

**2009 No. 1996**

**LAND REGISTRATION, ENGLAND AND WALES**

**The Land Registration (Amendment) Rules 2009**

*Made* - - - - *20th July 2009*

*Laid before Parliament* *21st July 2009*

*Coming into force* - - *1st October 2009*

The Lord Chancellor makes the following rules in exercise of the powers conferred by sections 1(2), 25(1), 27(6), 126, 127(1) and 128(1) of, and paragraphs 6(a), 6(b) and 8 of Schedule 10 to, the Land Registration Act 2002(a).

In accordance with section 127(b) 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 2009 and shall come into force on 1 October 2009.

**Interpretation**

- 2.—(1) In these rules “the principal rules” means the Land Registration Rules 2003(c).
- (2) Expressions used in these rules have the same meaning as in the principal rules, unless the contrary intention appears.

**New Rule 111A**

3. In the principal rules, after rule 111, insert—

**“Registration of charges by certain overseas companies**

- 111A.**—(1) An application to register a charge created by an overseas company must—
- (a) be accompanied by evidence to satisfy the registrar that the charge has been registered under Part 3 of the Regulations, or
  - (b) include a statement that the charge, when created, did not require to be so registered.

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(a) 2002 c.9.

(b) Section 127 was amended by the Constitutional Reform Act 2005 (c.4), section 15(1) and Schedule 4, Part 1, paragraphs 301 and 302.

(c) S.I. 2003/1417; relevant amending instruments are S.I. 2005/1982, 2008/1919.

(2) If the application does not comply with paragraph (1) the registrar must enter a note in the register to the effect that no evidence has been lodged either that the charge has been registered in accordance with Part 3 of the Regulations or that such registration was not required.

(3) In this rule, “the Regulations” means the Overseas Companies (Execution of Documents and Registration of Charges) Regulations 2009(a).”.

#### **Amendments to certain forms in Schedule 1 to the principal rules**

4. In Schedule 1 to the principal rules, in each of the forms listed in the first column of the following table, in the panels numbered as shown in the second column of that table, for the words “Registered number in England and Wales including any prefix” substitute “Registered number in the United Kingdom including any prefix”—

ADV1	6
AP1	6 and 10
AS1	5 and 6
AS2	6 and 7
AS3	6 and 7
CCD	5
CCT	6
CH1	4 and 5
CT1	5
DS1	5
DS2	5
DS3	5
FR1	6 and 10
RX4	5
TP1	5 and 6
TP2	6 and 7
TR1	4 and 5
TR2	5 and 6
TR4	3 and 4
TR5	4 and 5
UN1	6
UN2	7
UN3	6
UT1	6
WCT	5

#### **Amendment to Schedule 1A to the principal rules**

5. In Schedule 1A to the principal rules, in the panel headed “LR3. Parties to this lease”, for the words “the registered number in England and Wales including any prefix”, substitute “the registered number in the United Kingdom including any prefix”.

#### **Amendments to Schedule 9 to the principal rules**

6. In the heading to Form D(i) in Schedule 9 to the principal rules, immediately after “seal” insert “, acting by a director and its secretary or by two directors”.

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(a) S.I. 2009/1917.

7. In the heading to Form D(ii) in Schedule 9 to the principal rules, immediately after “Acts,” insert “without using a common seal,”.

8. In Form F in Schedule 9 to the principal rules—

- (a) in the heading, immediately after “F” insert “(i)”, and after “seal” insert “, acting by two members”,
- (b) for “Signed” substitute “Executed”, and
- (c) at the end of the amended Form F(i) insert—

**“F(ii). Where the instrument is to be executed by a limited liability partnership incorporated under the Limited Liability Partnerships Act 2000, without using a common seal, acting by a single member—**

Executed as a deed by (*name of limited liability partnership*) acting by a member in the presence of:

*Signature*

Member

Signature of Witness .....

Name (in BLOCK CAPITALS)

.....

Address:.....

.....

.....”.

#### Use of unamended forms

9.—(1) Notwithstanding rule 4, the forms listed in that rule may continue to be used in the form in which they were prescribed immediately before the coming into force of these rules, unless the application for which they are used relates to an overseas company.

(2) Notwithstanding rule 5, a prescribed clauses lease may contain the wording prescribed by Schedule 1A to the principal rules immediately before the coming into force of these rules, unless an overseas company is a party to the lease.

Signed by authority of the Lord Chancellor

20th July 2009

*Michael Wills*  
Minister of State  
Ministry of Justice

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules are made under the Land Registration Act 2002. They amend the Land Registration Rules 2003 (“the principal rules”) so as to—

- (a) make provision in relation to the registration of charges created by certain overseas companies, consequent upon the coming into force of Part 34 of the Companies Act 2006 and the Overseas Companies (Execution of Documents and Registration of Charges) Regulations 2009,
- (b) amend the information concerning overseas companies required by certain of the forms prescribed by the principal rules,
- (c) amend Schedule 9 to the principal rules by providing for an additional form of execution for limited liability partnerships consequent upon the coming into force of the Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 (S.I. 2009/1804) and by making other minor changes.

An impact assessment has not been produced for this instrument as no significant impact on the private or voluntary sectors is foreseen.

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