
EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which, as from 1st April 1996, supersedes the Land Registration Fees Order 1994 (“the 1994 Order”), amends the land registration fee scales and makes certain other changes. Overall the new fee scales effect a reduction of fees.

The changes made by the Order include the following:

(1) Scale 1, which sets out the fees for applications for first registration of title to land and for transfers of registered land for monetary consideration, is shortened, and the fees for applications within certain value bands are reduced, by the amalgamation of various adjacent value bands (articles 2 and 3; Schedule 1).

(2) Scales 2 and 3 in Schedules 2 and 3 respectively to the 1994 Order are amalgamated so that the applications to which Scale 3 formerly related (applications to register charges or transfers of charges) fall to be paid in accordance with Scale 2, with consequent reductions in the fees payable for such applications where the value exceeds £40,000 (articles 4 and 5; Schedule 2).

(3) The exemption covering applications to register charges which accompany applications by the chargor for first registration of the land or to register a transfer of registered land to the chargor for monetary consideration is extended to cover charges which accompany any application attracting a scale fee under which the chargor becomes the registered proprietor of the property charged (article 5(5)).

(4) The provision, whereby certain applications affecting 20 or more units of land (“land units”) attract a fee of £20 for each land unit, is modified so as to cover all applications affecting 20 or more such titles or units which would otherwise attract a scale fee, the fee payable being the greater of the relevant scale fee or a sum equal to £10 for each land unit up to 500 and £5 for each land unit in excess of 500, with an overall maximum of £40,000 (article 6).

(5) The limit below which an application relating to 20 or more land units is to be treated as a low value application (so that the provision referred to in paragraph (4) above does not apply to it) is raised from £25,000 to £30,000 (article 6).

(6) The fee for an inspection of the register or any part of the register (to include the making of a copy of or extract from the register) on any one occasion when a person gains access to the Registrar’s computer system by means of that person’s remote terminal pursuant to rule 4A of the Land Registration (Open Register) Rules 1991 is reduced from £5 to £3 (article 10: Schedule 3, Part II, paragraph (1)).

(7) No fee is payable for an application to give effect on the register to a change of proprietor where the registered land or the registered charge (as the case may be) has become vested without further assurance (other than on the death or bankruptcy of a proprietor) in some person by the operation of any statute (other than the Land Registration Act 1925), statutory instrument or scheme taking effect under any statute or statutory instrument (article 11; Schedule 4, paragraph (3)).

(8) In connection with the opening or continuation of a credit account with the Registrar, the Registrar may require information and evidence to be furnished in order to satisfy him of the applicant’s or the credit account holder’s fitness to hold or continue to hold a credit account and ability to pay amounts due on such account from time to time. The Registrar is also not required to accept an application to debit a fee to a credit account where the amount due on the account exceeds a credit limit notified by the Registrar to the credit account holder, or would exceed it if the fee were to be debited to the account (article 18).