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STATUTORY INSTRUMENTS

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**1992 No. 122**

**The Land Registration (Open Register) Rules 1991**

**PART II**

**APPLICATIONS RELATING TO REGISTERED TITLES**

**Application for office copies of the register or the title plan or for a certificate of inspection of the title plan**

- 2.—(1) Any person may apply for:
- (a) an office copy of the entries on the register of a registered title;
  - (b) an office copy of the title plan of a registered title;
  - (c) a certificate of inspection of the title plan of a registered title.
- (2) Save as provided by rule 6(2), an application under paragraph (1) shall be made:
- (a) by delivering in documentary form an application in Form 109; or
  - (b) by delivering the application, during the currency of any relevant notice given pursuant to rule 13, and subject to and in accordance with the limitations contained in that notice, by any means of communication, other than that referred to in sub-paragraph (a), and:
    - (i) where the application is made by facsimile transmission the applicant shall provide Form 109 together with, when the application is for a certificate of the title plan and no estate plan has been approved, a designated plan of the land in respect of which the certificate is to be issued; and
    - (ii) in any other case the applicant shall provide, in such order as may be required by that notice and, in the case of delivery by telephone, in such order as may be requested by the registrar, such particulars as are appropriate and are required for an application in Form 109.

**Application for office copies of documents referred to in the register**

- 3.—(1) Any person may apply for an office copy of a document referred to in the register of a registered title which is in the custody of the registrar (not being a lease or charge or a copy of a lease or charge).
- (2) Save as provided by rule 6(2), an application under paragraph (1) shall be made:
- (a) by delivering in documentary form an application in Form 110; or
  - (b) by delivering the application, during the currency of any relevant notice given pursuant to rule 13, and subject to and in accordance with the limitations contained in that notice, by any means of communication other than that referred to in sub-paragraph (a), and:
    - (i) where the application is made by facsimile transmission the applicant shall provide Form 110; and

- (ii) in any other case the applicant shall provide, in such order as may be required by that notice and, in the case of delivery by telephone, in such order as may be requested by the registrar, such particulars as are appropriate and are required for an application in Form 110.

#### **Inspection of the register, title plan and documents referred to in the register**

- 4. Save as provided by rule 6(2), an application for a personal inspection of:
  - (a) the entries on the register of a registered title;
  - (b) the title plan of a registered title;
  - (c) a document referred to in the register of a registered title which is in the custody of the registrar (not being a lease or charge or a copy of a lease or charge);

shall be in Form 111.

#### **Official certificate of inspection of title plan**

5.—(1) Where a person has applied under these rules for a certificate of inspection of the title plan, upon completion of the inspection an official certificate of inspection shall be issued.

- (2) The official certificate of inspection shall be in Form 102 or to like effect.

(3) An official certificate of inspection of the title plan made pursuant to an application under these rules shall be regarded as an official search for the purposes of section 83(3) of the Act and rule 295 of the principal rules.

#### **Inspection in connection with criminal proceedings, receivership under certain Acts and insolvency**

- 6.—(1) If a person referred to in column 1 of Part 1 or Part 2 of Schedule 2:
  - (a) applies in Form 112A or 112B whichever is appropriate to make an inspection under this rule in relation to a person specified in the application or to a property so specified; and
  - (b) gives the registrar the appropriate certificate (completed to contain all particulars required) referred to in column 2 of the said Schedule;

the registrar shall permit him to inspect and to obtain copies of and extracts from any document falling within section 112(2) of the Act and shall, if so requested (and notwithstanding rule 9 of the principal rules), provide him with the result of a search of the index of proprietors' names pursuant to the application.

(2) Where a person applies under paragraph (1) he may apply in Form 112A or 112B whichever is appropriate for inspection of or office copies of: the entries on the register of a registered title, the title plan of a registered title, a document referred to in the register of a registered title which is in the custody of the registrar or a caution title.

(3) An application under this rule shall be delivered to such office of the Registry as the registrar may direct.

(4) During the currency of any relevant notice given pursuant to rule 13, and subject to and in accordance with the limitations contained in that notice, any application under this rule may be made by facsimile transmission.

- (5) In Schedule 2:

- (a) reference to senior executive officers include references to equivalent departmental grades;

- (b) references to an official receiver are references to an official receiver for the purpose of the Insolvency Act 1986<sup>(1)</sup> or the Companies Act 1985<sup>(2)</sup> or a person acting as a deputy to such an official receiver;
- (c) references to a trustee in bankruptcy are references to a trustee in bankruptcy of a person adjudged bankrupt in England and Wales or Northern Ireland or to a permanent or interim trustee in the sequestration of a debtor's estate in Scotland;
- (d) references to the official assignee are references to the Official Assignee for bankruptcy for Northern Ireland or the Official Assignee for company liquidations for Northern Ireland; and
- (e) references to a liquidator or administrator are respectively references to a liquidator or administrator appointed for the purposes of the Insolvency Act 1986.

### **Inspection under a court order**

7. In any case where a court (having power to do so) has ordered that a person may inspect and make copies of any document falling within section 112(2) of the Act, that person shall give to the registrar a document certified by the proper officer of the court to be a true copy of such order.

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(1) 1986 c. 45.  
(2) 1985 c. 6.