STATUTORY INSTRUMENTS

1973 No. 1862

LAND CHARGES

The Local Land Charges (Amendment) Rules 1973

Made - - - - 6*th November* 1973

Coming into Operation 8*th December* 1973

The Lord Chancellor, in exercise of the powers conferred on him by section 19 of the Land Charges Act 1925**(a)**, as set out in Schedule 4 to the Land Charges Act 1972**(b)**, and sections 8(4) and 52(8) of the Land Compensation Act 1973**(c)**, hereby makes the following Rules:—

1.—(1) These Rules may be cited as the Local Land Charges (Amendment) Rules 1973 and shall come into operation on 8th December 1973.

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

(3) In these Rules, unless the context otherwise requires—

(i) "the principal Rules" means the Local Land Charges Rules 1966**(e)**, as amended **(f)**;

(ii) a rule or schedule referred to by number means the rule or schedule so numbered in the principal Rules.

2. The principal Rules shall be amended as follows:—

(*a*) The following rule shall be substituted for rule 4:—

"4. The register shall have an index (in the form of a map or in any other form) whereby all entries in it can readily be traced."

(*b*) The following heading and paragraph shall be substituted for the heading to rule 9 and for rule 9(1) respectively:—

"*Part* 4 *of register: miscellaneous charges*

9.—(1) Part 4 of the register shall contain entries relating to the charges specified in Schedule 3 to these Rules and entries relating to charges not registrable in another part of the register."

(a) 1925 c. 22. **(b)** 1972 c. 61.

(c) 1973 c. 26. **(d)** 1889 c. 63.

(e) S.I. 1966/579 (1966 II, p. 1318).

(f) The relevant amending instrument is S.I. 1969/1152 (1969 II, p. 3406).

(*c*) The following rule shall be substituted for rule 11:—

"*Part 6 of register: compulsory purchase and land compensation*

11.—(1) Part 6 of the register shall contain—

(*a*) those entries hitherto contained in that part which are not cancellable; and

(*b*) entries relating to restrictions on compensation registered under section 8(4), and advance payments registered under section 52(8), of the Land Compensation Act 1973.

(2) Every entry in Part 6 of the register made in pursuance of section 8(4) or 52(8) of the said Act shall contain—

(*a*) sufficient particulars, by reference to a plan or otherwise, of the land affected by the charge;

(*b*) the name and address of the authority by whom particulars have been deposited for registration;

(*c*) the date of registration of the charge;

(*d*) where the charge is registered under section 8(4) of the said Act, particulars of the nature and extent of the works for the purposes of which land was acquired by the authority:

(*e*) where the charge is registered under section 52(8) of the said Act, particulars of the advance payment made under that section on account of compensation, the agreed or estimated compensation payable and the interest in land to which the compensation relates."

(*d*) In Form D in Schedule 2—

(i) in the form relating to Part 4 of the register the word "charges" shall be substituted for the words "prohibitions and restrictions" and the word "charge" shall be substituted for the words "prohibition or restriction" wherever they occur;

(ii) the form set out in the Schedule to these Rules shall be added to the form relating to Part 6 of the register.

3.—(1) Notwithstanding the provisions of rule 2(*d*) above, the form relating to Part 4 of the register may continue to be used in the form hitherto prescribed until the Lord Chancellor otherwise directs.

(2) Until 1st April 1974 local registrars may make their own arrangements regarding the supply and issue of the supplementary form set out in the Schedule to these Rules, and accordingly before that date rule 28 shall not apply to that form.

Dated 6th November 1973.

Hailsham of St Marylebone, C.

SCHEDULE

Rule 2(*d*)(ii)

SUPPLEMENTARY FORM RELATING TO PART 6 OF REGISTER

Part 6 of register: restrictions under section 8(4), and advance payments under section 52(8), of the Land Compensation Act 1973

Particulars of land affected by charge and (for charge under section 52(8)) interest in that land	Name and address of authority by whom registration particulars deposited	(Charge under section 8(4) only). Nature and extent of works on land acquired	(Charge under section 52(8) only). Particulars of advance payment and agreed or estimated compensation	Date of registration
1	2	3	4	5

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules, which amend the Local Land Charges Rules 1966, remove the need for new forms of index to receive ministerial approval extend; the scope of Part 4 of the register; and provide for restrictions on, and advance payments of, compensation under the Land Compensation Act 1973 to be registered in Part 6 of the register.

SI 1973/1862
ISBN 0-11-031862-5

