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## STATUTORY INSTRUMENTS

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# 2003 No. 1417

## The Land Registration Rules 2003

### PART 6

#### REGISTERED LAND: APPLICATIONS, DISPOSITIONS AND MISCELLANEOUS ENTRIES

##### *Applications*

##### **Outline applications**

- 54.**—(1) An outline application is an application made in accordance with this rule.
- (2) Subject to Schedule 2, any application may be made by outline application if it satisfies the following conditions—
- (a) the application must not be—
    - (i) an application which can be protected by an official search with priority within the meaning of rule 147,
    - (ii) an application for first registration,
    - (iii) an application for a caution against first registration or in respect of the cautions register,
    - (iv) an application dealing with part only of the land in a registered title, whether or not also involving any other registered title,
    - (v) an application under Part 13, and
  - (b) the right, interest or matter the subject of the application must exist at the time the application is made.
- (3) During the currency of any notice given under Schedule 2, and subject to and in accordance with the limitations contained in that notice, an outline application may be made by—
- (a) an oral application,
  - (b) telephone, or
  - (c) electronic means.
- (4) An outline application must contain the following particulars when made—
- (a) the title number(s) affected,
  - (b) if there is only one proprietor or applicant for first registration and that person is an individual, his surname, otherwise the proprietor's or such applicant's full name or the full name of one of the proprietors or such applicants, as appropriate,
  - (c) the nature of the application,
  - (d) the name of the applicant,
  - (e) the name and address of the person or firm lodging the application,

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(f) any other particulars specified in any notice made under Schedule 2.

(5) Every outline application must be allocated an official reference number and must be identified on the day list as such and must be marked with the date and time at which the application is taken as made and the registrar must acknowledge receipt of any outline application by notifying the applicant, as soon as practicable, of the official reference number allocated to it.

[<sup>F1</sup>(6) Without prejudice to the power of the registrar to cancel an application under rule 16, the outline application must be cancelled by the registrar unless there are delivered together at the appropriate office before the expiry of the reserved period—

- (a) the application form prescribed by these rules for the application, the particulars of which have been given in the outline application, duly completed, and
- (b) the appropriate documents.]

(7) If the outline application has been cancelled before the [<sup>F2</sup>application] form required by paragraph (6)[<sup>F2</sup>(a)] is delivered at the appropriate office, the registrar shall accept the form as an application in its own right.

[<sup>F3</sup>(8) In this rule the “appropriate office” is—

- (a) the proper office, designated under an order under section 100(3) of the Act, for the receipt of an application relating to the land in respect of which the outline application is made, but on the assumption that if the order contains exceptions none of the exceptions apply to the application, or
- (b) the office specified in a written arrangement made between the registrar and the applicant or between the registrar and the applicant’s conveyancer for the delivery of applications of the nature particularised in the outline application.]

(9) In this rule “reserved period” means the period expiring at 12 noon on the fourth business day following the day that the outline application was taken as made.

#### Textual Amendments

- F1** Rule 54(6) substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), [rule 2\(1\)](#), [Sch. 1 para. 14\(a\)](#) (with [rule 5](#))
- F2** Words in rule 54(7) inserted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), [rule 2\(1\)](#), [Sch. 1 para. 14\(b\)](#) (with [rule 5](#))
- F3** Rule 54(8) substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), [rule 2\(1\)](#), [Sch. 1 para. 14\(c\)](#) (with [rule 5](#))

#### Modifications etc. (not altering text)

- C1** Rule 54 applied (with modifications) (27.9.2004) by [The Commonhold \(Land Registration\) Rules 2004 \(S.I. 2004/1830\)](#), [rules 1](#), [3\(3\)\(b\)](#)

#### Priority of applications

**55.—**(1) Where two or more applications relating to the same registered title are under the provisions of rule 15 taken as having been made at the same time, the order in which, as between each other, they rank in priority shall be determined in the manner prescribed by this rule.

(2) Where the applications are made by the same applicant, they rank in such order as he may specify.

(3) Where the applications are not made by the same applicant, they rank in such order as the applicants may specify that they have agreed.

(4) Where the applications are not made by the same applicant, and the applicants have not specified the agreed order of priority, the registrar must notify the applicants that their applications are regarded as having been delivered at the same time and request them to agree, within a specified time (being not less than fifteen business days), their order of priority.

