



Meeting Name	Land Registration Fee Order 2004
Location	32 Lincoln's Inn Fields, London
Date	6 February 2004
Time	11.30 am
Attendees	Mr Justice Blackburne Michael Webber David Powell Rodney Stewart-Smith Tom Horrocks Peter Collis
Officials from Land Registry	Joe Timothy Mike Westcott Rudd Maureen Greenhouse

1. Apologies

Paul Marsh, Peter Candon.

2. Update following JCSI's report on 2003 Fee Order

The new Order takes account of JCSI's comments in relation to 'vires'. It was agreed that lessons had been learnt.

3. Publication Scheme: obligations under Freedom of Information Act 2000

The judge referred to the draft Scheme circulated to all members and asked for comments on the proposals. There were none.

4. Consideration of Draft Land Registration Fee Order 2004

Article 1: Agreed.

Article 2: After discussion the following amendments were agreed:

- i. Paragraph (2), first line, add the words *'the grant of'* between *'of title to'* and *'a lease'*.
- ii. Paragraph (7)(a), consequentially amended to read 'a lease which grants an estate in land whether or not *the grant* is a registrable disposition, or'
- iii. Paragraph (7)(b), consequentially amended to read 'a lease of a franchise, profit or manor *the grant of* which is a registrable disposition.'





Article 3: Agreed.

Article 4:

- i. It was noted and agreed that the words '*of registered estates*' has been added to the heading for clarification.
- ii. Article 4(1)(c), amend by removing the comma between the words '*bankruptcy*' and '*of*'.

Article 5: Agreed, save that in paragraph (4), the words '*the additional property*' should be:

- i. placed in parenthesis, and,
- ii. inserted after the words '*primary application*' in line 2.

Article 6: After discussion, it was proposed that in paragraph (1)(a)(i) the words '*the title number of a registered estate*' should be replaced with '*any land registered under any title number*'. Mike Westcott-Rudd would reflect upon the wording and effect of paragraph (1)(a) and return to the Committee with any comments during the next few days.

Articles 7 – 13: Agreed.

Article 14: In paragraph (2), line 3, there was discussion over the use of the word '*fitness*'. It was agreed that the appropriate language was employed as it gave a broad meaning.

Schedule 1, Scale 1, Note 1: Use of the word '*must*' in lieu of '*may*' was agreed.

Schedule 3, Part 1 (9): Agreed to include reference to the rule provision for outline applications.

Schedule 3, Part 2 (3)(b)(ii): Add the word '*copy*' between the words '*official*' and '*in*'.

Schedule 3, Parts 3 and 4: Agreed.

Schedule 4:

- i. Agreed that paragraph (14), line 5, should be amended by the omission of the word '*so*'.
- ii. Agreed that paragraph (15) be amended as follows:
 - a. line 1, deletion of comma between the words '*where*' and '*either*'.



- b. line 2, deletion of the words '*provided*' and '*so*'.

5. Any other business

- i. It was agreed that the deadline for amendments to the draft Order is early March.
- ii. In response to the question from the Chair, JVT confirmed that the Commonhold legislation is not due to come into force until June/July 2004.

The meeting closed at 12.25pm.