Draft Regulations laid before Parliament under section 252(4) of the Levelling-up and Regeneration Act 2023 (c. 55.), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

LAND, ENGLAND AND WALES

LAND REGISTRATION, ENGLAND AND WALES

The Provision of Information (Contractual Control) (Registered Land) Regulations 2026

Made - - - -	***
Coming into force - -	*6th April 2027*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 219(1), (2)(b), (8)(a) and (c), 221, 223, 224(1)(a) and (c), 226(1), (2) and (3)(b) and 252(1)(c) of the Levelling-up and Regeneration Act 2023 ("the 2023 Act")(**a**).

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament in accordance with section 252(4) of the 2023 Act.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Provision of Information (Contractual Control) (Registered Land) Regulations 2026 and come into force on 6th April 2027.

(2) These Regulations extend to England and Wales and apply in relation to England and Wales.

Interpretation

2. In these Regulations—

"the 2002 Act" means the Land Registration Act 2002(**b**);

"authorised person" has the same meaning as in section 18 of the Legal Services Act 2007(**c**);

"contractual control information" means the information specified in regulation 8;

"conveyancer" means an authorised person who is an individual entitled to carry on the reserved instrument activities set out in paragraph 5(1)(a) and (b) of Schedule 2 to the

(**a**) 2023 c. 55.
(**b**) 2002 c. 9.
(**c**) 2007 c. 29.

Legal Services Act 2007 in accordance with the regulatory arrangements of the relevant approved regulator or licensing authority as the case may be;

"exercise" means—

(a) in relation to a right specified in regulation 3(2)(a), the exercise of the option;

(b) in relation to a right specified in regulation 3(2)(b), the making of a relevant disposition pursuant to the obligation referred to;

(c) in relation to a right specified in regulation 3(2)(c), the exercise of the right of pre-emption;

(d) in relation to a right specified in regulation 3(2)(d), the making of a relevant disposition pursuant to a direction or request made by the grantee;

"grantee" means the person entitled to enforce the contractual control right and, with respect to a right specified in regulation 3(2)(d), includes the person entitled to make the relevant direction or request;

"grantor" means the person who enters into the contract that creates or confers the contractual control right as proprietor of a qualifying estate referred to in regulation 3(2) or, in the case of a contract of the type referred to in regulation 5(1)(b), as the person referred to in that paragraph;

"initial period of control" means the period commencing with the date of the contract creating or conferring the contractual control right and—

(a) in relation to a right specified in regulation 3(2)(a), ending on the latest date that the right may be exercised under the contract, disregarding any provisions to extend that date;

(b) in relation to a right specified in regulation 3(2)(b), ending on the earliest date that the grantor may terminate the contract on the basis that specified contractual conditions have not been satisfied under the contract, disregarding any provisions to extend that date;

(c) in relation to a right specified in regulation 3(2)(c), ending on the latest date that the grantor is obliged to offer a right of pre-emption, disregarding any provisions to extend that date;

(d) in relation to a right specified in regulation 3(2)(d), ending on the earliest of either—

(i) the date that the right expires, disregarding any provisions to extend that date; or

(ii) any date from which the grantor may terminate the contract, disregarding any provisions to extend that date;

"land", "legal estate", "registered estate", "registrar" and "term of years absolute" have the same meaning as in section 132 of the 2002 Act;

"licensing authority" has the same meaning as in section 73 of the Legal Services Act 2007;

"notice" has the same meaning as in section 32(1) of the 2002 Act;

"proprietor" includes someone entitled to be registered as the proprietor;

"qualifying estate" means a registered estate in land, other than a leasehold estate the term of which has less than 15 years remaining on the date on which the contractual control right is created or conferred;

"regulatory arrangements" has the same meaning as in section 21 of the Legal Services Act 2007;

"relevant approved regulator" has the same meaning as in section 20 of the Legal Services Act 2007;

