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## Land registry practice guide declaration of trust

The Land Registry Act 2002 provides for 2 types of registrations to protect the interests of third parties that affect registered estates and levies: notices and restrictions. A notification is an entry in the register relating to the burden of an interest which affects a registered estate or levy (Article 32(1) of the Land Registry Act 2002) A restriction is a registration in the register which prevents or regulates the registration in the register in relation to an alienation or a disposition of a certain nature (Article 40 , paragraph 1, of the Land Registration Act 2002) This guide explains the nature and effect of a particular nature (Article 40(1) of the Land Registry Act 2002) of notices and restrictions. It gives advice on when they are entered and how to apply for a listing. It also explains how existing announcements and restrictions can be cancelled or changed. The Land Registry Act of 1925 also provided for the introduction of notices and restrictions to protect the interests of third parties. Interests can also be protected by entries known as warnings against transactions and inhibitions. The impact of such registrations under the transitional provisions of the Land Registry Registration Act 2002 and the land registry rules 2003 are explained in transitional provisions. 1.2 Matters not covered by this guide This guide does not advise on third-party interests to be filled by registration, such as legal fees, leases of land for more than 7 years, or the express granting of statutory inheritance from registered land. The various provisions relate to bankruptcy notices and restrictions and to notices relating to (marriage) home rights; information on this is provided elsewhere and is not repeated in this guide. For more information on other relevant topics, see the following practice guides: 1.3 The priority of competing interests: the reason why third-party interests require protection The revised title registration system introduced by the Land Registry Act 2002 aims to make the registry a complete and accurate representation of the status of the title on a registered estate at any given time (paragraph 1.5 , Law Com 271 - Land Registry for the 21st century - A revolution). The owner of a registered estate may, a disposition of almost any kind permitted by general law (Article 23(1) of the Land Registry Act 2002) and a person dealing with the holder, assuming that their powers are unlimited, except for any restriction reflected by a registration in the register or imposed or under the Land Registry Act 2002 (Article 26 of the Land Registry Act 2002). Where more than one party has an interest in a registered estate or levy, the general rule that determines the priority of each party's claim is that each interest belongs in accordance with the date of its creation. Someone with an existing interest will not be affected by a subsequent disposition (Section 28 of the Land Act 2002. Note that different general rules determine the priority between interests established before the Land Registry Act 2002 came into force). However, there is one important exception. A person who acquires a registered value obligation will, by registering his interest, delay the priority of any other interest that is not protected by the registration of a notice in the register (Article 29 of the Land Registry Act 2002). Dispositions that were not created for value or for any nominal fee do not have this effect). In other words, they will not be influenced by interests that have not been noted. Not all interests are postponed in this way (Article 29(2) of the Land Registry Act 2002). Certain interests have a compelling status and can bind someone who acquires a registered value obligation, even if they are not registered. However, far fewer interests have compelling status under the Land Registration Act 2002 than was the case under the Land Registration Act 1925. For more details about interests with compelling status, see practice guide 15: compelling interests and their disclosure. A notification contained in the register relating to a third party interest will protect its priority against that of a subsequent registerable value obligation. A restriction, by preventing a later registerable value listing from being registered, prevents the priority of a third party interest from being postponed. 1.4 Retention of documents submitted to applications We only need certified copies of deeds or documents that you send us to HM Land Registry Applications. Once we have made a scanned copy of the documents you send to us, they will be destroyed. This applies to both originals and certified ones. 2. Notices 2.1 The nature and effect of the notices An announcement shall be a registration in the register relating to the burden of an interest which affects a registered estate or levy. Notices are almost always included in the cost register of the registered estate to which they relate (rules 9(a) and 84(1) of the Land Registry Rules 2003. Bankruptcy notices affecting the owner of a registered estate are included in the holder register, but are not covered in this guide). Where a notification is included in respect of an interest rate affecting a registered levy, it will specifically relate to the entries relating to the levy in question. The effect of a message is very limited. The mention of a message does not guarantee that the interest it protects is valid or even exists. A notification will be made there ensure that the priority of the protected interest is not automatically postponed when the registration of a subsequent registerable valuation, if the interest is valid. If an interest had the mandatory status before it was listed in the registry, it loses that status when the notification (Article 29(3) of the Land Registry Registration Act 2002). The protection provided by the mention of a message is the same as that of the mandatory status. However, the person with the benefit of the interest should be aware that, once the interest is quoted, the predominant status cannot be regained, even if the notification is cancelled. 