(5) Where the parties fail within the time specified by the registrar to indicate the order of priority of their applications the registrar must propose the order of priority and serve notice on the applicants of his proposal.

(6) Any notice served under paragraph (5) must draw attention to the right of any applicant who does not agree with the registrar's proposal to object to another applicant's application under the provisions of section 73 of the Act.

(7) Where one transaction is dependent upon another the registrar must assume (unless the contrary appears) that the applicants have specified that the applications will have priority so as to give effect to the sequence of the documents effecting the transactions.

### **Dispositions affecting two or more registered titles**

**56.**—(1) A disposition affecting two or more registered titles may, on the written request of the applicant, be registered as to some or only one of the registered titles.

(2) The applicant may later apply to have the disposition registered as to any of the other registered titles affected by it.

### **Duty to disclose unregistered interests that override registered dispositions**

**57.**—(1) Subject to paragraph (2), a person applying to register a registrable disposition of a registered estate must provide information to the registrar about any of the interests that fall within Schedule 3 to the Act that—

- (a) are within the actual knowledge of the applicant, and
- (b) affect the estate to which the application relates,

in Form DI.

(2) The applicant is not required to provide information about—

- (a) an interest that under section 33 or 90(4) of the Act cannot be protected by notice,
- (b) a public right,
- (c) a local land charge, or
- (d) a leasehold estate in land if—
  - (i) it is within paragraph 1 of Schedule 3 to the Act, and
  - (ii) at the time of the application, the term granted by the lease has one year or less to run.

(3) In this rule and in Form AP1, a “disclosable overriding interest” is an interest that the applicant must provide information about under paragraph (1).

(4) The applicant must produce to the registrar any documentary evidence of the existence of a disclosable overriding interest that is under his control.

(5) Where the applicant provides information about a disclosable overriding interest under this rule, the registrar may enter a notice in the register in respect of that interest.

#### **Modifications etc. (not altering text)**

**C2** Rule 57 excluded (4.8.2008) by [The Land Registration \(Electronic Conveyancing\) Rules 2008 \(S.I. 2008/1750\)](#), rule 1, **Sch. 2 Pt. 2 para. 2**

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## *Registrable dispositions—Form*

### **Form of transfer of registered estates**

**58.** A transfer of a registered estate must be in Form TP1, TP2, <sup>F4</sup>... TR1, TR2, TR5, AS1 or AS3, as appropriate.

#### **Textual Amendments**

**F4** Word in rule 58 omitted (10.11.2008) by virtue of [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), **Sch. 1 para. 15** (with rule 5)

### **[<sup>F5</sup>Form and content of prescribed clauses leases**

**58A.—**(1) Subject to paragraph (3), a prescribed clauses lease must begin with the required wording or that wording must appear immediately after any front sheet.

(2) Subject to paragraph (3), where a person applies for completion of a lease by registration and claims that the lease is not a prescribed clauses lease because the lease falls within (c) or (d) of the definition of prescribed clauses lease in paragraph (4), he must lodge with his application a certificate by a conveyancer to that effect or other evidence to satisfy the registrar as to his claim.

(3) If it appears to the registrar that a lease is not a prescribed clauses lease, then paragraph (1) and, so far as appropriate, paragraph (2) and rule 72A(3) shall not apply to that lease.

(4) In this rule—

“front sheet” means a front cover sheet, or a contents sheet if it is at the lease’s beginning, or a front cover sheet and contents sheet where the contents sheet is immediately after the front cover sheet, and a “contents sheet” means a contents sheet or index sheet (in each case, however described) or both,

“prescribed clauses lease” means a lease which—

- (a) is within section 27(2)(b) of the Act,
- (b) is granted on or after 19 June 2006,
- (c) is not granted in a form expressly required—
  - (i) by an agreement entered into before 19 June 2006,
  - (ii) by an order of the court,
  - (iii) by or under an enactment, or
  - (iv) by a necessary consent or licence for the grant of the lease given before 19 June 2006, and
- (d) is not a lease by virtue of a variation of a lease which is a deemed surrender and regrant, and

“required wording” means the wording in clauses LR1 to LR14 of Schedule 1A completed in accordance with the instructions in that Schedule and as appropriate for the particular lease.]

