

Statutory Instrument 2000 No. 2212

The Land Registration (Conduct of Business) Regulations 2000

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STATUTORY INSTRUMENTS

2000 No. 2212

LAND REGISTRATION, ENGLAND AND WALES

The Land Registration (Conduct of Business) Regulations 2000

Made

3rd August 2000

Coming into force

2nd October 2000

The Lord Chancellor, in exercise of the powers conferred on him by section 126(5) and (6A) of the Land Registration Act 1925[1], hereby makes the following Regulations:

Citation, commencement and revocation

1. - (1) These Regulations may be cited as the Land Registration (Conduct of Business) Regulations 2000 and shall come into force on 2nd October 2000.

(2) The Land Registration (Conduct of Business) Regulations 1997[2] are revoked.

Interpretation

2. In these Regulations -

(a) "the Act" means the Land Registration Act 1925;

- (b) "the hearings procedure rules" means the Land Registration (Hearings Procedure) Rules 2000[3];**
- (c) "the principal rules" means the Land Registration Rules 1925[4];**
- (d) "qualified registrar" means a registrar who has a 10 year general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990[5]; and**
- (e) "Schedule" means the schedule to this order.**

Solicitor to HM Land Registry

3. - (1) The acts of the Registrar to which this regulation applies may be done for all purposes by a single qualified registrar nominated by the Registrar.

(2) The registrar nominated under paragraph (1) shall be styled Solicitor to H.M. Land Registry.

Acts of the Registrar which may be done by the Solicitor to H.M. Land Registry

4. Regulation 3 applies to the acts of the Registrar which are authorised or required to be done in pursuance of -

- (a) the provisions of the Act specified in the first column of Part I of the Schedule, subject to the limitation, if any, specified in the second column thereof;**
- (b) the provisions of the principal rules specified in the first column of Part II of the Schedule, subject to the limitation, if any, specified in the second column thereof;**
- (c) rules 2 to 19 of the hearings procedure rules.**

Vacancy in office of, or absence of, the Solicitor to H.M. Land Registry

5. - (1) During a vacancy in the office of, or in the absence of, the Solicitor to H.M. Land Registry, the acts of the Registrar to which regulation 3 applies may be done by another qualified registrar nominated by the Registrar.

(2) Any registrar acting under the authority of paragraph (1) shall, while so acting, be styled Acting Solicitor to H.M. Land Registry.

(3) A registrar must not do any act under paragraph (1) in relation to a matter if he has had any dealing with that matter otherwise than pursuant to paragraph (1).

Determination of matters under rule 299 of the principal rules

6. - (1) Subject to paragraph (3), for the purposes of determining a matter under rule 299 of the principal rules (hearing before the Registrar) and making an order as to costs following such a determination, the acts of the Registrar to which regulation 3 applies may be done by any qualified registrar who has been nominated by the Registrar to have the conduct of hearings.

(2) Any registrar acting under the authority of paragraph (1) shall, while so acting, be styled Deputy Solicitor to H.M. Land Registry.

(3) A registrar must not do any act under paragraph (1) in relation to a matter if he has had any dealing with that matter otherwise than pursuant to paragraph (1).

Signed by the authority of the Lord Chancellor

Jane Kennedy
Parliamentary Secretary, Lord Chancellor's Department

Dated 3rd August 2000

SCHEDULE

Regulation 4

SPECIFIED PROVISIONS OF THE ACT AND THE PRINCIPAL RULES

PART I

THE ACT

<i>Provisions of the Act authorising or requiring acts to be done by the Registrar</i>	<i>Limitation (if any) on the extent to which regulation 3 applies</i>
Section 13	Limited to hearing and determining objections under provisio (b)
Section 15	Without limitation
Section 17	Without limitation
Section 82[6]	Limited to rectifying the register (otherwise than pursuant to an order of the court or with the consent of all persons interested) and making orders dispensing with the production of land or charge certificates
Section 140	Without limitation

PART II

THE PRINCIPAL RULES

<i>Provisions of the principal rules authorising or requiring acts to be done by the Registrar</i>	<i>Limitation (if any) on the extent to which regulation 3 applies</i>
Rule 26	Without limitation

Rule 131[7]	Limited to the making of an entry in or correction of the register (except where the power of disposing of the land has vested in a person other than the proprietor by the operation of any statute, statutory power or order of the court)
Rule 158	Without limitation
Rule 230(2)	Without limitation
Rule 299[8]	Without limitation
Rule 303	Without limitation
Rule 320	Without limitation
Rule 321	Without limitation

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which supersede the Land Registration (Conduct of Business) Regulations 1997, make amendments to the acts of the Registrar which may be done by a legally qualified registrar, called the Solicitor to HM Land Registry, or, during a vacancy in the office of, or in the absence of, the Solicitor to HM Land Registry, by another legally qualified registrar (called the Acting Solicitor to HM Land Registry). They further provide for those acts to be done by another legally qualified registrar (called the Deputy Solicitor to HM Land Registry) for the purpose of determining a matter under rule 299 of the Land Registration Rules 1925 (hearing before the Registrar) and making an order as to costs following such a determination, where such registrar has been nominated by the Registrar to have the conduct of hearings.

Notes:

- [1] 1925 c. 21; section 126(5) was partially repealed by the Statute Law (Repeals) Act 1986 (c. 12), Schedule 1, Part XII; section 126(6A) was inserted by the Courts and Legal Services Act 1990 (c. 41), Schedule 17, paragraph 2.[back](#)
- [2] S.I. 1997/713.[back](#)
- [3] S.I. 2000/2213.[back](#)
- [4] S.R. &O. 1925/1093; relevant amending instrument S.I. 2000/2214.[back](#)
- [5] 1990 c. 41; section 71 was amended and partially repealed by the Access to Justice Act 1999 (c. 22), Schedule 15, Part II and Schedule 6, paragraph 9.[back](#)
- [6] Section 82 was amended by the Administration of Justice Act 1977 (c. 38), section 24.[back](#)
- [7] Rule 131 was amended by S.I. 1996/2975.[back](#)
- [8] Rule 299 was substituted by S.I. 2000 2214.[back](#)

