

SCHEDULES

SCHEDULE 1

Article 3(1)

PROVISIONS REFERRED TO IN ARTICLE 3(1)

1. Section 9(9) of the Agricultural Credits Act 1928(1) (power to make regulations about the registration of agricultural charges).
2. Section 16(1) of the Land Charges Act 1972(2) (power to make general rules for carrying that Act into effect).
3. The provisions of the Land Registration Act 2002(3), excluding—
 - (a) Part 11 (adjudication),
 - (b) section 127(2) (nomination of members of the Rule Committee)(4), and
 - (c) section 136(2) (commencement power).
4. Section 65 of the Commonhold and Leasehold Reform Act 2002(5) (power to make rules about registration procedure).
5. The following provisions of the Land Registration Rules 2003(6)—
 - (a) rule 216(1)(b)(ii) (power to appoint days on which land registry not open to the public)(7);
 - (b) the definition of “working day” in rule 217(1) (power to define “working day”)(8).
6. Regulation 2(1) and (4) of the Land Registration (Acting Chief Land Registrar) Regulations 2003(9) (functions in relation to the acting Chief Land Registrar).
7. The definition of “working day” in rule 9(3) of the Land Registration (Network Access) Rules 2008(10) (power to define “working day”).

(1) 1928 c. 43.

(2) 1972 c. 61.

(3) 2002 c. 9.

(4) Section 127(2) was amended by the Constitutional Reform Act 2005 (c. 4), Schedule 4, paragraph 302.

(5) 2002 c. 15.

(6) S.I. 2003/1417.

(7) Paragraph (1) of rule 216 was substituted by the Land Registration (Amendment) Rules 2008 (S.I. 2008/1919), Schedule 1, paragraph 73(a).

(8) The definition of “working day” in rule 217(1) was inserted by the Land Registration (Amendment) Rules 2008 (S.I. 2008/1919), Schedule 1, paragraph 74(e).

(9) S.I. 2003/2281.

(10) S.I. 2008/1748.

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SCHEDULE 2

Article 6

CONSEQUENTIAL AMENDMENTS

PART 1

PRIMARY LEGISLATION

Agricultural Credits Act 1928 (c. 43)

1. In section 9(9) of the Agricultural Credits Act 1928 (power to make regulations about the registration of agricultural charges), for “Lord Chancellor” substitute “Secretary of State”.

Public Records Act 1958 (c. 51)

2. In Schedule 1 to the Public Records Act 1958 (definition of public records), in Part 1 of the Table at the end of paragraph 3, in the entry for the Meteorological Office⁽¹¹⁾, for “Air Ministry” substitute “Department for Business, Innovation and Skills”.

Land Charges Act 1972 (c. 61)

3. In section 16(1) of the Land Charges Act 1972 (power to make general rules for carrying that Act into effect), for “Lord Chancellor” substitute “Secretary of State”.

Land Registration Act 2002 (c. 9)

4.—(1) The Land Registration Act 2002 is amended as follows.

(2) In the following provisions, for “Lord Chancellor” (in each place) substitute “Secretary of State”—

- (a) section 5(1) and (4) (power to extend section 4);
- (b) section 62(9) (power by order to amend section 62(4) or (5));
- (c) section 80(4) (power by order to amend section 80);
- (d) section 93(5) (power to require simultaneous registration);
- (e) section 99(3) (duty to appoint Chief Land Registrar);
- (f) section 100(2) and (3) (power to make provision about conduct of business);
- (g) section 101(1) and (3) (functions relating to the Chief Land Registrar’s annual report);
- (h) section 102 (power to make provision about fees);
- (i) section 118 (power to reduce qualifying term);
- (j) section 121(1) (power to make provision about forwarding applications)⁽¹²⁾;
- (k) section 127(1) and (3) (power to make land registration rules and to nominate a member of the Rule Committee);
- (l) section 130(b) (power to apply the Act to internal waters);
- (m) section 134(1) (power to make transitional provision);

⁽¹¹⁾ By virtue of the Defence (Transfer of Functions) Act 1964 (c. 15), section 3(2) the reference in the entry for the Meteorological Office to the Air Ministry has effect as a reference to the Ministry of Defence.

⁽¹²⁾ Section 121 was substituted by the Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), Schedule 1, paragraph 193(1) and (3).

- (n) paragraph 11 of Schedule 5 (power to make rules regarding the land registry network);
 - (o) paragraphs 1(1) and (2) and 2 of Schedule 7 (functions in relation to the Chief Land Registrar).
- (3) In section 128 (rules, regulations and orders), in subsections (1) and (2), after “Lord Chancellor” insert “or the Secretary of State”.

Commonhold and Leasehold Reform Act 2002 (c. 15)

5. In section 65(1) of the Commonhold and Leasehold Reform Act 2002 (power to make rules about registration procedure), for “Lord Chancellor” substitute “Secretary of State”.

PART 2

SECONDARY LEGISLATION

Social Fund Cold Weather Payments (General) Regulations 1988 (S.I. 1988/1724)

6. In regulation 1(2) of the Social Fund Cold Weather Payments (General) Regulations 1988, in the definition of “the Meteorological Office”(13), for “Ministry of Defence” substitute “Department for Business, Innovation and Skills”.

Meteorological Office Trading Fund Order 1996 (S.I. 1996/774)

- 7.—(1) The Meteorological Office Trading Fund Order 1996 (which relates to a fund that exists for operations that have become operations of the Department for Business, Innovation and Skills by virtue of the entrusting of former MoD functions to the Secretary of State for Business, Innovation and Skills) is amended as follows.

(2) In article 3 (source of loans), for “Secretary of State for Defence” substitute “Secretary of State for Business, Innovation and Skills”.

(3) In Schedule 1 (funded operations), in paragraph (a), for “Ministry of Defence” substitute “Department for Business, Innovation and Skills”.

Land Registration Rules 2003 (S.I. 2003/1417)

- 8.—(1) The Land Registration Rules 2003 are amended as follows.

(2) In rule 216(1)(b)(ii) (power to appoint days on which land registry not open to the public), for “Lord Chancellor” substitute “Secretary of State”.

(3) In rule 217(1) (interpretation), in the definition of “working day”, for “Lord Chancellor” substitute “Secretary of State”.

Land Registration (Acting Chief Land Registrar) Regulations 2003 (S.I. 2003/2281)

9. In regulation 2(1) and (4) of the Land Registration (Acting Chief Land Registrar) Regulations 2003 (functions in relation to the acting Chief Land Registrar), for “Lord Chancellor” (in each place) substitute “Secretary of State”.

(13) The definition of “the Meteorological Office” in regulation 1(2) was inserted by the Social Fund Cold Weather Payments (General) Amendment Regulations 1996 (S.I. 1996/2544), regulation 2(1) and (3).

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Home Information Pack (No.2) Regulations 2007 (S.I. 2007/1667)

10. In regulation 2(1) of the Home Information Pack (No.2) Regulations 2007 (interpretation), in the definition of “the Chief Land Registrar”, for “Lord Chancellor” substitute “Secretary of State”.

Land Registration (Network Access) Rules 2008 (S.I. 2008/1748)

11. In rule 9(3) of the Land Registration (Network Access) Rules 2008 (giving of notice), in the definition of “working day”, for “Lord Chancellor” substitute “Secretary of State”.