#### **Textual Amendments**

**F5** Rule 58A inserted (9.1.2006) by [The Land Registration \(Amendment\) \(No 2\) Rules 2005 \(S.I. 2005/1982\)](#), rules 1(2), 5

### Transfers by way of exchange

**59.**—(1) Where any registered estate is transferred wholly or partly in consideration of a transfer of another estate, the transaction must be effected by a transfer in one of the forms prescribed by rule 58.

(2) A receipt for the equality money (if any) must be given in the receipt panel and the following provision must be included in the additional provisions panel—

“This transfer is in consideration of a transfer (*or conveyance, or as appropriate,*) of (*brief description of property exchanged*) dated today [*if applicable,* and of the sum stated above paid for equality of exchange].”.

### Transfer of leasehold land, the rent being apportioned or land exonerated

**60.**—(1) A transfer of a registered leasehold estate in land which contains a legal apportionment of or exoneration from the rent reserved by the lease must include the following statement in the additional provisions panel, with any necessary alterations and additions—

“Liability for the payment of [*if applicable* the previously apportioned rent of (*amount*) being part of] the rent reserved by the registered lease is apportioned between the Transferor and the Transferee as follows—

(*amount*) shall be payable out of the Property and the balance shall be payable out of the land remaining in title number (*title number of retained land*) or

the whole of that rent shall be payable out of the Property and none of it shall be payable out of the land remaining in title number (*title number of retained land*) or

the whole of that rent shall be payable out of the land remaining in title number (*title number of retained land*) and none of it shall be payable out of the Property”.

(2) Where in a transfer of part of a registered leasehold estate which is held under an old tenancy that part is, without the consent of the lessor, expressed to be exonerated from the entire rent, and the covenants in paragraph 20(4) of Schedule 12 to the Act are included, that paragraph shall apply as if—

(a) the reference in paragraph 20(4)(a) to the rent apportioned to the part retained were to the entire rent, and

(b) the covenants in paragraphs 20(4)(b) and (c) extended to a covenant to pay the entire rent.

(3) Where in a transfer of part of a registered leasehold estate which is held under an old tenancy that part is, without the consent of the lessor, expressed to be subject to or charged with the entire rent, and the covenants in paragraph 20(3) of Schedule 12 to the Act are included, that paragraph shall apply as if—

(a) the reference in paragraph 20(3)(a) to the rent apportioned to the part transferred were to the entire rent, and

(b) the covenants in paragraphs 20(3)(b) and (c) extended to a covenant to pay the entire rent.

*Execution by an attorney*

### Documents executed by attorney

**61.**—(1) If any document executed by an attorney is delivered to the land registry, there must be produced to the registrar—

(a) the instrument creating the power, or

(b) a copy of the power by means of which its contents may be proved under section 3 of the Powers of Attorney Act 1971 <sup>MI</sup>, or

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- [<sup>F6</sup>(c) a document which under section 4 of the Evidence and Powers of Attorney Act 1940, paragraph 16 of Part 2 of Schedule 1, or paragraph 15(3) of Part 5 of Schedule 4 to the Mental Capacity Act 2005 (c.9) is sufficient evidence of the contents of the power, or]
- (d) a certificate by a conveyancer in Form 1.

[<sup>F7</sup>(2) If an order or direction under section 22 or 23 of, or paragraph 16 of Part 5 of Schedule 4 to, the Mental Capacity Act 2005 has been made with respect to a power or the donor of the power or the attorney appointed under it, the order or direction must be produced to the registrar.]

(3) In this rule, “power” means the power of attorney.

#### Textual Amendments

- F6** Rule 61(1)(c) substituted (1.10.2007) by [The Mental Capacity Act 2005 \(Transitional and Consequential Provisions\) Order 2007 \(S.I. 2007/1898\)](#), art. 1, **Sch. 1 para. 31(2)(a)**
- F7** Rule 61(2) substituted (1.10.2007) by [The Mental Capacity Act 2005 \(Transitional and Consequential Provisions\) Order 2007 \(S.I. 2007/1898\)](#), art. 1, **Sch. 1 para. 31(2)(b)**

#### Marginal Citations

- M1** 1971 c. 27.

### Evidence of non-revocation of power more than 12 months old

**62.**—(1) If any transaction between a donee of a power of attorney and the person dealing with him is not completed within 12 months of the date on which the power came into operation, the registrar may require the production of evidence to satisfy him that the power had not been revoked at the time of the transaction.

(2) The evidence that the registrar may require under paragraph (1) may consist of or include a statutory declaration [<sup>F8</sup>or statement of truth] by the person who dealt with the attorney or a certificate given by that person's conveyancer in Form 2.

