STATUTORY INSTRUMENTS

1972 No. 985

LAND REGISTRATION

The Land Registration (Souvenir Land) Rules 1972

Made - - -	*23rd June* 1972
Laid before Parliament	*7th July* 1972
Coming into Operation	*1st August* 1972

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 section 4 of the Land Registration and Land Charges Act 1971(**b**), hereby makes the following Rules:—

Citation, commencement and interpretation

1. These Rules may be cited as the Land Registration (Souvenir Land) Rules 1972 and shall come into operation on 1st August 1972.

2.—(1) The Interpretation Act 1889(**c**) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(2) In these Rules, unless the context otherwise requires, "the Act of 1925" means the Land Registration Act 1925 and words or expressions defined in the Act of 1925 shall have the same meaning as in that Act.

Souvenir land declaration

3.—(1) If the Registrar is satisfied that an area of land consists wholly or mainly of land—

(*a*) which has been or is proposed to be disposed of (by way of sale or otherwise) in souvenir plots, or

(*b*) of which part has been, and the remainder is proposed to be, so disposed of,

he may declare that area to be subject to a souvenir land scheme.

(2) The declaration shall be made in Form 103 set out in the Schedule to these Rules with such variations as the circumstances of the particular case require.

4. The position and extent of every area in respect of which a declaration is for the time being in force shall be shown on the index map kept pursuant to Rule 8 of the Land Registration Rules 1925(**d**); and the existence of

(**a**) 1925 c. 21.
(**b**) 1971 c. 54.
(**c**) 1889 c. 63.
(**d**) S.R. & O. 1925/1093 (Rev. XII, p. 81: 1925, p. 717).

such a declaration shall be disclosed on the certificate of result of an official search of the index map which relates to any part of the souvenir land comprised therein.

Effect of declaration

5.—(1) Section 123 of the Act of 1925 (which relates to the effect of the Act where registration is compulsory) shall not apply to souvenir land.

(2) The Registrar shall not be required to accept any application for the first registration of title in respect of souvenir land or any caution against the first registration of such title.

6. Where a declaration relates to registered land, the Registrar shall, without requiring production of the land certificate or charge certificate, enter particulars of that declaration in the register of every title affected thereby.

7. Where particulars of a declaration have been entered in the register of a title in accordance with Rule 6 above, then with regard to the souvenir land the subject of that entry and any part of such land—

(i) every transaction relating thereto shall be effected and take effect in all respects as if the title to that land were not registered, and

(ii) the Registrar shall not be required to accept any application or any caution relating thereto, but without prejudice to any submission that may be made for the purpose of Rule 8 below.

Amendment and cancellation

8.—(1) Where the Registrar is satisfied, in accordance with the terms of Rule 3(1) above, that a declaration does not extend to the whole of the land subject to the souvenir land scheme, he may make an order amending the declaration to include the land so omitted.

(2) Without prejudice to anything that may have been done or omitted in pursuance of these Rules, the Registrar shall, where he is satisfied that the souvenir land scheme, or any part of it, has been abandoned or for any other sufficient reason, make such order cancelling a declaration as to the whole or any part of the land comprised therein as the case shall require:

Provided that, so far as particulars of a declaration have been entered in the register of a title in pursuance of Rule 6 above, the declaration shall not be cancelled until the Registrar has been supplied with satisfactory evidence of the title to such parts of the land in the souvenir land scheme as have been disposed of by the registered proprietor.

(3) The Registrar shall take such steps as may be necessary to show the effect of the cancellation or amendment of a declaration on the index map and on the register of every title affected thereby.

Filing

9. Every declaration and every order made pursuant to these Rules shall be filed in the Registry and shall be available for inspection on written application by any person.

Application to Court

10. If any question arises in connection with the making of a declaration or in relation to a declaration once it has been made, any person concerned may apply to the Court to have that question determined.

Dated 23rd June 1972.

Hailsham of St. Marylebone, C.

SCHEDULE

FORM 103

Declaration of Souvenir Land Scheme

H.M. LAND REGISTRY

LAND REGISTRATION (SOUVENIR LAND) RULES 1972

County [*or* County Borough *or* London Borough]
Property

In exercise of his powers under Rule 3 of the Land Registration (Souvenir Land) Rules 1972 the Chief Land Registrar hereby declares that the land comprised in title number..... [*or,* edged with red on the plan annexed hereto, *or otherwise described*] is subject to a souvenir land scheme.

[*Date*]

[*Signature and official seal*]

EXPLANATORY NOTE

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

These Rules enable the Chief Land Registrar, in given circumstances, to declare areas of land to be "souvenir land" and to refuse applications under the Land Registration Acts in relation to such land. The Rules make consequential and ancillary provisions regarding souvenir land.

SI 1972/985
ISBN 0-11-020985-0