2.2 Interests which cannot be protected by denunciation Certain interests cannot be protected by denunciation. These are: interests under a trust or land (Section 33(a)(i) of the Land Registry Act 2002) under a scheme under the Settled Land Act 1925 (Section 33a)(ii) of the Land Registry Act 2002) leasehold land in land for a period of 3 years or less, with the exception of all those to be registered , (Article 33(b) of the Land Registry Act 2002. Some shorter leases, such as reverse leases that take effect more than 3 months after the grant, must still be registered and, if granted from registered land, will be recorded against the landlord's title) restrictive covenants between landlord and tenant that relate only to the deceased premises (Section 33(c) of the Land Registration Act 2002) interests that are in the register under the Commons Registration Act 1965 (Section 33(d) of the Land Registration Act 2002) certain interests in coal, coal mining and mining rights (Section 33(e) of the Land Registry Act 2002) public-private partnership leases (Article 90(4) of the Land Registry Registration Act 2002. Public-private partnership leases are those specifically relating to transport in London under the Greater London Authority Act 1999) interests under a relevant social housing lease (Section 33(ba) of the Land Registration Act 2002) To the extent these interests require protection by registering (some of them therefore need no further protection), the only protection that can be applied for is a restriction. A purely contractual agreement to pay a person part of the proceeds of the sale of a registered title does not give that person any interest (Lynton International Ltd v Noble [1991] 63 P & CR 452) and therefore cannot be protected by a notification. 2.3 Entry of notices in the register 2.3.1 Different types of notices may be entered in the register under different circumstances. For example, the registrar will introduce appropriate notices in the course of the first registration (Rule 35(1) of the land registry registration rules 2003) and as part of the processing of certain types of registered disposal of leases, for example, ground – see paragraph 3(2)(b) of Schedule 2 of the Land Registry Act 2002. A person claiming an interest can also apply to the registrar for a registration. A request for the submission of a notice may be for either: an agreed notification a unilateral notification There are several procedures for submitting agreed notices and unilateral notices and for cancelling the once made. The forms of registrations in the register are also different. However, all types of notices have the effect of protecting the priority of the importance to which they relate, as discussed in the nature and effect of announcements. The term agreed notification shall apply only to notices recorded following an application to the registrar pursuant to Article 34(2)(a) of the Land Registry Act 2002. However, all notices other than unilateral announcements shall be treated in the same way as agreed notices once they are entered in the register. Where this guide refers to notices already entered in the register, it prefers to refer to announcements (other than unilateral announcements) rather than agreed notices, in order to avoid confusion; similar terminology is laid down in the land registry registration rules 2003. 2.3.2 Agreed notices An agreed notification may be entered in the register only: by, or with the consent of, the holder concerned (or someone entitled to be registered as such) if the applicant can satisfy the registrar that the claimed interest is valid We are not obliged to notify the holder concerned before approving an application for an agreed notification that has not been made with the cooperation of the owner. In most cases, we determine the application on the submitted proof without involving the owner. However, if the application is based on evidence rather than the owner's cooperation, we always notify the owner that the listing was made when we complete the application. Agreed notification submissions should provide details of the importance they protect. Often this is achieved by referring to a document that describes or has created the interest. A copy of the document itself may be submitted and made available for inspection. For more information on the public's access to documents held by the registrar, see practice guide 11: inspection and application for official copies. See also Points to consider when determining what type of notification you should request. An example of an agreed message entry would be: (22.01.2004) Contract for sale of October 15, 2003 in favor of James Dean Perry. NOTE: Copy submitted. The date in parentheses at the beginning of the entry shall determine the date on which the entry is deemed to have been made. This is the date on which the request for the announcement was received. See rule 20(1) of the Land Registry Registration Rules 2003. An agreed communication shall inform the importance to which it relates to: its purpose is not to identify the beneficiary of that interest and it is not possible to record the decentralisation of the title on an interest protected by an agreed notification. Once entered in the register, any notification other than a unilateral notification will only be cancelled if the registrar is satisfied that the protected interest has ended or that the claimed interest is otherwise invalid. A person requesting the notice must prove to satisfy the registrar that this is the case. 2.3.3 Unilateral notices Without the consent of the owner concerned, a unilateral notification may be received. The applicant is not obliged to satisfy the registrar that