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STATUTORY INSTRUMENTS

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**2003 No. 2092**

**The Land Registration Fee Order 2003**

**PART 2**

*Scale fees*

**Charges of registered estates**

5.—(1) The fee for an application for the registration of a charge is payable under Scale 2 on the amount of the charge assessed under article 8 unless it is an application to which paragraphs (2), (3) or (4) apply.

(2) No fee is payable for an application to register a charge lodged with or before the completion of a scale fee application ('the primary application') that will result in the chargor being registered as proprietor of the registered land included in the charge unless—

- (a) the charge includes a registered estate which is not included in the primary application, where paragraph (4) applies; or
- (b) the primary application is a voluntary application, in which case this paragraph shall apply only if the application to register the charge accompanies the primary application.

(3) No fee is to be paid for an application to register a charge made by a predecessor in title of the applicant that is lodged with or before completion of an application for first registration of the estate included in the charge.

(4) Where a charge also includes a registered estate which is not included in the primary application any fee payable under Scale 2 is to be assessed on an amount calculated as follows:

$$\frac{\text{Value of the additional property}}{\text{Value of all the property included in the charge}} \times \text{Amount secured by the charge}$$

(5) The fee for an application for the registration of—

- (a) the transfer of a registered charge for monetary consideration; or
- (b) a transfer for the purpose of giving effect to the disposition for monetary consideration of a share in a registered charge,

is payable under Scale 2 on the amount or value of the consideration.

(6) The fee for an application for the registration of the transfer of a registered charge otherwise than for monetary consideration is payable under Scale 2 on—

- (a) the amount secured by the registered charge at the time of the transfer; or
- (b) where the transfer relates to more than one charge, the aggregate of the amounts secured by the registered charges at the time of the transfer.

(7) The fee for an application for the registration of a transfer for the purpose of giving effect to a disposition otherwise than for monetary consideration of a share in a registered charge is payable under Scale 2 on—

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- (a) the proportionate part of the amount secured by the registered charge at the time of the transfer; or
  - (b) where the transfer relates to more than one charge, the proportionate part of the aggregate of the amounts secured by the registered charges at the time of the transfer.
- (8) This article takes effect subject to article 6 (large scale applications).