whether the property described above:

(5) Any plan accompanying this application must be drawn to a suitable scale (generally not less than 1/2500) and supplied in duplicate. Where necessary figured dimensions must be entered on the plan so as to define the extent of the land affected and to fix its position by tying it to existing physical features shown by firm black lines on the plan of the registered title. No plans are required on applications relating to plots included within officially

approved estate plans.

[Please put an X and enter details in the appropriate box(es)]

being plot no

on the estate layout plan

approved by the Land Registry on (date)

shown on the attached plan

is in the above-mentioned title and, if so, whether it is affected by any colour or other references shown on the said filed plan.

Authority. [Please put an X in the appropriate box.]

Where a solicitor/licensed convancer(s)/recognised body

Where a solicitor/licensed convancer(s)/recognisis/are acting for the applicant(s)

I/We certify that I/We hold the duly signed written authority of (or of the solicitor(s)/licensed conveyancer(s)/recognised body for) the above mentioned registered proprietor(s) to inspect the register of the above title or that I/We also act as solicitor(s)/licensed conveyancer(s)/recognised body for the registered proprietor(s).



Where a solicitor/licensed conveyancer(s)/recognised body is/are not acting for the applicant(s). The duly signed written authority of (or of the solicitor(s)/licensed. the solicitor(s)/iccnsed conveyancer(s)/recognised body for) the registered proprietor(s) to inspect the register of the above title accompanies this



Solicitor's or licensed conveyancer's or recognised body's name and address
Signed

Date

- (6) If no solicitor or licensed conveyancer or recognised body is acting please enter the name and address (including postcode) of the applicant.
- (7) N.B. The result of the search will be sent to this address.

Solicitor's, licensed conveyancer's or recognised body's/Applicant's Reference

Telephone number

Application by Purchaser for Official Search with priority in respect	HM Land Registry Form 94A (Land Registration (Official Searches) Rules 1986)
of the whole of the land in a title	For official use
For an official search of part of the land in a title use form 94B.	
District Land Registry	The attached duplicate must also be completed (A carbon copy will suffice)
	County and district (or London borough)
Title number (Enter opposite)	
Enter opposite full name(s) of the registered proprietor(s)	·
Application is made to ascertain whether any adverse entry has been made in the register since the date shown opposite, being either the date on which an office copy of the subsisting entries in the register was issued or the last date on which the land or charge certificate was officially examined with the register.	
Enter opposite full name(s) of the applicant(s) (ie purchaser(s) lessee(s) or chargee(s))	
I/We (solicitor(s)/licensed conveyancer(s)/recognised body acting for) the above mentioned applicant(s) certify that the applicant(s) intend(s) to:	P purchase L take a lease of L the whole of the land in the above title
(Enter X in the appropriate box opposite)	the whole of the falle in the desire that
	A Where a solicitor/licensed conveyancer(s)/recognised body is/are acting for the applicant(s) I/We certify that I/We hold the duly signed written authority of (or of the solicitor(s)/licensed conveyancer(s)/recognised body for) the above mentioned registered proprietor(s) to inspect the register of the above title or that I/We also act as solicitor(s)/licensed conveyancer(s)/recognised body for the registered proprietor(s).
Key Number Complete this panel using BLOCK LETTERS and insert the name and address to which the official certificate of result of search is to be sent.	B Where a solicitor/licensed conveyancer(s)/recognised body is/are not acting for the applicant(s) The duly signed written authority of (or of the solicitor(s)/licensed conveyancer(s)/recognised body for) the registered proprietor(s) to inspect the register of the above title accompanies this application. Signed and date
Reference	Telephone number

