
STATUTORY INSTRUMENTS

1995 No. 377

The Land Registration (Implied Covenants for Title) Rules 1995

New rule 77A

5. The following rule shall be inserted after rule 77:

“Additional provisions as to implied covenants

77A.—(1) In this rule “the 1994 Act” means the Law of Property (Miscellaneous Provisions) Act 1994.

(2) Any covenant implied by virtue of Part I of the 1994 Act in a registered disposition shall take effect as if the disposition had been expressly made subject to:—

- (a) all charges and other interests appearing or protected on the register at the time of the execution of the disposition and affecting the title of the registered proprietor;
- (b) any overriding interest of which the person to whom the disposition is made has notice and which will affect the estate created or disposed of when the disposition is registered.

(3) Where the instrument effecting a registered disposition contains a provision limiting or extending any covenant implied by virtue of Part I of the 1994 Act express reference shall be made to the section of that Act in which the covenant is set out.”