his claim is valid and does not have to substantiate his claim for the interest with any evidence. However, the registrar will check whether the claimed interest rate is of a type that can be protected by unilateral notification. The owner concerned is only informed after the application has been registered, so that he usually cannot object to the application. However, they will always be notified after the request is completed. They may then at any time apply to cancel the notification and thus prove to the person claiming the benefit of the protected interest the validity of their claim. There are 2 elements to a unilateral notification mention: the first part gives short details of the protected interest rate and identifies that the listing is a unilateral notification; in the second part, the name and address of the person identified by the applicant as the beneficiary of the notice shall be the name and address. This information is necessary because it is the beneficiary who will be served with a notification and who must prove the validity of the interest if the owner concerned applies to cancel the notification. An example of a unilateral notification of entry would be: (22.01.2004) UNILATERAL NOTICE relating to a purchase agreement of 15 October 2003 between (1) Sandra Jane Kemp and (2) James Dean Perry. (22.01.2004) BENEFICIARY: James Dean Perry of 23 The Burn, Ripley, Cornshire XX1 3AB. The date in parentheses at the beginning of the first part of the entry shall indicate the date on which the entry is deemed to have been made. The date in parentheses at the beginning of the second part of the entry shall represent the date on which the current beneficiary is registered for the notice. In order to make a unilateral notification of an agreement, it must contain details concerning the agreement, for example: (22.01.2004) UNILATERAL NOTICE concerning an agreement of 15 October 2003 between (1) Sandra Jane Kemp and (2) James Dean Perry regarding the ownership of a wall on the northern boundary of the land in this title. (22.01.2004) BENEFICIARY: James Dean Perry of 23 The Burn, Ripley, Cornshire XX1 3AB. 2.4 What type of notification should be requested for 2.4.1 Interests which can only be protected by an agreed notification, although in most cases the applicant may decide whether to apply for an agreed termination or unilateral notification, a apply for an agreed notice period only for one of the following interests (Rule 80 of the Land Registry Registration Scheme 2003). They are: home rights (see practice guide 20: applications under the Family Law Act 1996 for more information) an HM Revenue & Customs charge relating to an inheritance tax liability under a decision under the Access to Neighbouring Land Act 1992, an amendment to a lease made by or under an order pursuant to Article 38 of the Landlord and Tenant Act 1987 (including any amendment as amended by a decision pursuant to Article 39(4) , of that law) a public right an ordinary right (a customary right is one enjoyed by some or all residents of a particular place) There is no difference in priority between a unilateral notification and an agreed notification. An applicant may prefer an agreed notification where he can obtain the consent of the owner concerned or, in the absence of consent, satisfy the registrar on the validity of his claim. If the applicant is unable to obtain the consent of the owner concerned and it is not clear that the proof will be sufficient to satisfy the registrar's validity of the claim, the applicant may choose to apply for a unilateral notification, as the claimed interest will be protected from the time of the application. The applicant may also choose to request a unilateral notification if he wishes to protect a commercially sensitive interest and to make use of the confidentiality afforded by the limited wording of the unilateral notification. In some cases, the fact that the identity and address of the beneficiary of a unilateral notification will be entered in the register will give preference to this form of registration. This information may be updated if the identity of the beneficiary needs to change (see Registration of a new or additional beneficiary of a unilateral notification). However, the applicant should always be aware that the beneficiary of a unilateral notification may at any time be required to prove the validity of his claim. 2.5 An agreed termination 2.5.1 Application form and fees Apply for an agreed notification must be submitted in Form AN1. The application must be accompanied by the fee required in the current Land Registry, see HM Land Registry: Registration Services. 2.5.2 Applications submitted with the cooperation of the holder concerned, unless the applicant is entitled to satisfy the registrar' s validity of the claimed interest, the application must be submitted by or with the consent of the holder concerned, or with the consent of a person entitled to be registered as the relevant owner (Article 34(3)(a) and (b) , of the Land Registry Act 2002). If the applicant (or the person giving his consent) has the right to be proof of that right must be provided. Three common examples where a person may be entitled to be registered as an owner are: if they have recently taken a transfer of the estate or costs, but have not yet been registered as an owner. For example, when Form AN1 is submitted at the same time as the application for registration when the only relevant relevant has died and they are the personal representative when they are the liquidator in the bankruptcy of the owner concerned and the estate or levy is part of the estate of the bankrupt or there are persons who collectively have the right to be registered as the relevant owner, all must agree or join as applicants. Each consent submitted to the application must be given in Form AN1, Form 11, but may be submitted separately. 