
STATUTORY INSTRUMENTS

1995 No. 1330

TRUSTEES

**The Public Trustee (Notices Affecting
Land)(Title on Death) Regulations 1995**

<i>Made</i>	- - - -	<i>17th May 1995</i>
<i>Laid before Parliament</i>		<i>18th May 1995</i>
<i>Coming into force</i>	- -	<i>1st July 1995</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 19 of the Law of Property (Miscellaneous Provisions) Act 1994⁽¹⁾, hereby makes the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Public Trustee (Notices Affecting Land) (Title on Death) Regulations 1995 and shall come into force on 1st July 1995.

Interpretation

2. In these Regulations—

- (a) “the Act” means the Law of Property (Miscellaneous Provisions) Act 1994;
- (b) a form referred to by number means the form so numbered in the Schedule to these Regulations.

Keeping and recording of documents served under section 18 of the Act

3.—(1) The Public Trustee shall keep a register on which he shall record the details set out in paragraph (2) in respect of every document which is—

- (a) served on him under section 18 of the Act, and
- (b) is accompanied by an application to register in Form NL(1).

(2) The details referred to in paragraph (1) are—

- (a) the name of the deceased person;
- (b) a description of the land to which the document relates; and
- (c) the date on which the entry on the register was made.

(1) 1994 c. 36.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) The Public Trustee shall file every document in respect of which a registration is made against the name of the deceased person in respect of whom the document is served.

Search of the register

4.—(1) A person shall be entitled to request the Public Trustee to search the register against the name of a deceased person by sending to him an application to search in Form NL(2).

(2) On receipt of such a request the Public Trustee shall cause a search to be made in the register against the name of the deceased person in the exact form provided to him by the applicant.

(3) The Public Trustee shall notify the applicant of the result of the search, and in the event that it reveals an entry on the register, shall send to him a copy of the document whose service on the Public Trustee caused the registration to be made.

Dated 17th May 1995

Mackay of Clashfern, C.

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SCHEDULE

Regulation 2.

FORM NL(1)

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PUBLIC TRUST OFFICE
AN EXECUTIVE AGENCY

APPLICATION FOR REGISTRATION OF NOTICE AFFECTING LAND

PUBLIC TRUSTEE (NOTICES AFFECTING LAND) (TITLE ON DEATH) REGULATIONS 1995

<p>For explanatory notes see overleaf. <i>Please type or complete in BLOCK CAPITALS</i></p>	<p align="center">For official use only</p>
<p>To:</p>	<p>Date of Registration</p> <p>Registration No.</p>
<p>I of</p> <p>.....</p> <p><i>(enter name and address of person or firm making application) apply for registration against the name of the deceased person referred to below of the attached Notice in respect of the land described.</i></p>	<p>The fee of £ accompanies this application. <i>(Cheques should be made payable to the Public Trust Office)</i></p> <p>Signed</p> <p>Date</p> <p>Telephone No.</p> <p>Reference</p>
<p><i>Enter name of deceased</i></p> <p>Forename(s)</p> <p>Surname</p>	<p><i>Enter details of land to which Notice relates (See explanatory notes)</i></p> <p>.....</p> <p>.....</p>
<p>Date of Notice</p> <p>Description of Notice (see explanatory notes)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

EXPLANATORY NOTES

- 1. The fee payable is prescribed by the current Public Trustee Fees Order. Please ensure that such fee accompanies your application.**
- 2. A practice note explaining the procedure for the keeping of a Register of Notices served under section 18 of the Law of Property (Miscellaneous Provisions) Act 1994 is available from the Public Trust Office free of charge.**
- 3. Separate applications should be made per property except where more than one property is included in the same title.**
- 4. The entry on the register will be made in the name of the deceased person and will record the details of the land to which the document relates and the date of registration.**
- 5. The date and description of Notice are requested for office purposes only and will not be entered on the register. Examples of a description of Notice are: Notice to Quit or Notice of Exercise of Option.**
- 6. Please ensure that the Notice to be registered accompanies your application.**
- 7. Acknowledgment of your application will be sent to you indicating the date of registration.**

FORM NL(2)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**PUBLIC TRUST OFFICE
AN EXECUTIVE AGENCY**

APPLICATION FOR SEARCH OF REGISTER OF NOTICES AFFECTING LAND

PUBLIC TRUSTEE (NOTICES AFFECTING LAND) (TITLE ON DEATH) REGULATIONS 1995

<p>For explanatory notes see overleaf. <i>Please type or complete in BLOCK CAPITALS</i></p>	<p align="center">For official use only</p>
<p>To:</p>	<p><input type="checkbox"/> Number of Notices registered</p> <p><input type="checkbox"/> Notices registered dated</p>
<p>I of</p> <p>.....</p> <p><i>(enter name and address of person or firm making application) apply for a search of the Register kept by the Public Trustee of Notices affecting Land against the name of the deceased referred to below.</i></p>	<p>The fee of £ accompanies this application. <i>(Cheques should be made payable to the Public Trust Office)</i></p> <p>Signed</p> <p>Date</p> <p>Telephone No.</p> <p>Reference</p>
<p><i>Enter name of deceased and date of death</i></p> <p>Forename(s)</p> <p>Surname</p> <p>Date of death</p>	<p>Enter address of any property(ies) owned by the deceased (see explanatory notes) if known</p> <p>.....</p> <p>.....</p> <p>.....</p>

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<p align="center">OFFICIAL STAMP</p>	<p align="center">Public Trust Office Certificate of Search Form NL(2) result</p> <p>The search applied for has been made with the following result:</p> <p>Name searched</p> <p>.....</p>
<p>Reference</p>	<p><input type="checkbox"/> No Notice has been registered.</p> <p><input type="checkbox"/> Notice(s) dated</p> <p>.....</p> <p>has/have been registered and a copy(ies) is/are enclosed.</p>
<p><i>Enter above the name and address or DX number of the person to whom the Certificate of Search is to be sent</i></p>	

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EXPLANATORY NOTES

- 1. The fee payable is prescribed by the current Public Trustee Fees Order. Please ensure that such fee accompanies your application.**
- 2. A practice note explaining the procedure for the keeping of a Register of Notices served under section 18 of the Law of Property (Miscellaneous Provisions) Act 1994 is available from the Public Trust Office free of charge.**
- 3. The search will be made against the name of the deceased person in the exact form provided by the applicant. If it is required to search a variation of the name, a separate search form should be completed and a separate fee paid.**
- 4. The details of the property are requested for office purposes only. Searches will be made where no property details are given.**
- 5. The Register of Notices kept by the Public Trustee only records Notices served on the Public Trustee on or after 1 July 1995. Enquiries should be made of the Treasury Solicitor in respect of Notices served (on the President of the Family Division) prior to that date.**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 18 of the Law of Property (Miscellaneous Provisions) Act 1994 (notices affecting land: service on personal representatives before filing of grant) provides that in certain circumstances notices affecting land that would have been served on a person but for his death shall be served on the Public Trustee. These Regulations make provision for the Public Trustee to file such documents and to keep a register of details taken from them. They also permit the public to requisition searches of the register.