STATUTORY INSTRUMENTS

1999 No. 2097

LAND REGISTRATION, ENGLAND AND WALES

The Land Registration (No. 2) Rules 1999

Made - - - -	*26th July 1999*
Laid before Parliament	*2nd August 1999*
Coming into force	*1st October 1999*

The Lord Chancellor, with the advice and assistance of the Rule Committee appointed in pursuance of section 144 of the Land Registration Act 1925**(a)**, in exercise of the powers conferred on him by that section, hereby makes the following rules:

Citation, commencement and interpretation

1.—(1) These rules may be cited as the Land Registration (No. 2) Rules 1999 and shall come into force on 1st October 1999.

(2) In these rules–

(a) "the principal rules" means the Land Registration Rules 1925**(b)**,

(b) "the open register rules" means the Land Registration (Open Register) Rules 1991**(c)** and

(c) a rule referred to by number means the rule so numbered in the principal rules or the open register rules as the case may be.

Amendments to the principal rules

2.—(1) The principal rules have effect subject to the amendments in Schedule 1 to these rules.

(2) Schedule 2 to the principal rules has effect subject to the amendments in Schedule 2 to these rules.

(3) The open register rules have effect subject to the amendments in Schedule 3 to these rules.

Revocation

3. Rules 273 to 275 and 282 are revoked.

Dated 26th July 1999 *Irvine of Lairg*, C.

(a) 1925 c. 21; section 144(1) was amended by the Administration of Justice Act 1982 (c. 53), section 67(1) and Schedule 5, paragraph (d). The reference to the Ministry of Agriculture, Fisheries and Food was substituted by the Transfer of Functions (Ministry of Food) Order 1955 (S.I. 1955/554).

(b) S.R. & O. 1925/1093; relevant amending or revoking instruments S.I. 1997/3037, 1999/128.

(c) S.I. 1992/122; relevant amending or revoking instruments S.I. 1993/3275, 1995/1354.

SCHEDULE 1

Rule 2(1)

AMENDMENTS TO THE PRINCIPAL RULES

1. In rule 3 omit "General Map or to the".

2. For rule 8 substitute–

"**Index Map and Parcels Index**

8. The Registrar shall keep an Index Map from which it is possible, in relation to any parcel of land, to ascertain whether that land is registered or affected by a caution against first registration and, if so, the title number or numbers under which the land is registered or the distinguishing number of every caution against first registration that affects it."

3. In rules 51 to 54 omit the proviso.

4. In rule 64–

(a) in paragraph (2) omit "or the Land Registry General Map".

(b) at the end of rule 64 add–

"(4) On registration of a caution against first registration, the Registrar shall prepare–

(a) a record, under a distinguishing number, of the details of the caution and of the statutory declaration in support; and

(b) a plan showing the extent of the land affected by the caution."

5. In rule 68 omit "or on the General Map".

6. In rule 79 omit "or the General Map" and "or General Map, as the case may be".

7. In rule 113–

(a) in paragraph (1) for "or, where the part dealt with is clearly defined on the General Map, by reference to that Map." substitute "unless such part is clearly defined on the filed plan of the land, in which case it may be defined by reference to the filed plan."

(b) in paragraph (2) omit "or the Land Registry General Map".

8. In rule 216 omit "or the General Map".

9. In rules 276 to 279 and 285 omit "or General Map" wherever those words appear.

10. For rule 280 substitute–

"**Revision of Ordnance Map**

280. When the necessary plan cannot be prepared without revision of the Ordnance Map, the Registrar shall, if required by the applicant and without charge to him, make the necessary revision."

11. In rule 281(2) omit "or reference to the General Map".

12. Rule 284(2) shall be omitted.

13. At the end of rule 308A add–

"(i) the vertical lines which define the left and right boundaries of any panel may be omitted."

SCHEDULE 2

Rule 2(2)

AMENDMENTS TO SCHEDULE 2 TO THE PRINCIPAL RULES

1. In Form 9, for "General Map, Ordnance Map, or" substitute "Ordnance Map or".

2. For Form 78 substitute–

"

FORM 78. —*Land Certificate. (Rule 261.)*
H.M. LAND REGISTRY
Land Certificate

This is to certify that the land described within is registered at HM Land Registry with the title number and class of title stated in the register.

This certificate contains a copy of the entries in the register, a copy of the filed plan and, where so indicated in the register, copies of documents filed in the Land Registry.

This certificate is admissible as evidence of the matters it contains. It must be produced to the Chief Land Registrar in the circumstances set out in Section 64 of the Land Registration Act 1925."

SCHEDULE 3

Rule 2(3)

AMENDMENTS TO THE OPEN REGISTER RULES

1. In rule 1(2)(b)–

(a) in the definition of "title plan" omit "or portion of the General Map"; and

(b) at the end of the paragraph insert–

" "title records" means

(a) the entries on the register of a registered title;

(b) the title plan of a registered title; and

(c) any document referred to in the register of a registered title which is in the custody of the registrar (not being a lease or charge or a copy of a lease or charge)."

2. In rule 4 for

"(a) the entries on the register of a registered title;

(b) the title plan of a registered title; and

(c) a document referred to in the register of a registered title which is in the custody of the registrar (not being a lease or charge or a copy of a lease or charge);"

substitute “any or all of the title records”.

3. In rule 4A for “entries on the register of a registered title held on that system” substitute “any or all of the title records”.

4. In rule 9 omit “or General Map and the Parcel Index”.

EXPLANATORY NOTE

(This note is not part of the Rules)

These rules:

(A) amend the Land Registration Rules 1925 so as to–

(a) remove the requirement for the Registrar to keep a General Map;

(b) remove from the rules all references to the General Map;

(c) amend Forms 9 and 78 to delete reference to the General Map;

(d) amend the provision requiring an Index Map to be kept;

(e) prescribe the records that the Registrar will create on receipt of a caution against first registration; and

(f) allow for the vertical lines to be omitted from any panel in a Schedule 1 form.

(B) amend the Land Registration (Open Register) Rules 1991 so as to–

(a) remove references to the General Map which the Registrar is no longer obliged to keep;

(b) include a new definition of title records which comprises the register, filed plan and documents referred to on the register; and

(c) extend the provisions for inspection of the registers by remote terminal to include inspection of filed plans and documents referred to on the register which are in the custody of the registrar.

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