

2020 No. 425

LAND REGISTRATION, ENGLAND AND WALES

The Land Registration (Amendment) Rules 2020

Made - - - - 14th April 2020

Laid before Parliament 15th April 2020

Coming into force in accordance with rule 1

The Secretary of State makes the following Rules in exercise of the powers conferred by sections 14(a) and (b), 16(2), 18(4), 36(3), 45(2), 60(3), 72(6) and (7), 75(2), 76(2), 126, 127(1) and 128(1), (2) and (4)(a)(a) of, and paragraph 3(2) of Schedule 6, paragraphs 5 and 8 of Schedule 10 and paragraph 2(4) of Schedule 12 to, the Land Registration Act 2002(b).

In accordance with section 127(c) of the Land Registration Act 2002, he has received the advice and assistance of the Rule Committee appointed under that section.

Citation and commencement

1. These Rules may be cited as the Land Registration (Amendment) Rules 2020 and shall come into force on the day after the day on which they are laid.

Interpretation

2. In these Rules “the principal Rules” means the Land Registration Rules 2003(d), and a reference to a rule by number is a reference to the rule so numbered in the principal Rules unless otherwise stated.

Amendments to the principal Rules

3. The principal Rules are amended in accordance with rules 4 to 6 of these Rules.

Amendments to rule 216

4. In rule 216—

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- (a) See section 132(1) for the definition of land registration rules.
- (b) 2002 c. 9. By article 3(1) of, and paragraph 3 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), the functions of the Lord Chancellor under the Land Registration Act 2002, with three exclusions, were transferred to the Secretary of State. None of the exclusions are relevant.
- (c) Section 127 was amended by paragraphs 301 and 302 of Part 1 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4), paragraph 4(1) and (2)(k) of Part 1 of Schedule 2 to the Transfer of Functions (Her Majesty’s Land Registry, the Meteorological Office and the Ordnance Survey) Order 2011 and section 36 of the Infrastructure Act 2015 (c. 7).
- (d) S.I. 2003/1417; relevant amending instruments are S.I. 2005/1766, 2005/1982, 2008/1750, 2008/1919, 2009/1996, 2011/1410 and 2018/70.

(1) For paragraph (1)(b)(iii) substitute “certified as an interrupted business day under rule 216A(1).”

(2) Omit paragraphs (5) to (8).

New rule 216A

5. Before rule 217 insert—

“Interrupted day

216A.—(1) The registrar may certify any day as an interrupted business day or an interrupted working day or both if he is satisfied that on that day there is likely to be—

- (a) a general delay in, or failure of, a communication service in England and Wales, or
- (b) any other event or circumstance,

causing a substantial interruption in the normal operation of the land registry.

(2) The registrar must give notice publicising the certification in such manner as he considers appropriate.

(3) The certification must take place before the start of the day being certified.

(4) Certification of a day as an interrupted working day shall have the effect of extending—

- (a) the date and time given in the result of an official search with priority as the date and time at which priority expires,
- (b) the date and time fixed by a notice given by the registrar or any longer period that the registrar may allow in accordance with these rules, and
- (c) the period specified by the registrar for compliance with a requisition,

to include an additional number of working days equal to the number of interrupted working days falling within the priority period of the official search, the time fixed by the notice or any longer period allowed by the registrar, or the period specified by the registrar.

(5) Certification of a day as an interrupted working day shall be disregarded for the purposes of rules 107, 187(2), 194E, 194F and 199.

(6) In this rule—

“communication service” means a service by which documents may be sent and delivered and includes a post service, a document exchange service and electronic communications,

“priority period” has the same meaning as in Part 13.”

Amendment to rule 217

6. In rule 217(1), after the definition of “working day” add “or, subject to rule 216A(5), certified as an interrupted working day under rule 216A(1).”

14th April 2020

Nadhim Zahawi
Parliamentary Under Secretary of State,
Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules further amend the Land Registration Rules 2003 (S.I. 2003/1417) (the principal Rules). The principal Rules make detailed provision for land registration in England and Wales under powers contained in the Land Registration Act 2002 (c. 9). These Rules amend the principal Rules to allow for the Chief Land Registrar to certify a day as an “interrupted working day”. The effect of this is to extend the expiry date of the priority period given by an official search, and the date for responses to notices and requisitions, by the number of working days equal to the number of interrupted working days falling within the priority period or within the time given for responding to notices and requisitions.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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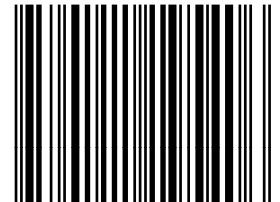
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