#### Textual Amendments

- F8** Words in rule 62(2) inserted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), **Sch. 1 para. 16** (with rule 5)

### Evidence in support of power delegating trustees' functions to a beneficiary

**63.**—(1) If any document executed by an attorney to whom functions have been delegated under section 9 of the Trusts of Land and Appointment of Trustees Act 1996 <sup>M2</sup> is delivered to the registrar, the registrar may require the production of evidence to satisfy him that the person who dealt with the attorney—

- (a) did so in good faith, and
- (b) had no knowledge at the time of the completion of the transaction that the attorney was not a person to whom the functions of the trustees in relation to the land to which the application relates could be delegated under that section.

(2) The evidence that the registrar may require under paragraph (1) may consist of or include a statutory declaration [<sup>F9</sup>or statement of truth] by the person who dealt with the attorney or a certificate given by that person's conveyancer either in Form 3 or, where evidence of non-revocation is also required pursuant to rule 62, in Form 2.

#### **Textual Amendments**

- F9** Words in rule 63(2) inserted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 17](#) (with rule 5)

#### **Marginal Citations**

- M2** 1996 c. 47.

## *Covenants*

### **Positive covenants**

**64.**—(1) The registrar may make an appropriate entry in the proprietorship register of any positive covenant that relates to a registered estate given by the proprietor or any previous proprietor of that estate.

(2) Any entry made under paragraph (1) must, where practicable, refer to the instrument that contains the covenant.

(3) If it appears to the registrar that a covenant referred to in an entry made under paragraph (1) does not bind the current proprietor of the registered estate, he must remove the entry.

### **Indemnity covenants**

**65.**—(1) The registrar may make an appropriate entry in the proprietorship register of an indemnity covenant given by the proprietor of a registered estate in respect of any restrictive covenant or other matter that affects that estate or in respect of a positive covenant that relates to that estate.

(2) Any entry made under paragraph (1) must, where practicable, refer to the instrument that contains the indemnity covenant.

(3) If it appears to the registrar that a covenant referred to in an entry made under paragraph (1) does not bind the current proprietor of the registered estate, he must remove the entry.

### **Modification of implied covenants in transfer of land held under an old tenancy**

**66.** Where a transfer of a registered leasehold estate which is an old tenancy modifies or negatives any covenants implied by paragraphs 20(2) and (3) of Schedule 12 to the Act, an entry that the covenants have been so modified or negatived must be made in the register.

### **Covenants implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 and under the Law of Property Act 1925**

**67.**—(1) Subject to paragraph (2), a registrable disposition may be expressed to be made either with full title guarantee or with limited title guarantee and, in the case of a disposition which is effected by an instrument in the Welsh language, the appropriate Welsh expression specified in section 8(4) of the 1994 Act may be used.

(2) In the case of a registrable disposition to which section 76 of the LPA 1925 applies by virtue of section 11(1) of the 1994 Act—

- (a) a person may be expressed to execute, transfer or charge as beneficial owner, settlor, trustee, mortgagee, or personal representative of a deceased person or under an order of the court, and the document effecting the disposition may be framed accordingly, and

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(b) any covenant implied by virtue of section 76 of the LPA 1925 in such a disposition will take effect as though the disposition was expressly made subject to—

- (i) all charges and other interests that are registered at the time of the execution of the disposition and affect the title of the covenantor,
- (ii) any of the matters falling within Schedule 3 to the Act of which the purchaser has notice and subject to which it would have taken effect, had the land been unregistered.

(3) The benefit of any covenant implied under sections 76 and 77 of the LPA 1925 or either of them will, on and after the registration of the disposition in which it is implied, be annexed and incident to and will go with the registered proprietorship of the interest for the benefit of which it is given and will be capable of being enforced by the proprietor for the time being of that interest.

(4) The provisions of paragraphs (2)(b) and (3) are in addition to and not in substitution for the other provisions relating to covenants contained in the LPA 1925.

(5) Except as provided in paragraph (6), no reference to any covenant implied by virtue of Part I of the 1994 Act, or by section 76 of the LPA 1925 as applied by section 11(1) of the 1994 Act, shall be made in the register.

(6) A reference may be made in the register where a registrable disposition of leasehold land limits or extends [<sup>F10</sup>a covenant implied under section 4(1)(b)] of the 1994 Act.