"relevant disposition" means—

(a) a transfer of a legal estate, or

(b) the grant of a term of years absolute of a legal estate for a term of 15 years or more;

"restriction" has the same meaning as in section 40(1) of the 2002 Act;

"total period of control" means the period commencing with the date of the contract creating or conferring the contractual control right and—

(a) in relation to a right specified in regulation 3(2)(a), ending on the latest date that the right may be exercised under the contract, after taking account of any provision to extend the initial period of control or any entitlement for the grantee to extend it;

(b) in relation to a right specified in regulation 3(2)(b), ending on the earliest date that the grantor may terminate the contract on the basis that specified contractual conditions have not been satisfied under the contract, after taking account of any provisions to extend the initial period of control or any entitlement for the grantee to extend it;

(c) in relation to a right specified in regulation 3(2)(c), ending on the latest date that the grantor is obliged to offer a right of pre-emption, after taking account of any provision to extend the initial period of control or any entitlement for the grantee to extend it;

(d) in relation to a right specified in regulation 3(2)(d), ending on the earliest of either—

(i) the date that the right expires, after taking account of any provisions to extend the initial period of control or any entitlement for the grantee to extend it; or

(ii) any date from which the grantor may terminate the contract, after taking account of any provisions to extend the initial period of control or any entitlement for the grantee to extend it.

Definition of a contractual control right

3.—(1) In these Regulations, "contractual control right" means a relevant contractual right(**a**), of a type specified in paragraph (2), which is set out in writing and which is not an exempt contractual right as described in the Schedule to these Regulations, and except for the purposes of regulations 4 and 5 includes a right of the type referred to in regulation 5(1)(b).

(2) The types of relevant contractual right referred to in paragraph (1) are—

(a) an option to bind the proprietor of a qualifying estate to enter into a relevant disposition of that estate;

(b) a right to enforce an obligation on the proprietor of a qualifying estate to enter into a relevant disposition of that estate where the obligation is contingent upon satisfaction of specified contractual conditions;

(**a**) Section 221(3) of the Levelling Up and Regeneration Act 2023 defines "relevant contractual rights".

(c) a right of pre-emption in respect of a relevant disposition of a qualifying estate;

(d) a right granted by the proprietor of a qualifying estate to direct or request that that proprietor enter into a relevant disposition of that estate to—

(i) a person who is not a party to the contract, or

(ii) either a person who is not a party to the contract or the grantee.

Requirement for the grantee of a contractual control right to provide contractual control information to the registrar

4.—(1) The grantee of a contractual control right must provide contractual control information in respect of that right to the registrar in accordance with regulation 7 within 60 days of an event listed in paragraph (3) that occurs on or after the date on which these Regulations come into force.

(2) The grantee of a contractual control right granted on or after the date on which these Regulations are made but before the date on which they come into force must provide contractual control information in respect of that right to the registrar in accordance with regulation 7 before 6th October 2027.

(3) The events referred to in paragraph (1) are—

(a) the grant of that right where it was a contractual control right at the time it was granted;

(b) the assignment of that right where it was a contractual control right at the time of the assignment, or is a right in respect of which contractual control information has been previously provided to the registrar in accordance with these Regulations;

(c) any written variation that alters any contractual control information in respect of that right where—

(i) theright was a contractual control right at the time of the variation; or

(ii) contractual control information has previously been provided in respect of the right in accordance with these Regulations.

(4) Paragraph (1) does not apply in respect of a contractual control right on the occurrence of an event referred to in paragraph (3)(b) or (c) if, within the time period set out in paragraph (1), the grantee has provided details of the complete determination, expiry or exercise of the contractual control right in accordance with regulation 6(2).

Requirement to provide contractual control information to the registrar on application for a notice or restriction

5.—(1) A person who applies for a notice or a restriction in respect of a relevant contractual right must provide contractual control information in respect of that right to the registrar in accordance with regulation 7 at the time of the application if at the time of the application the right—

(a) is a contractual control right, or

(b) would have been a contractual control right but for the fact that it was granted by a person who at the time of the grant was not the proprietor of the registered estate to which the application relates.