2.5.3 Applications based on proof rather than consent Where the application is not submitted by or with the consent of the holder concerned, or someone entitled to be registered as such, it must be accompanied by sufficient evidence to ensure that the registrar complies with the validity of the applicant's claim (Rule 81(1)(c) , of the land registry registration rules 2003). The evidence required to satisfy the registrar's validity of the claim will of course vary on a case-by-case basis. Examples of the type of evidence that the registrar may satisfy the validity of a claim shall be: a certified copy of the original instrument, signed or executed by the holder concerned, where it is claimed that the interest was created by expressly granting a sealed court order of the holder in a procedure in which the holder concerned is or has been a party , when the interest is claimed to have originated from that decision or when the order declares the validity of the importance of the sealed application form and notification of issuance, where the interest protect is a pending ground action We only have certified copies of deeds or documents that you send us with HM Land Registry applications. Once we have made a scanned copy of the documents you send to us, they will be destroyed. This applies to both originals and certified ones. 2.5.4 Details of the nature of the applicant's claim Whether the application is based on evidence of the claim or the cooperation of the holder concerned, it must be accompanied by: the decision or instrument (if any) giving rise to the claimed interest data from which the registrar can determine the nature of the claimed interest (if there is no command or instrument to submit) (Rule 81 , paragraph 1(b) of the Land Registry Registration Scheme 2003) This information is necessary for the Registrar to be able to verify that the claimed interest is of a type which may be protected by a notification and so that the details of the interest can be entered in the register as part of the indication of the notice. We only have certified copies of deeds documents you send us with HM Land Registry requests. Once we have made a scanned copy of the documents you send to us, they will be destroyed. This applies to both originals and certified ones. 2.5.5 Protect the confidentiality of interest Most documents held by the Registrar may be checked by a member of the public (Article 66(1) of the Land Act 2002). Where a document submitted to an application contains information of a personal or commercially sensitive nature, the applicant should also consider requesting the document to designate an exempt information document. See practice guide 57 for information on inspecting documents held by the registrar, or on applying for a document designated as exempt from an exempt information document: exemption from documents from the general right to inspect and copy. 2.6 Apply for a unilateral notification 2.6.1 Application form and fee An application for a unilateral notification must be submitted in Form UN1. The application must be accompanied by the fixed fee required in the current Land Registry, see HM Land Registry: Registration Services. 2.6.2 Details of the nature of the applicant's claim Details of the nature of the claimed interest should be set out in the relevant form form UN1. This information may be provided: in the form of a statement from the applicant in a statement provided by a carrier on behalf of the applicant (Note: if a carrier completes panel 12, they may sign it in their own name or in the name of his company or other body for which he works; provided that they or at least one person in the holding or body are, in the latter case, a carrier within the meaning of Rule 217A of the Land Registry Rules 2003. If they log in on the name of the company/employer, we assume that they have been satisfied that they meet the requirements of Rule 217A and will rely on the certification.) If there is more than one applicant and they choose to make a statement, this declaration must be made by all applicants. When the applicant is a company's person the person making the statement must confirm their position and that they are authorized to issue the statement on behalf of the company. A declaration or certificate noting any of the parties where there is an instrument on which interest is generated is not acceptable. When you refer to the registered owner of the property, you should refer





the entry into force of that restriction on the above mentioned {date}, with the exception of an alienation by the holder of a registered sub-tax registered charge prior to the entry into force of that restriction . . . must be registered without a certificate signed by the applicant for registration or their carrier that written notification of the decision was given to [the name of the person benefiting from the charging order] at [address for service], the person with the benefit of [an interim or a final] charging order on the favourable interest of {debtor's name} made by the {name of the court} on [date] (referral from the Court {insert reference}). 7.12 Form L (disposal by registered holder of a registered estate or holder of the levy – certificate required) No [disposal {or specify type of disposal}] of the registered estate [[excluding a levy]] by the holder of the registered estate [estate]; or by the holder of a registered levy, which is not a fee registered before the entry into force of this restriction .] must be registered without a certificate signed by {choose one of the bullets} a carrier that the applicant for registration [or their carrier] {name} of {address} [or their personal representatives] [or their carrier {or give the correct details}]] {name} of {address} [or their personal representatives] and {name} of {address} [or their personal representatives] [or their carrier {or give the correct details}]] {name} {name} and {name} of {address} [or their personal representatives] [or their personal representatives] [or their carrier {or give the correct data}]] {name} {name} of {address} and {name} of {address} or its survivor [or by the survivor's personal representatives] [or their carrier {or give appropriate details}]] {name} of {address} or [after that person's death] by {name} of {address} [or their carrier { or the correct details specify}]] that specify the provisions of {specific clause, paragraph or other data} of {specific details} have been complied with [or that they do not apply to the disposition]. If the requested restriction requires that all provisions in a deed or document are complied with (instead of certain specified clauses), we will treat this as a non-standard form restriction. This should be in form RX1 accompanied by the fixed fee prescribed under the current Land Registry Fee Order, see HM Land Registry: Registration Services fees. