STATUTORY INSTRUMENTS

2024 No. 925

LAND CHARGES, ENGLAND AND WALES

The Land Charges Fees Rules 2024

Made - - - -	*9th September 2024*
Coming into force	*9th December 2024*

The Secretary of State with the concurrence of the Treasury, in exercise of the powers conferred on him by sections 9(1), 10(2), 16(1) and 17(1) of the Land Charges Act 1972(**a**) makes the following Rules—

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Land Charges Fees Rules 2024 and shall come into force on 9th December 2024.

(2) In these Rules, unless the context otherwise requires –

"the Act" means the Land Charges Act 1972;

"electronic means" means electronically in accordance with a notice given under Schedule 3 to the Land Charges Rules 1974(**b**) but not by email;

"fee" means a fee specified in the Schedule.

Fees

2. The fees for the applications specified in the Schedule shall be those set out in that Schedule.

Method of payment

3.—(1) Fees payable under these Rules shall be paid in money in accordance with the Land Charges (Fees) Order 1990(**c**).

(2) The fee must be paid on delivery of the application.

(3) Unless the registrar otherwise directs, or where paragraph (4) applies, the fee shall be paid by cheque or postal order crossed and made payable to HM Land Registry.

(**a**) 1972 c. 61. The function of the Lord Chancellor to make rules (with the concurrence of the Treasury as to fees) under section 16(1) of the Land Charges Act 1972 was transferred to the Secretary of State by article 3(1) of, and paragraph 2 of Schedule 1 to, the Transfer of Functions (Her Majesty's Land Registry, the Meteorological Office and Ordnance Survey) Order 2011 (S.I. 2011/2436). Section 16 was amended by article 6 of, and paragraph 3 of Part 1 of Schedule 2 to, the Order.

(**b**) S.I. 1974/1286; relevant amending instruments are S.I. 1986/2001, S.I. 1995/1355, S.I. 2005/1981, S.I. 2009/1307, S.I. 2012/2884 and S.I. 2016/481.

(**c**) S.I. 1990/323.

(4) Where there is an agreement between the registrar and the applicant, a fee may be paid by direct debit or other means to such bank account of the registry as the registrar may from time to time direct.

Revocation

4. The Land Charges Fees Rules 1990(**a**) are revoked.

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

Matthew Pennycook
Parliamentary Under Secretary of State
9th September 2024 Ministry of Housing, Communities and Local Government

We concur,
9th September 2024

Jeff Smith
Vicky Foxcroft
Two of the Lord Commissioners of His Majesty's Treasury

SCHEDULE

Rule 2

Application	**Amount of fee**
(1) Registration, renewal, rectification, or cancellation of an entry in any register - per name	£5
(2) Certificate of cancellation - per name	nil
(3) Entry of priority notice - per name	£5
(4) Inspection of an entry in the register	
(a) where the application is by electronic means – per entry	£5
(b) where the application is by other permitted means – per entry	£6
(5) Office copy of an entry in the register (including any plan)	
(a) where the application is by electronic means – per copy	£5
(b) where the application is by other permitted means – per copy	£6
(6) Official search in the index (including issue of certificate of result)	
(a) where the application is by electronic means - per name	£6
(b) where the application is by other permitted means - per name	£7

(**a**) S.I. 1990/327; relevant amending instruments are S.I. 1994/286 and 2012/2910.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules replace the Land Charges Fees Rules 1990 (SI 1990 No. 327) ("the 1990 Fees Rules"). They make changes to fees for Land Charges applications.

The main changes made by the Rules are:-

(1) Changes to the following fees:-

(a) The fee for registration, renewal, rectification or cancellation of an entry in any register has increased from £1 to £5.

(b) The fee for entry of a priority notice has increased from £1 to £5.

(c) The fee for inspection of an entry in the register has increased from £1 to £5 when lodged by electronic means and to £6 when lodged by other permitted means.

(d) The fee for an office copy of an entry in the register has increased from £1 to £5 when lodged by electronic means and to £6 when lodged by other permitted means.

(e) The fee for an official search in the index has increased from £1 by pre-paid post, Document Exchange or delivery by hand and £2 by other means of communication to £6 when lodged by electronic means and to £7 when lodged by other permitted means.

(f) There is now no fee for issuing a certificate of cancellation. Previously the fee was £1.

(2) The amendment of article 1(2) to confirm that "electronic means" includes applications lodged electronically in accordance with a notice given under Schedule 3 to the Land Charges Rules 1974, but not by email. This means that the fee for applications lodged by email will not qualify for the lower fee for electronic applications.

(3) Article 3 has been amended to confirm that fees shall be paid in money, that, unless the registrar otherwise directs, fees shall be paid on delivery of an application and that payment can be made by cheque, postal order or direct debit.

(4) The provisions in the 1990 Fees Rules relating to credit accounts have not been carried forward, as the credit account facility described by the 1990 Fees Rules is no longer available.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Chief Executive and Chief Land Registrar's Office, HM Land Registry Head Office, Trafalgar House, 1 Bedford Park, Croydon CR0 2AQ and is published with the Explanatory Memorandum alongside the instrument on www.legislation .gov.uk.

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