(7) In this rule “the LPA 1925” means the Law of Property Act 1925 <sup>M3</sup> and “the 1994 Act” means the Law of Property (Miscellaneous Provisions) Act 1994 <sup>M4</sup>.

#### Textual Amendments

**F10** Words in rule 67(6) substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 18](#) (with rule 5)

#### Marginal Citations

**M3** 1925 c. 20.

**M4** 1994 c. 36.

#### [<sup>F11</sup>Additional provision as to implied covenants]

[<sup>F11</sup>**68.** A document effecting a registrable disposition of leasehold land which limits or extends a covenant implied under section 4(1)(b) of the Law of Property (Miscellaneous Provisions) Act 1994 must do so by express reference to that section.]

#### Textual Amendments

**F11** Rule 68 substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 19](#) (with rule 5)

#### Transfer of registered estate subject to a rentcharge

**69.**—(1) Where the covenants set out in Part VII or Part VIII of Schedule 2 to the LPA 1925 are included in a transfer, the references to “the grantees”, “the conveyance” and “the conveying parties” shall be treated as references to the transferees, the transfer and the transferors respectively.

(2) Where in a transfer to which section 77(1)(B) of the LPA 1925 does not apply, part of a registered estate affected by a rentcharge is, without the consent of the owner of the rentcharge,



expressed to be exonerated from the entire rent, and the covenants in paragraph (ii) of Part VIII of Schedule 2 to the LPA 1925 are included, that paragraph shall apply as if—

- (a) any reference to the balance of the rent were to the entire rent, and
- (b) the words “, other than the covenant to pay the entire rent,” were omitted.

(3) Where in a transfer to which section 77(1)(B) of the LPA 1925 does not apply, part of a registered estate affected by a rentcharge is, without the consent of the owner of the rentcharge, expressed to be subject to or charged with the entire rent, and the covenants in paragraph (i) of Part VIII of Schedule 2 to the LPA 1925 are included, that paragraph shall apply as if—

- (a) any reference to the apportioned rent were to the entire rent, and
- (b) the words “(other than the covenant to pay the entire rent)” were omitted.

(4) On a transfer of a registered estate subject to a rentcharge—

- (a) any covenant implied by section 77(1)(A) or (B) of the LPA 1925 may be modified or negatived, and
- (b) any covenant included in the transfer may be modified,

by adding suitable words to the transfer.

(5) In this rule “the LPA 1925” means the Law of Property Act 1925.

#### *Mines or minerals*

### [<sup>F12</sup>**Description of land where mines or minerals situated**]

[<sup>F12</sup>**70.** Where the registrar is describing a registered estate in land in the property register by reference to land where mines or minerals are or may be situated, he may make an entry to the effect that the description is an entry made under rule 5(a) and is not a note that the registered estate includes the mines or minerals for the purposes of paragraph 2 of Schedule 8 to the Act.]

#### **Textual Amendments**

**F12** Rule 70 substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 20](#) (with rule 5)

### [<sup>F13</sup>**Note as to inclusion of mines or minerals in the registered estate**]

[<sup>F13</sup>**71.**—(1) An application for a note to be entered that a registered estate includes the mines or minerals, or specified mines or minerals, must be accompanied by evidence to satisfy the registrar that those mines or minerals are included in the registered estate.

(2) If the registrar is satisfied that those mines or minerals are included in the registered estate, he must enter the appropriate note.]

#### **Textual Amendments**

**F13** Rule 71 substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 21](#) (with rule 5)

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### Miscellaneous entries

#### [<sup>F14</sup>Register entries arising from transfers and charges of part]

[<sup>F14</sup>72.—(1) Subject to paragraphs (2) and (3), on registration of a transfer or charge of part of the registered estate in a registered title the registrar must make an entry in the property register of that registered title referring to the removal of the estate comprised in the transfer or charge.

(2) The registrar may, instead of making the entry referred to in paragraph (1), make a new edition of the registered title out of which the transfer or charge is made and, if the registrar considers it desirable, he may allot a new title number to that registered title.

(3) Paragraph (1) only applies to a charge of part of a registered estate in a registered title if the registrar decides that the charged part will be comprised in a separate registered title from the uncharged part.

(4) Subject to paragraph (5), on registration of a transfer or charge of part of the registered estate in a registered title the registrar must (where appropriate) make entries in the relevant individual registers in respect of any rights, restrictive covenants, provisions and other matters created by the transfer or charge which are capable of being entered in an individual register.