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.13 Form M (Disposal by registered holder of registered estate or holder of the levy – certificate of registered registered of the required title number) No [disposal {or specify type of disposal}] of the registered estate [excluding a levy]] by the holder of the registered estate [; or by the holder of a registered levy, which is not a charge registered before the entry into force of this restriction.] must be registered without a certificate provisionally signed by the holder under title number {give title number} [or their carrier {or specify appropriate details}] provisions of {specific clause , paragraph or other details} of {specific details specify} have been complied with [or that they do not apply to the decision]. If the requested restriction requires that all provisions in a deed or document are complied with (instead of certain specified clauses), we will treat this as a non-standard form restriction. This should be requested in form RX1 accompanied by the fixed fee required under the current Land Registry Fee Order, see HM Land Registry: Registration Services fees. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.14 Form N (disposal by registered holder of registered estate or holder of the levy – consent required) No [disposal {or specify type of disposal}] of the registered estate [excluding a levy]] by the holder of a registered charge, not a fee registered before the entry into force of this restriction.] must be registered without a written consent signed by {choose one of the enumerations} {name} of {address} [or their personal representatives] [ or their transporter {or provide the correct information}]] {name} of {address} [or their personal representatives] and {name} of {address} [or their personal representatives] [or their carrier {or give the correct details}]] {name} of {address} and {name} of {address} or the survivor of them [or by the survivor's personal representatives] [or their carrier {or give the correct information}]] {name} of {address} or [after that person's death] by {name} of {address} [or their carrier {or give appropriate details}]] {Note : Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.15 Form O (Disposal by registered holder of registered estate or holder of the levy – consent of the registered holder of specified title number or certificate required) No [disposal {or specify type of disposal}] of the registered estate [(other a levy)] by the holder of the registered estate [or by the holder of a registered levy, which does not require a levy registered before the entry into force of that restriction .] without a written consent that the owner has provisionally signed from the estate registered under title number {enter title number} [or their carrier {or provide appropriate information}]] [(The text of the restriction can be continued as follows, so that a certificate can be obtained as an alternative to the consent.) or without a certificate signed by {choose one of the listing clauses} a carrier who has signed the applicant for registration [or their carrier] {name} of {address} [or their carrier {or specify appropriate data}]] that the provisions of {specification, paragraph or other details} of {specifying} have been complied with [or that they do not apply to the disposition]. If the requested restriction requires that all provisions in a deed or document are complied with (instead of certain specified clauses), we will treat this as a non-standard form restriction. This should be requested in form RX1 accompanied by the fixed fee required under the current Land Registry Fee Order, see HM Land Registry: Registration Services fees. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.16 Form P: Disposal by registered holder of registered estate or holder of the levy – consent of the holder of the specified levy or certificate required. No [disposal {or specify type of disposal}] of the registered estate [excluding a levy]] by the holder of the registered estate [, or by the holder of a registered levy, which is not a charge registered before the entry into force of this restriction.] must be registered without a written consent provisionally signed by the holder with the charge of {date} in favour of {chargee} referred to in the charging register [or {specifying their carrier {or appropriate data}]] [(The text of the restriction can be continued as follows, so that a certificate can be obtained as an alternative to the consent.) or without a certificate signed by {choose one of the listing clauses} a carrier who has signed the applicant for registration [or their carrier] {name} of {address} [or their carrier {or specify appropriate data}]] that the provisions of {specification, paragraph or other details} of {specifying} have been complied with [or that they do not apply to the disposition]. If the requested restriction requires that all provisions in a deed or document are complied with (instead of certain specified clauses), we will treat this as a non-standard form restriction. This must be requested in form RX1 of the fixed fee required under the current Land Registry Fee Order, see HM Land Registry: Registration Services fees. {Note: Rule 91A, Land Registry Rules 2003 provides alternative alternative the beginning of this restriction. See Default Form Restrictions.