STATUTORY INSTRUMENTS

# 1974 No. 1287

# LAND CHARGES

## The Land Charges Fees Order 1974

| | |
|---|---|
| *Made* - - - - | *23rd July* 1974 |
| *Coming into Operation* | *9th September* 1974 |

The Lord Chancellor and the Treasury, in exercise of the powers conferred on them by section 16 of the Land Charges Act 1972**(a)** and sections 2 and 3 of the Public Offices Fees Act 1879**(b)**, hereby make and concur in the following instrument:—

**1.**—(1) This instrument may be cited as the Land Charges Fees Order 1974 and shall come into operation on 9th September 1974.

(2) The Interpretation Act 1889**(c)** shall apply to the interpretation of this instrument as it applies to the interpretation of an Act of Parliament.

(3) In this instrument, unless the context otherwise requires—

"the Act" means the Land Charges Act 1972;

"credit account" means an account authorised by the registrar for the purpose of providing credit facilities for the payment of fees;

"fee" means a fee specified in Schedule 1;

"Schedule" means a schedule to this instrument.

**2.** The fees specified in Schedule 1 shall be payable under the Act.

**3.** Unless the registrar otherwise directs, every fee which accompanies an application shall, except as mentioned in paragraph 4, be prepaid by means of Land Registry adhesive stamps.

**4.** The fee for an inspection of an entry in the register or for the visual display of the result of an official search shall be prepaid by means of Land Registry adhesive stamps or in cash.

**5.**—(1) Any person or firm having a credit account may request the registrar, on any application (except an application mentioned in paragraph 4), to debit the requisite fee to that account.

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**(a)** 1972 c. 61. **(b)** 1879 c. 58. **(c)** 1889 c. 63.

(2) When a person or firm having a credit account makes a written application which is not accompanied by any fee and does not contain a request for the fee to be debited to that account, the registrar may, if he thinks fit, nevertheless accept the application and debit the fee to that person's or that firm's account.

(3) If the registrar debits a fee to a credit account, this shall be treated as due payment of that fee.

(4) Credit accounts shall be authorised and maintained in accordance with the provisions set out in Schedule 2.

**6.** The Land Charges Fees Order 1970**(a)** is hereby revoked except in its application to the East Riding Deeds Registry.

Dated 20th July 1974.

*Elwyn-Jones,* C.

Dated 23rd July 1974.

*John Golding,*

*T. Pendry,*

Two of the Lords Commissioners of Her Majesty's Treasury.

**(a)** S.I. 1970/1188 (1970 II, p. 3964).

## SCHEDULE 1

| *Fee* | | *Amount* |
|---|---|---|
| 1. Registration, renewal, rectification or cancellation of an entry in any register ... ... ... ... ... | per name | 15p |
| 2. Certificate of cancellation ... ... ... ... | per name | 15p |
| 3. Entry of priority notice ... ... ... ... ... | per name | 15p |
| 4. Inspection of an entry in the register ... ... ... | per entry | 15p |
| 5. Office copy of an entry in the register (including any plan) whether the application is made in writing or by telephone or teleprinter ... ... ... ... ... | per copy | 15p |
| 6. Official search in the index (including issue of printed certificate of result)— | | |
| written application ... ... ... ... ... | per name | 15p |
| telephone application ... ... ... ... ... | per name | 35p |
| teleprinter application ... ... ... ... | per name | 25p |
| 7. Official search in the index (including visual display of result of search and issue of printed certificate of such result) ... ... ... ... ... ... ... | per name | 35p |

## SCHEDULE 2

*Provision of credit accounts*

1. The registrar may, as he thinks fit, authorise any person or firm to use a credit account for the purpose of the payment of fees but may withdraw or suspend any such authorisation at any time without giving any reason therefor.

2. The registrar may also at any time terminate or suspend all credit accounting facilities generally.

3. A statement of account shall be sent by the registrar to each account holder at the end of each calendar month or at such other period as the registrar shall direct either in any particular case or generally.

4. On receipt of the statement and if no question arises thereon the account holder shall pay by cheque any sum due on his account promptly, and in any event within ten days of its receipt.

5. Cheques shall be made payable to H.M. Land Registry and sent to the Finance Officer at H.M. Land Registry, Sunley House, Bedford Park, Croydon, CR9 3LE, or at such other address as the registrar shall direcf.

6. A statement of account shall be in form K23 as follows:—

FORM K23

THE SUPERINTENDENT
LAND CHARGES DEPARTMENT
BURRINGTON WAY
PLYMOUTH PL5 3LP

STATEMENT OF ACCOUNT

| MONTH | KEY NUMBER |
|---|---|
| | |

The following credit account transactions were completed on your behalf in the month stated above.

| Date | Land Charges Code/Ref. | Solicitor's reference | Fee £ | Date | Land Charges Code/Ref. | Solicitor's reference | Fee £ |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| For use of Solicitors<br>Date paid.....Cheque No..... | | | | | | | |

.....

Cheque made payable to H.M. Land Registry is enclosed in settlement of this account

| | |
|---|---|
| ACCOUNT FOR MONTH OF | |
| APPLICANT'S KEY NUMBER | |
| TOTAL FEES DUE | |

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This instrument, which supersedes the Land Charges Fees Order 1970, prescribes the fees payable in connection with the registration of land charges. It takes account of the new facilities (including credit accounts) associated with a computerised index kept by the Land Charges Department under the Land Charges Act 1972. Obsolete items are abolished. The standard fee of 15p is retained for existing items and new fees are prescribed for official searches by teleprinter (25p), telephone (35p) and visual display (35p).

SI 1974/1287
ISBN 0-11-041287-7

