
STATUTORY INSTRUMENTS

1995 No. 260

LAND CHARGES

The Local Land Charges (Amendment) Rules 1995

Made - - - - *7th February 1995*
Laid before Parliament *7th February 1995*
Coming into force - - *1st March 1995*

The Lord Chancellor, in exercise of the powers conferred on him by section 14 of the Local Land Charges Act 1975⁽¹⁾, hereby makes the following Rules—

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Local Land Charges (Amendment) Rules 1995 and shall come into force on 1st March 1995.

(2) In these Rules “the principal Rules” means the Local Land Charges Rules 1977⁽²⁾.

Requisition and issue of official search certificates by electronic means

2. At the beginning of rules 11(2) and (4) and 13 of the principal Rules there shall be added “Subject to rule 16 (Requisition and issue of official search certificates by electronic means)”.

3. The following rule shall be added after rule 15 of the principal Rules—

“Requisition and issue of official search certificates by electronic means

16.—(1) A requisition for an official search of the register may be made by electronic means, notwithstanding section 231(1) of the Local Government Act 1972⁽³⁾ (service of documents on local authorities), where the local authority to whom it is made consents to the use of those means.

(2) An official search certificate may be issued by electronic means where the person requiring the search consents to the use of those means.

(3) Where a requisition is made under paragraph (1), or a certificate issued under paragraph (2), all the information that would otherwise be required by these Rules to be set out in Form C shall be transmitted electronically together with—

⁽¹⁾ 1975 c. 76; section 14 was amended by section 158 of the Local Government and Housing Act 1989 (c. 42).

⁽²⁾ S.I.1977/985, as amended by S.I. 1978/1638, 1987/389, 1989/951 and 1992/194.

⁽³⁾ 1972 c. 70.

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- (a) in the case of a requisition, the name of the person making the requisition or his solicitor; or
 - (b) in the case of a certificate, the name and office of the person certifying the search and the name of the registering authority.
- (4) The signatures otherwise required by these Rules shall not be transmitted.”.

Dated 7th February 1995

Mackay of Clashfern, C.

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EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules provide for the use of electronic means in the making of requisitions for and the issuing of certificates of official searches of the Local Land Charges Register under section 9 of the Local Land Charges Act 1975. They provide for information, which would otherwise be required to be set out on prescribed forms, to be transmitted electronically.