} 7.17 Form Q (Disposal by registered holder of registered estate or holder of the levy – consent of personal representatives required) No [disposal {or specify type of disposal}] of the {choose which bullet clause suitable is} registered estate by the holder of the registered account of the levy registered by the holder of that registered levy must be registered after the death of {name of the current holder(s) whose personal representatives consent will be required} without the written consent from the personal representatives of the deceased. 7.18 Form R (disposal by registered holder of registered estate or holder of the levy – proof of compliance with the required club rules) No [disposal {or specify type of disposal}] of the registered estate [(except a levy)] by the holder of the registered estate [, or by the holder of a registered levy, where there are no charges recorded before the entry into force of this restriction . .] must be registered, unless permitted by the rules of the {name of the club} of {address} as shown by {choose which retribution clause is appropriate} a resolution of its members a certificate signed by the secretary or transporter {give appropriate details} 7.7.7.19 Form S (Disposal by holder of charge – certificate of compliance required) No [disposal {or specify type of disposal}] by the holder of the registered charge dated {date} referred to above may be registered without a certificate signed by { choose one of the interconnected clauses} a carrier that the applicant for registration [or their carrier] {name} of {address} [or their personal representatives] [or their carrier {or give the correct details}]] {name} of {address} [or their personal representatives] and {name} of {name} address [or their personal representatives] [or their carrier {or give the correct details}]] {name} of {address} and {name} of {address} or the survivor of them [or by the personal representatives of the survivor] [or their carrier { or give the correct details}]] {name} of {address} or [after that person's death] by {name} of {address} [or their carrier {or give appropriate details}]] the holder for the time of the sub-charge dated {date} in favor of {sub-chargee} [or their carrier {or specify appropriate details}]] that the provisions of {clause, paragraph or other data} of {specific details} have been complied with [or that they do not apply to the decision]. When the requested restriction is required all provisions in a deed or document are complied with (instead of certain specified clauses), we will treat this as a non-standard form restriction. This must be requested in form RX1 accompanied by the fixed fee under the current Order Ground Registration Fees, see HM Land Registry: Registration Services. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.20 Form T (Disposal by responsible – required consent) No [disposal {or specify type of disposal}] by the holder of the above mentioned registered charge {date} must be registered without a written consent signed by {choose one of the bullet clauses} {name} of {address} [or their personal representatives] [or their carrier {or give the correct details}]] {name} of {address} [or their personal representatives] and {name} of {address} [or their personal representatives] [or their carrier {or give the correct details}]] {name} of {address} or [after that person's death] by {name} of {address} [or their carrier {or give the correct details}]] the holder for the time of the sub-charge dated {date} in favor of {sub-chargee} [or their carrier {or give appropriate details}]] {Note : Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.21 Form U (Article 37 of the Housing Act 1985) No transfer or lease agreement must be registered by the holder of the registered estate or by the holder of a registered levy, unless a certificate of {specify relevant local authority} is given that the transfer or lease agreement is made in accordance with Article 37 of the Housing Act 1985. 7.22 Form V (Article 157 of the Housing Act 1985) No transfer or lease agreement must be registered by the holder of the registered estate or by the holder of a registered levy, unless a certificate of {specify relevant local authority or housing association, etc.} is given that the transfer or lease is made in accordance with Article 157 of the Housing Act 1985. 7.23 Form W (section 4 of Schedule 9A of the Housing Act 1985) No disposal (with the exception of a transfer) of an eligible dwelling (except to a qualified person or persons) may be registered without the consent of (a) with regard to the disposal of land in England, the Minister for Foreign Affairs or (b) with respect to the removal of land in Wales , the Ministers of Wales, where agreement is required by Article 171D(2) of the Housing Act 1985, as it applies under the on housing (retention of the right to purchase) of 1993. 7.24 Form X (Article 133 of the Housing Act 1988 or Section 173 of the Local Government and Housing Act 1989) No disposition by the holder of the registered estate or in the exercise of the sale or leasing in a registered levy (with the exception of an exempted disposal as defined in Article 133(11) of the Housing Act 1988) must be registered without the consent of (a) with regard to the disposal of land in England, the Minister for Foreign Affairs, and (b) on the removal of land in Wales. Welsh ministers, if consent to this Decision is required by {{{if appropriate} [Article 133 of that Act] [or] [Article 173 of the Local Government and Housing Act 1989]. 