Application by Purchaser for Official Search with priority in respect	HM Land Registry Form 94 (Land Registration (Official Searches) Rules 198
of part of the land in a title	For official use
For an official search of whole of the land in a title use form 94A.	
District Land Registry	The attached duplicate must also be completed (A carbon copy will suffice)
	County and district (or London borough)
Fitle number (Enter opposite)	
Enter opposite full name(s) of the registered proprietor(s)	
Application is made to ascertain whether any adverse entry has been made in the register affecting the undermentioned property since the date shown opposite, being either the date on which an office copy of the subsisting entries in the register was issued or the last date on which the land or charge certificate was officially examined with the register.	
Enter opposite full name(s) of the applicant(s) (ie purchaser(s) lessee(s) or chargee(s))	
I/We (solicitor(s)/licensed conveyancer(s)/recognised body acting for) the above mentioned applicant(s) certify that the applicant(s) intend(s) to: (Enter X in the appropriate box opposite)	P purchase L take a lease of C a registered charge on the undermentioned part of the land in the above title
Property to be purchased, leased or charged State either a where an estate layout plan has been approved in the Land Registry	a Plot number(s
i the plot number(s) and ii the date of approval of the estate plan or b in all other cases the short description of the property referring to a plan Please attach a copy of the plan to the duplicate	
search.	on the attached pl
	A Where a solicitor/licensed conveyancer(s)/recognised body is/are acting for the applicant(s) I/We certify that I/We hold the duly signed written authority of (or of the solicitor(s)/licensed conveyancer(s)/recognised body for) the above mentioned registered proprietor(s) to inspect the register of the above title or that I/We also act as solicitor(s)/licensed conveyancer(s)/recognised body for the registered proprietor(s). B Where a solicitor/licensed conveyancer(s)/recognised body
Key Number Complete this panel using BLOCK LETTERS and insert the name and address to which the official certificate of result of search is to be sent.	B Where a solicitor/licensed conveyancer(s)/recognised body is/are not acting for the applicant(s) The duly signed written authority of (or of the solicitor(s)/licensed conveyancer(s)/recognised body for) the registered proprietor(s) to inspect the register of the above title accompanies this application. Signed and date
Reference	Telephone number

Application for Official Search without priority of the entries in a Register	HM Land Registry Form 94C (Land Registration (Official Searches) Rules 1986)			
	For official use			
District Land Registry	The attached duplicate must also be completed (A carbon copy will suffice)			
	County and district (or London borough)			
Title number (Enter opposite)				
Enter opposite full name(s) of the registered proprietor(s)	į.			
Application is made to ascertain whether any adverse entry has been made in the register affecting the undermentioned property since the date shown opposite, being either the date on which an office copy of the subsisting entries in the register was issued or the last date on which the land or charge certificate was officially examined with the register.				
Enter opposite full name(s) of the applicant(s) (if other than the registered proprieter(s))	Provide Participation			
For a search in respect of the whole of the land in the above title enter X in this box.				
For a search in respect of part of the land in the above title state either	a Plot number(s)			
a where an estate layout plan has been approved in the Land Registry i the plot number(s) and	b Date of approval			
ii the date of approval of the estate plan or b in all other cases the short description of the property referring to a plan Please attach a copy of the plan to the duplicate search.	shown			
	on the attached plan			
	A Where a solicitor/licensed conveyancer(s)/recognised body is/are acting for the applicant(s) I/We certify that I/We hold the duly signed written authority of (or of the solicitor(s)/licensed conveyancer(s)/recognised body for) the above mentioned registered proprietor(s) to inspect the register of the above title or that I/We also act as solicitor(s)/licensed conveyancer(s)/recognised body for the registered proprietor(s).			
Key Number Complete this panel using BLOCK LETTERS and insert the name and address to which the official certificate of result of search is to be sent.	B Where a solicitor/licensed conveyancer(s)/recognised body is/are not acting for the applicant(s) The duly signed written authority of (or of the solicitor(s)/licensed conveyancer(s)/recognised body for) the registered proprietor(s) to inspect the register of the above title accompanies this application.			
Reference	Signed and date Telephone number			

Certificate of Inspection of Filed Plan

HM Land Registry

Form 102

To be completed by HM Land Registry

[Rule 10 Land Registration (Official Searches) Rules, 1986]

	le Number perty
*The	ne filed plan of the above-mentioned title has been inspected and it is hereby certified that:
(on	nly the statements opposite the box(es) marked with an X apply)
	(a) plot number on the estate plan
	approved for the purpose of official searches and inspections by HM Land Registry
	on is in the above-mentioned title.
	(b) the land shown on the plan supplied by
	you and returned herewith is in the above-mentioned title.
	(a) The said plot or land is not affected in any colour or other reference shown on the filed plan and
	mentioned in the entries on the register.
	(b) the said plot or land is
	on the filed plan but is not affected by any other colour or other reference shown on the filed plan
	and mentioned in the entries on the register.
	Date
	Remarks (if any)

- *Explanatory Notes

 (1) This Certificate of Inspection will not give the applicant priority for the registration of any dealing. Priority may be obtained by lodging an application for an official search in Form 94B which will also tell you (i) if the plot still remains in the title and (ii) whether any later adverse entries affecting it have been made on the register.
- (2) As to proof of easements, please see No. B.7 of the Registered Land Practice Notes prepared by the Joint Advisory Committee of The Law Society and HM Land Registry, and published by Oyez Longman.

