

1990 No. 327

LAND CHARGES

The Land Charges Fees Rules 1990

Made - - - - *21st February 1990*

Coming into force *2nd April 1990*

The Lord Chancellor with the concurrence of the Treasury, in exercise of the powers conferred on him by sections 9(1), 10(2), 16(1) and 17(1) of the Land Charges Act 1972^(a) hereby makes in the following Rules:—

1.—(1) These Rules may be cited as the Land Charges Fees Rules 1990 and shall come into force on 2nd April 1990.

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

“the Act” means the Land Charges Act 1972;

“credit account” means an account authorised by the Registrar for the purpose of providing credit facilities for the payment of fees;

“fee” means a fee specified in Schedule 1;

“Schedule” means a schedule to these Rules;

“written application”, except in Schedule 1, includes an application made by teleprinter or facsimile transmission.

2. The fees specified in Schedule 1 shall be payable under the Act.

3. Every fee which accompanies an application is to be paid in money in accordance with the Land Charges (Fees) Order 1990^(b) and shall, except as mentioned in Rule 4 or as the Registrar may otherwise allow, be paid in cash or by means of a postal order crossed and made payable to H.M. Land Registry.

4.—(1) Any person or firm having a credit account may request the Registrar, on any application, to debit the requisite fee to that account.

(2) When a person or firm having a credit account makes a written application which is not accompanied by any fee and does not contain a request for the fee to be debited to that account, the Registrar may, if he thinks fit, nevertheless accept the application and debit the fee to that person's or that firm's account.

(3) If the Registrar debits a fee to a credit account, this shall be treated as due payment of that fee.

(4) Credit accounts shall be authorised and maintained in accordance with the provisions set out in Schedule 2.

^(a) 1972 c.61.

^(b) S.I. 1990/323.

5. The Land Charges Fees Order 1985(a) so far as made under powers conferred by the Act is hereby revoked.

Dated 16th February 1990

MacKay of Clashfern, C.

We concur

***David Lightbown
Stephen Dorrell***

Dated 21st February 1990 Two of the Lord Commissioners of Her Majesty's Treasury

(a) S.I. 1985/358.

SCHEDULE 1

Rule 2

<i>Service</i>	<i>Amount of Fee</i>
1. Registration, renewal, rectification or cancellation of an entry in any register per name	£1
2. Certificate of cancellation... .. per name	£1
3. Entry of priority notice per name	£1
4. Inspection of an entry in the register per entry	£1
5. Office copy of an entry in the register (including any plan) whether the application is made in writing or by telephone or teleprinter or facsimile transmission per copy	£1
6. Official search in the index (including issue of printed certificate of result):—	
written application per name	£1
telephone application per name	£2
teleprinter application per name	£2
facsimile transmission application per name	£2
7. Official search in the index (including visual display of result of search and issue of printed certificate of such result) per name	£2

SCHEDULE 2

Rule 4(4)

PROVISION OF CREDIT ACCOUNTS

1. The Registrar may, as he thinks fit, authorise any person or firm to use a credit account for the purpose of the payment of fees but may withdraw or suspend any such authorisation at any time without giving any reason therefor.

2. The Registrar may also at any time terminate or suspend all credit accounting facilities generally.

3. A statement of account shall be sent by the Registrar to each account holder at the end of each calendar month or at such other period as the Registrar shall direct either in any particular case or generally.

4. On receipt of the statement and if no question arises thereon the account holder shall pay by cheque any sum due on his account promptly, and in any event within ten days of its receipt.

5. Cheques shall be made payable to H.M. Land Registry and sent to the Accounts Section, Land Charges Department, Burrington Way, Plymouth, PL5 3LP or at such other address as the Registrar shall direct.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules, which replace the Land Charges Fees Order 1985, prescribe the fees payable in respect of the services provided by the Land Charges Department of H.M. Land Registry and the methods of payment of such fees.

The fee for a written application for an official search in the index is increased to £1 and the fee for any other application for an official search is increased to £2. The fees for all other services remain the same as those prescribed by the Land Charges Fees Order 1985 at £1. Additionally, two new fees are prescribed to cover applications made by facsimile transmission:—

- (a) a fee of £1 for an office copy of an entry in the register (including any plan); and
- (b) a fee of £2 per name for an official search in the index (including the issue of a printed certificate of result).

The methods of payment of fees remain unchanged and comprise payment in cash or by postal order or by means of authorised credit accounts.

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