7.25 Form Y (Article 13 of the Housing Act 1996) No transfer or lease agreement by the owner of the registered estate or by the holder of a registered levy must be registered , unless a certificate of {specify relevant social landlord} is given that the transfer or lease is made in accordance with Article 13 of the Housing Act 1996. 7.26 Form AA (Freezing order on the registered estate) Under a decision of the {name of the court} on [date] (reference to the Court {insert reference}) no decision of the holder of the above registered charge {date} must be registered, except with the consent of {name} of {address} or under any other order of the Court. 7.27 Form BB (Freezing Order) Under an order of the {name of the court} on [date] (reference to the Court {insert reference}) no disposal by the holder of the above registered charge {date} must be registered, except with the consent of {name} of {address} or under a further order of the Court. 7.28 Form CC (Application for freezing of the relic on the registered estate) On the basis of a request on [the date] at [the name of the court] for a freezing order under [statutory provision] the holder of the registered estate may not be registered, except with the consent of {name of the person applicable} of {address} or under a further decision of the Court. 7.29 Form DD (Request for freezing of a payment order) On the basis of a request on [date] to [the name of the court] to make a freezing order under [statutory provision] the holder of the above mentioned registered levy must not be registered, except with the consent of the {name of the person applicable} of {address} or under another order from the Court. 7.30 Form EE (Confirmation order or interim receipt on the registered estate) On the basis of [an injunction or an interim order of receipt] on [date] (reference to the Court {reference}) the holder of the registered estate may not be registered except with the consent of the name of the public prosecutor or other person] of {address} or under another order of the Court. 7.31 Form FF (restraint order or interim receipt) Under [an interim receipt] pursuant to [statutory determination] on [date] (reference to the Court {insert reference}) no disposition by the holder holder the above mentioned registered charge {date} must be registered, except with the consent of {name of the prosecutor or other appropriate person} of {address} or under a further decision of the Court. 7.32 Form GG (Application for restraint order or interim receipt on the registered estate) On the basis of a request for [an order for restraint {or} an interim receipt order] to be issued on the basis of {statutory provision} and pursuant to a decision made in response to that request, no decision of the holder of the registered estate may be registered , except with the consent of {name of the prosecutor or other appropriate person} of {address} or under any other order of the Court. 7.33 Form HH (Request for a restraining order or provisional receipt) On the basis of a request for [an order for restraint {or} an interim receipt order] to be issued on the basis of {statutory provision} and under a warrant issued as a result of that application, no declaration by the holder of the above registered charge {date} must be recorded , except with the consent of {name of prosecutor or other appropriate person} of {address} or under any other order of the Court. 7.34 Form II (Favourable interest that is a right or claim in respect of a registered estate) No disposal of the registered estate, other than an alienation by the holder of a registered charge registered before the entry into force of that restriction, must be registered without a certificate signed by the applicant for registration or their transfer certificate that the declaration has been given to {name} at {address}. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.35 Form JJ (Legal burden of favourable importance to the Lord Chancellor) No disposition of the {choose which by-listing clause is appropriate} registered estate, with the exception of an alienation by the holder of a registered levy registered before the entry into force of this restriction registered charge dated {date} listed above, with the exception of a disposition by the holder of a registered sub-charge of that charge registered before the entry into force of that restriction must be registered without a certificate signed by the applicant for registration or their carrier that written notification of the disposition was given to the Lord Chancellor, at {address and reference number of lord chancellor}. 7.36 Form KK (Rental of property in Wales by registered landlord) This restriction has been repealed by the Regulation of Registered Social Landlords (Wales) Act 2018 (Consequential Amendments) Regulations 2018 which came into force on 15 August 2018. 7.37 Form LL (Limitation of proof of execution) No disposition of the {choose which bullet clause is appropriate} registered estate by the of the registered person 'date' registered charge as mentioned above by the holder of that registered levy is registered without a certificate signed by a carrier that that carrier is satisfied that the person who executed the document submitted for registration as a disponent is the same person as the owner. No disposal of the registered estate made after the death of {enter the name of the person whose favourable interest under a favourable joint lease is subject to a levy under Section 22(1) of the Health and Social Services and Social Security Adjudications Act 1983 or Section 71 of the Social Services and Well-being (Wales) Act 2014} . or after that person has become the owner of the registered estate, it must be registered, unless — 1) is the decision of two or more persons who were registered as the owner of the legal office at the time of that person's death; (2) Notification of a levy pursuant to Article 22(1) or 6 of the Health and Social Services and Social Security Adjudications Act 1983 or Article 71(1) or (5) of the Social Services and Well-being (Wales) Act 2014 for the purposes of {name and address of the local authority} has been entered in the register or, where appropriate, ., this levy is registered, or (3) it is demonstrated to the satisfaction of the Registrar that such a levy does not exist. 