(5) The registrar need make no entries under paragraph (4) in individual registers where the title numbers of those registers in which entries are to be made have not been given in panel 2 of the Form AP1 lodged for the purpose of registering the transfer or charge, unless separate application is made in respect of the rights, restrictive covenants, provisions or other matters.

(6) Unless the Form AP1 contains a specific application, the registrar need not complete under paragraph 6 of Schedule 2 to the Act the registration of an interest of a kind falling within section 1(2)(b) of the Law of Property Act 1925 contained in a transfer or charge of part of the registered estate in a registered title.]

#### Textual Amendments

**F14** Rule 72 substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 22](#) (with rule 5)

#### [<sup>F15</sup>Register entries arising in respect of leases within section 27(2)(b) of the Act granted on or after 19 June 2006

**72A.**—(1) This rule applies to leases within section 27(2)(b) of the Act granted on or after 19 June 2006.

(2) Subject to paragraphs (3), (4) and (6), on completion of the lease by registration the registrar must (where appropriate) make entries in the relevant individual register in respect of interests contained in that lease which are of the nature referred to in clauses LR9, LR10, LR11 or LR12.

(3) Subject to rule 58A(3), where the lease is a prescribed clauses lease and contains a prohibition or restriction on disposal of the nature referred to in clause LR8 or contains interests of the nature referred to in clauses LR9, LR10, LR11 or LR12, but the prohibition or restriction or interests are not specified or referred to in those clauses or the lease does not contain the required wording in relation to them, then the registrar need take no action in respect of them unless separate application is made.

(4) The registrar need make no entries in individual registers in respect of interests of the nature referred to in clauses LR9, LR10 or LR11 or a restriction set out in clause LR13 where—

- (a) in the case of a prescribed clauses lease, the title numbers of the individual registers have not been given in clause LR2.2, or

- (b) in any other case, the title numbers of the individual registers required by clause LR2.2 have not been given in panel 2 of the Form AP1 lodged for the purpose of completing the lease by registration,

unless separate application is made in respect of the interests or restriction.

(5) Where a separate application required by paragraphs (3) or (4) is made in Form AP1 and is in respect of either a prohibition or restriction on disposal of the lease or the grant or reservation of an easement, the Form AP1 must specify the particular clause, schedule or paragraph of a schedule where the prohibition or restriction or easement is contained in the lease.

(6) The requirement under paragraph (2) to make an entry in respect of an interest of the nature referred to in clause LR12 is satisfied by entry (where appropriate) of notice of the interest created.

(7) In this rule—

- (a) a reference to a clause with the prefix “LR” followed by a number is to the clause so prefixed and numbered in Schedule 1A, and
- (b) “prescribed clauses lease” and “required wording” have the same meanings as in rule 58A(4).]

#### Textual Amendments

**F15** Rule 72A inserted (9.1.2006) by [The Land Registration \(Amendment\) \(No 2\) Rules 2005 \(S.I. 2005/1982\)](#), [rules 1\(2\), 6](#)

#### [<sup>F16</sup> Entries in the tenant’s registered title in respect of notices in the landlord’s registered title

**72B.** On completion of a lease within section 27(2)(b) or (c) of the Act by registration, the registrar must enter a notice or make another entry, as appropriate, in the individual register of the registered lease in respect of any interest which—

- (a) at the time of registration, is the subject of a notice in the individual register of the registered estate out of which the lease is granted, and
- (b) the registrar considers may affect the registered lease.

#### Textual Amendments

**F16** Rules 72B, 72C inserted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), [rule 2\(1\), Sch. 1 para. 23](#) (with rule 5)

#### Register entries arising from other registrable dispositions

**72C.—**(1) This rule applies to dispositions of registered estates within section 27(2) of the Act, to which rules 72 and 72A do not apply.

(2) Subject to paragraph (3), on registration of a disposition within paragraph (1), the registrar must (where appropriate) make entries in the relevant individual registers in respect of any rights, restrictive covenants, provisions and other matters created by the disposition which are capable of being entered in an individual register.

(3) The registrar need make no entries in individual registers under paragraph (2) where the title numbers of those registers have not been given in panel 2 of the Form AP1 lodged for the purpose of registering the disposition, unless separate application is made in respect of the rights, restrictive covenants, provisions or other matters.