(2) Where contractual control information has been provided to the registrar in respect of a right of the type referred to in paragraph (1)(b), the requirement in regulation 4(1) applies on the occurrence of the events referred to in regulation 4(3)(b) and (c) as if that right were a contractual control right.

Requirement to provide details of determination, expiry or exercise of a contractual control right

6.—(1) This regulation applies where contractual control information in respect of a contractual control right has been provided to the registrar as required by regulation 4 or 5.

(2) In the event of the complete or partial determination, expiry or exercise of the contractual control right, the grantee of that right must within 60 days of that event provide the registrar with the following information in accordance with regulation 7—

(a) whether the event is the determination, expiry or exercise of the right;

(b) whether the determination, expiry or exercise is complete or partial; and

(c) in the case of a partial determination, expiry or exercise of the right, sufficient details to identify the part of the land affected.

Provision of contractual control information to the registrar

7.—(1) Where a person is required to provide contractual control information or information specified in regulation 6(2) to the registrar in accordance with this regulation, they must ensure that information is provided to the registrar by a conveyancer using the channels made available by the registrar for making a digital application for an entry in the register of title in accordance with rules made under paragraph 6(a) of Schedule 10 to the 2002 Act(**a**).

(2) Where the registrar is satisfied that it would be unreasonable in the circumstances to insist that contractual control information is provided by a conveyancer, or by using the channels specified in paragraph (1), the registrar may waive some or all of those requirements.

(3) Where the registrar is satisfied that the grantee cannot reasonably be expected to provide the information specified in regulation 8(c), the registrar may waive the requirement to provide that information.

(4) Nothing in regulations 4, 5 or 6 requires a person to provide information to the registrar where it has already been provided by any person in accordance with these Regulations.

Contractual control information

8. The following information in relation to a contractual control right is specified as contractual control information—

(a) the full names of the grantor and the grantee;

(b) where the grantor or grantee is a body corporate, partnership or other legal person either—

(i) a unique reference or registration number for that grantor or grantee issued by a person exercising public functions on behalf of the Crown, or

(ii) any other registration number or other sufficient details that enable that grantor or grantee to be uniquely identified;

(c) where the grantor is an individual, their date of birth and place of birth;

(d) the type of the contractual control right as referred to in regulation 3(2);

(e) the date, parties to, and title or other description of the contract creating or conferring the contractual control right;

(f) in the case of a contractual control right of the type referred to in regulation 3(2)(a), (b) or (d)—

(**a**) The Land Registration Rules 2003, S.I. 2013/1417; amended by S.I. 2005/1766, S.I. 2008/1750, S.I. 2008/1919, S.I. 2009/1996, S.I. 2011/1410, S.I. 2018/70, S.I. 2022/730; there are other amending instruments but none is relevant.

(i) the date from which the contractual control right can be exercised, or

(ii) where that date is contingent upon satisfaction of specified contractual conditions, details of those conditions;

(g) details of the initial period of control, and details of any provisions to extend it under the contract creating or conferring the contractual control right, any entitlement for the grantee to extend it and any entitlement for either party to terminate it;

(h) the title number of the qualifying estate referred to in regulation 3(2) or as the case may be regulation 5(1) and, where only part of the land registered under that title number is subject to the right, sufficient details to identify the part of the land affected;

(i) the address and, where any exists, the postcode of the land subject to the right;

(j) details of whether the land subject to the right includes land (including airspace) held apart from the surface.

Retention and publication of information

9.—(1) The registrar must retain all contractual control information, and any information specified in regulation 6(2), provided in accordance with regulation 7.

(2) Subject to paragraphs (3), (5) and (6), the registrar must publish a dataset comprising the information referred to in paragraph (1) as soon as possible after 6th April 2028 and must then publish updated information no less frequently than once every month.