Information to be supplied for an official search otherwise than in documentary form with or without priority.

- A. The type of search (state "whole search" or "part search")
- B. Whether or not the applicant is seeking a search with priority (state "with priority" or "without priority")
- C. The title number
- D. The full name(s) of the registered proprietor(s)
- E. The date from which the search is to be made being either the date on which an office copy of the subsisting entries in the register was issued or the last date on which the land or charge certificate was officially examined with the register
- F. The full name(s) of the person(s) on whose behalf application is made
- G. The nature of the intended transaction (state "PURCHASE", "NEW LEASE" or "REGISTERED CHARGE")
- H. The plot number (to be completed only in respect of searches of part of the land in a title)
- I. The date of approval of the estate plan (to be completed only in respect of searches of part of the land in a title)
- J. Confirmation that the applicant holds the duly signed written authority of the registered proprietor or of his solicitor or licensed conveyancer to inspect the register of the title against which the search is being made or that the applicant is also the solicitor or licensed conveyancer for the registered proprietor thereof
- K. Applicant's name and address
- L. Applicant's reference

NOTE: Only the letters of the paragraphs and the details of the information contained therein need be given.

Information to be included in the result of search issued otherwise than in documentary form

- A. The title number
- B. The search certificate number (if any)
- C. Property description, if search is of part (if search is of whole this will be stated)
- D. The names of the registered proprietors
- E. The names of the persons on whose behalf the application was made
- F. The nature of the intended transaction
- G. The date from which the search has been made
- H. Details of the result of search
- I. Details of priority
- J. Applicant's reference

Form of Application for Search of Register by Telex

PARTICULARS TO BE SUPPLIED

- A. [The title number]
- B. [A short description of the property and print "whole search" or "part search"]
- C. [The date from which the search is to be made]
- D. [The full name of the proprietor who has authorised the inspection of the register]
- E. [The name and Telex address of the solicitor or licensed conveyancer making the application]
- F. [The name of the person on whose behalf the application is made]

NOTE: Only the letters of the paragraphs and the reply to the request for information contained therein need be given.

RESULT OF SEARCH

- A. [The title number]
- B. [If the search was made in respect of the whole of the land in the registered title, "whole" will be printed. If it was in respect of a part only, the description of the property will be given.]
- C. [The date from which the search has been made]
- D. [If no adverse entries have been made on the register since the date given in C above, "Nil" will be printed. If any adverse entries have been made, particulars thereof will be given.]

Information to be supplied for a Certificate of Inspection of the Filed Plan.

- A. State "Filed Plan Inspection Request"
- B. The title number
- C. Description of the property in the above title
- D. The plot number on the approved estate plan
- E. The date of approval of the approved estate plan
- F. The full name(s) of the registered proprietor(s)
- G. The full name(s) of the person(s) on whose behalf application is made
- H. Confirmation that the applicant holds the duly signed written authority of the registered proprietor or his solicitor or licensed conveyancer to inspect the register of the title against which the search is being made or that the applicant is also the solicitor or licensed conveyancer for the registered proprietor thereof
- I. Applicant's name and address
- J. Applicant's reference

Information to be included in the Certificate of Inspection of Filed Plan.

- A. The title number
- B. Property description including the plot number on the approved estate plan
- C. Confirmation that the said plot is in the title or otherwise
- D. Details of any reference(s) on the filed plan which affect(s) the plot or confirmation that there are no references shown on the filed plan which affect the plot
- E. Any further information which is needed in order to interpret the entries on the register
- F. Applicant's reference

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules, which replace the Land Registration (Official Searches) Rules 1981, make fresh provision relating to the time at which an application for an official search of the register is treated as having been delivered. Changes are made in the prescribed forms of application, which are set out in Schedule 1 to the Rules, to allow for their use by licensed conveyancers and other recognised conveyancing bodies on the same basis as solicitors and provision is made to enable the result of search to be issued by reference to an office copy of the register. These Rules also make possible the introduction of additional methods for delivering applications for, and issuing the result of, official searches otherwise than in documentary form by such means of communication as the registrar may authorise.

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