



## **GUIDE TO THE LAND REGISTRY ACT 2002**

The Land Registry Act 2002 took effect on October 13<sup>th</sup> 2003. The Act aimed to modernise and simplify land registration law. The main provisions of the Act which affect you and your property include:

### **Deeds Scanned to Discs**

- All Deeds sent to HM Land Registry are recorded on the Land Registry system but no Charge Certificates will be produced
- HM Land Registry destroy all pre-registration Deeds unless specifically requested not to. We endeavour to ensure the Land Registry return all pre-registration Deeds to us but if you wish to retain them for historical purposes we would recommend that you advise us of this at the earliest opportunity
- This is known as 'dematerialisation of deeds' and means that even if you have a mortgage, your bank or building society will no longer hold your deeds. Instead, copies of your deeds (and any documents lodged with them) will be scanned onto computer discs.

### **Information about your deeds is available for all to view**

- As all the information that is scanned about your deeds (and any documents lodged with them) is available on the Register, it is open for anyone to view.
- Should your deeds contain any sensitive or confidential information, you will need to ask us to request that the documents (or part of them) are marked as exempt information.

### **Leases for 7 Years or more need to be Registered**

- Previously, leases only had to be registered if they were for 21 years or over.
- The Land Registration Act 2002 requires that all leases that are for 7 years or over will now need to be registered at the Land Registry.
- Consequently, the Land Registry will require the freehold title to be made available too.

### **New Rights for Squatters**

- Previously, squatters were able to apply to the Land Registry after 12 years, with the rightful owners having no notice.
- This is still the case with unregistered land but for land that has been registered the rules have changed.
- Squatters will now need to apply to the Land Registry after 10 years for title to the rightful owner's land. The rightful owner will be given notice of the claim and will be given a 2 year period in which to defeat the claim.
- It is therefore essential that your correct full postal address is recorded at the Land Registry.

### **Interests of Third Parties**

- Any interests of third parties will need to be recorded at the Land Registry.
- These may include rights of way, drainage, easements or options.
- It is the responsibility of the Buyer or the applicant for first registration to reveal these overriding interests.

**THE ABOVE IS ONLY A GUIDE AND IF YOU HAVE ANY FURTHER QUESTIONS  
PLEASE CONTACT DEREK ROWNTREE ON 01747 852377 OR E-MAIL HIM AT:  
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