(3) If the registrar is satisfied that any of the information referred to in paragraph (1) is incorrect or is otherwise misleading, the registrar may omit that information from publication or may correct the information either before or after it is published.

(4) If the registrar is satisfied that a contractual control right about which contractual control information has been provided has determined, has expired or has been exercised, the registrar may include details with the information published pursuant to paragraph (2).

(5) The registrar is not obliged to include information about a contractual control right that has determined, has expired or has been exercised when publishing updated information pursuant to paragraph (2).

(6) The registrar must not publish information provided in accordance with regulation 8(c).

(7) The registrar may impose conditions on any person requesting to access the information published pursuant to paragraph (2) that must be met before the registrar grants access (which may include a requirement that the person making the request identifies themselves to the registrar).

Enforcement of requirements to provide contractual control information to the registrar

10.—(1) The registrar may refuse to register or update a notice or restriction that appears to the registrar to relate to a contractual control right if not satisfied that the requirement in these Regulations to provide information relating to the right has been complied with.

(2) In rule 72 of the Land Registration Rules 2003(**a**)

(a) in paragraph (4) for the words "paragraph (5)" substitute "paragraphs (5) and (5A)";

(b) after paragraph (5) insert—

"(5A) The registrar may refuse to make an entry under paragraph (4) in respect of a contractual control right within the meaning of the Provision of Information (Contractual Control) (Registered Land) Regulations 2026 until satisfied that the requirement in those Regulations to provide information relating to the right has been complied with.".

(**a**) S.I. 2003/1417, amended by S.I. 2008/1919; there are other amending instruments but none is relevant.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

[Name]
Minister of State
Ministry of Housing, Communities and Local Government

SCHEDULE

Regulation 3(1)

Exempt contractual rights

1. A right contained in a contract made for the purposes of national security or defence.

2.—(1) A right necessary or incidental to security for—

(a) a loan or financial instrument, or

(b) a contractual obligation to pay consideration to a former owner of the land affected by that right.

(2) Any other right of the type referred to in regulation 3(2)(d) necessary or incidental to the provision of a loan or financial instrument.

3.—(1) A right contained in a contract which is held exclusively for purposes that do not relate to future development resulting in the provision of—

(a) one or more dwelling-houses, or

(b) a building where the floorspace created by the development is 100 square metres or more.

(2) In sub-paragraph (1)—

(a) "development" has the same meaning as in section 55 of the Town and Country Planning Act 1990(**a**),

(b) "dwelling-houses" includes flats.

4. A right with a total period of control of less than 18 months.

5.—(1) A right contained in a contract made under section 106 of the Town and Country Planning Act 1990 with a local planning authority, where the right relates exclusively to the provision of infrastructure, amenities or services in connection with a grant of planning permission.

(2) In sub-paragraph (1) "local planning authority" has the same meaning as in section 336(1) of the Town and Country Planning Act 1990(**b**).

(**a**) 1990 c. 8; section 55 was amended by sections 13 and 14 of, and paragraph 9 of Schedule 6 to, the Planning and Compensation Act 1991 (c. 34), by section 49(1) of, and Schedule 9 to, the Planning and Compulsory Purchase Act 2004 (c. 5), and S.I. 1999/293.

(**b**) There are amendments to section 336(1) which are not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations require that specified information relating to contractual control rights in registered land is provided to the Chief Land Registrar ("the registrar") and published.

Regulations 4, 5 and 6 impose the requirements to provide information.

Regulation 7 specifies how information must be provided.

Regulation 8 specifies the information that must be provided.

Regulation 9 provides for the retention and publication of the information by the registrar.

Regulation 10 provides that the registrar may refuse to register or update a notice or restriction if not satisfied that the requirement to provide contractual control information under these Regulations has been complied with.

A full impact assessment has not been provided for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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