**Status:** Point in time view as at 10/11/2008.

**Changes to legislation:** The Land Registration Rules 2003, PART 6 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(4) Unless the Form AP1 contains a specific application, the registrar need not complete under paragraph 6 of Schedule 2 to the Act the registration of an interest of a kind falling within section 1(2)(b) of the Law of Property Act 1925 contained in a disposition within paragraph (1).]

#### Textual Amendments

**F16** Rules 72B, 72C inserted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), **Sch. 1 para. 23** (with rule 5)

#### [<sup>F17</sup>Application for register entries for legal easements and profits a prendre]

[<sup>F17</sup>73A.—(1) A proprietor of a registered estate may apply to be registered as the proprietor of a legal easement or profit a prendre which—

- (a) has been expressly granted or reserved over an unregistered estate, or
- (b) has been acquired otherwise than by express grant or reservation.

(2) The application must be accompanied by evidence to satisfy the registrar that the easement or profit a prendre is a legal estate which subsists for the benefit of the applicant's registered estate.

(3) In paragraph (1)(a) the reference to express grant does not include a grant as a result of the operation of section 62 of the Law of Property Act 1925, but the reference in paragraph (1)(b) to acquisition otherwise than by express grant does include an acquisition as a result of the operation of that section.

(4) The evidence referred to in paragraph (2) may consist of, or include, a statement of truth, which may be made in Form ST4, if appropriate.

(5) Where the registrar is not satisfied that the right claimed is a legal estate which subsists for the benefit of the applicant's registered estate, the registrar may enter details of the right claimed in the property register with such qualification as he considers appropriate.]

#### Textual Amendments

**F17** Rule 73A substituted for rules 73, 74, 75 (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), **Sch. 1 para. 24** (with rule 5)

#### Note as to rights of light or air

**76.** If it appears to the registrar that an agreement prevents the acquisition of rights of light or air for the benefit of the registered estate, he may make an entry in the property register of that estate.

#### [<sup>F18</sup>No entry in the register of a right of entry in certain leases]

[<sup>F18</sup>77.—(1) This rule applies to a right of entry created in a grant of a term of years absolute, the right being exercisable over or in respect of that term of years.

(2) Where the grant is completed by registration, the disposition which consists of the creation of the right of entry is also completed by registration, without any specific entry relating to it being made in the register.]

*Changes to legislation: The Land Registration Rules 2003, PART 6 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

**F18** Rule 77 substituted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 25](#) (with rule 5)

**Note of variation of lease etc on register**

**F19** 78. ....

**Textual Amendments**

**F19** Rule 78 revoked (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 26](#) (with rule 5)

**Determination of registered estates**

**79.**—(1) An application to record in the register the determination of a registered estate must be accompanied by evidence to satisfy the registrar that the estate has determined.

(2) Subject to paragraph (3), if the registrar is satisfied that the estate has determined, he must close the registered title to the estate and cancel any notice in any other registered title relating to it.

(3) Where an entry is made under rule 173 the registrar need not close the registered title to the estate until a freehold legal estate in land in respect of the land in which such former estate subsisted has been registered.

**[F20 Acquisition of the right to manage by a RTM company**

**79A.**—(1) This rule applies where a RTM company applies for an entry to be made in an individual register of a registered estate to the effect that the RTM company has acquired the right to manage.

(2) An application for such an entry must be accompanied by evidence to satisfy the registrar that—

- (a) the applicant is a RTM company,
- (b) the right to manage is in relation to premises comprised in the registered estate,
- (c) the registered proprietor of the registered estate is the landlord under a lease of the whole or part of the premises, and
- (d) the right to manage the premises has been acquired, and remains exercisable, by the RTM company.

(3) If the registrar is so satisfied, he must make an appropriate entry in the proprietorship register of the registered estate.

(4) In this rule, “right to manage” and “RTM company” have the same meanings as in sections 71 and 73 of the Commonhold and Leasehold Reform Act 2002.]

**Textual Amendments**

**F20** Rule 79A inserted (10.11.2008) by [The Land Registration \(Amendment\) Rules 2008 \(S.I. 2008/1919\)](#), rule 2(1), [Sch. 1 para. 27](#) (with rule 5)

**Status:**

Point in time view as at 10/11/2008.

**Changes to legislation:**

The Land Registration Rules 2003, PART 6 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.