7.39 Form NN (disposal by registered holder of registered estate or holder of levy – consent or certificate required) No [disposal {or specify type of disposal}] of the registered estate [excluding a levy]] by the holder of the registered estate [, or by the holder of a registered charge, not a fee registered before the entry into force of this restriction.] must be registered without a written consent signed by {choose one of the bullets clauses} {name} of {address} [or their personal representatives] [ or their carrier {or give the correct information}]] {name} of {address} [or their personal representatives] and {name} of {address} [or their personal representatives] [or their carrier {or give the correct details}]] {name} of {address} and {name} of {address} } of {address} or the survivor of them [or by the survivor's personal representatives] [or their carrier {or give the correct details}]] that the provisions of {specification, paragraph or other details} of {specific details} have been complied with [or that they do not apply to the disposition]. Where the requested restriction requires that it is of the provisions in a deed or document (instead of certain specified clauses) we will treat this as a non-standard form restriction. This must be requested in form RX1 accompanied by the fixed fee required under the current decision on the tender price. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.40 Form OO (Disposal by holder of charge – consent or certificate required) No [disposal {or specify type of disposal}] by the holder of the above registered charge {date} must be registered without a written consent signed by {choose one of the clauses} {name} of {address} [or their personal representatives] [or their carrier {or give appropriate details}]] {name} of {address} [or their personal representatives] and {name} of {address} [or their carrier {or give the correct information}]] {name} of {address} [or their carrier {or give the address correct information}]] {name} of {address} and {name} of {address} or the survivor of them [or by the survivor's personal representatives] [or their carrier {or give the correct information}]] {name} of {address} or [after that person's death] by {name} of {address} [or their carrier {or give the correct details}]] the holder for the time of the sub-charge dated {date} in favor of {sub-chargee} [or their carrier {or give appropriate details}]] or a certificate signed by {choose a of the bullets} a carrier who specifies the applicant for registration [or their carrier] {name} of {address} [or their carrier {or specify the correct data}]] that the provisions of {specific clause, paragraph or other details} of {specific details} have been complied with [or that they do not apply to the disposition]. If the requested restriction requires that all provisions in a deed or document are complied with (instead of certain specified clauses), we will treat this as a non-standard form restriction. This should be requested in form RX1 accompanied by the fixed fee required under the current Land Registry Fee Order, see HM Land Registry: Registration Services fees. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.41 Form PP (disposal by registered holder of registered estate or holder of the levy – certificate of owner or of a carrier, required) No [disposal {or specifying type of disposal}] of the registered estate [excluding a levy]] by the holder of the registered estate [, or the holder of a registered levy, which is not a charge registered before the entry into force of this restriction .] must be registered without a certificate signed by {choose one of the bullets} the provisional of the registered estate comprising the reversal expected immediately upon the adoption of the registered lease of the contract holder of the registered lease, the holder of the estate registered under title number {give title number} {name} of {address} [or by {name} of {address}] or by a carrier, that the provisions of {specific clause, paragraph or other details} of {specific details} of {specific} have been complied with [or that they do not apply to the disposition]. If the requested restriction requires that all provisions in a deed or document are complied with (instead of certain specified clauses), we will treat this as a non-standard form restriction. This should be requested in form RX1 accompanied by the fixed fee required under the current Land Registry Fee Order, see HM Land Registry: Registration Services fees. {Note: Rule 91A of the Land Registry Rules 2003 provides for alternative formulations at the beginning of this restriction. See Default Form Restrictions.} 7.42 Form QQ (Land included in a list of Community value assets maintained under Section 87(1) of the Localism Act 2011) No transfer or lease agreement must be registered without a certificate signed by a carrier that the transfer or lease does not contravene article 95(1) of the Localism Act 2011. 7.43 Form RR (Deputy appointed under Section 16 of the Mental Capacity Act 2005 – owned only) No decision during the lifetime of {name of person who does not have capacity} of the [registered estate] [registered levy dated {date}] must be completed by registration, unless under an order from the court under the Mental Capacity Act 2005. 7.44 Form SS (Trustee appointed instead of a person who does not have capacity – property in joint ownership) No disposal of the [registered estate] [registered levy dated {date}] made during the lifetime of {name of person who does not have capacity} must be completed by registration without permission of the Court of Protection. 8. Things to remember

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