

The Land Registration Rule Committee

Publication Scheme

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Introduction

The Freedom of Information (FOI) Act 2000¹ (the Act) establishes a **general right of access to all types of recorded information held by public authorities**, sets out limitations to that right and places a number of obligations on public authorities. The Act applies to public authorities, including Non Departmental Public Bodies.

The Land Registration Rule Committee (Rule Committee) is a Non Departmental Public Body established in 2002. The role of the Rule Committee is set out in sections 102 and 127 of the Land Registration Act 2002. It provides advice and

¹ Copies of the Act are obtainable, for a charge, from TSO (The Stationery Office). A copy of the Act is also available via the Office of Public Sector Information website at www.opsi.gov.uk

assistance to the Lord Chancellor when he exercises his power to make land registration rules and to prescribe fees.

The Land Registration Rule Committee Publication Scheme (the Scheme) describes what information is made available or planned to be made available.

The purpose of a Publication Scheme is to ensure that a large amount of information is readily available to members of the public, i.e. without the need for specific consideration under the Act, and to inform the public of the extent of material that is available.

You can obtain information and publications by:

- **downloading them from Land Registry website.**

References in the Scheme to 'Website' means the main Land Registry website <http://www.landregistry.gov.uk/>. The majority of documents on the website are only available to download as PDF files. To access them you will need [Adobe Acrobat Reader](#) installed on your computer.

- **downloading them from a third party website**

Reference in the Scheme to any other website includes the full website address of that site. We take no responsibility for the content of the websites of third parties.

- **purchasing the information from a listed supplier**

for example, TSO (The Stationery Office)

- **application to the Rule Committee**

having the information supplied by the Rule Committee within 20 working days on written request. References in the Scheme to 'request' means a request for information made in writing to:

Ms. Sushma Acharya
Lawyer
Corporate Legal Services,
Land Registry, Head Office
32 Lincoln's Inn Fields
London WC2A 3PH
[Email: sushma.acharya@landregistry.gov.uk](mailto:sushma.acharya@landregistry.gov.uk)

The Scheme consists of 7 classes of Information. These are:

1. Who we are and what we do
2. What we spend and how we spend it
3. How we make decisions
4. What are our priorities and how are we doing
5. Our policies and procedures
6. Lists and Registers
7. The services we offer

Note - due to the nature of the Rule Committee and its work, the classes of information listed at 2, 4, 6 and 7 is not held and cannot be provided under the Scheme.

Your rights:

You are entitled, on making a request for information to the Rule Committee (unless the information falls under one of the specific exemptions in the Act): to be informed in writing whether it holds information of the description specified in your request, and if that is the case, to have that information communicated to you.

The Act provides for a time limit for dealing with a request for information – that is, within 20 working days. The Act also provides for an appeal mechanism whereby you may apply to the Information Commissioner for a decision as to whether a specified request was dealt with in accordance with the Act.

A fee may be charged for processing Freedom of Information requests.

Comments and complaints about the Publication Scheme

If you have any comments about this Scheme or if you think we have not supplied information in accordance with the Scheme then you should write, in the first instance, to:

Head of Corporate Legal Services,
Land Registry, Head Office
32 Lincoln's Inn Fields
London WC2A 3PH

If, after the investigation of your complaint, you remain dissatisfied then you may ask for the matter to be reviewed internally. If you are still dissatisfied then you may refer your complaint to the Information Commissioner.

We aim to deal with the investigation of complaints within twenty working days and we aim to complete internal reviews also within twenty working days.

Review of the Publication Scheme

The Scheme will be reviewed annually.

The Classes of information in our Publication Scheme

1. Who we are and what we do

The Rule Committee: Role and composition

The role of the Rule Committee is set out in the **Introduction** to this Scheme.

The Rule Committee comprises:

- (a) a judge of the Chancery Division of the High Court nominated by the Lord Chief Justice, or a judicial office holder nominated by him after consulting the Lord Chancellor
- (b) the Chief Land Registrar
- (c) a person nominated by the General Council of the Bar
- (d) a person nominated by the Council of the Law Society
- (e) a person nominated by the Council of Mortgage Lenders
- (f) a person nominated by the Council of Licensed Conveyancers
- (g) a person nominated by the Royal Institution of Chartered Surveyors
- (h) a person with experience in and knowledge of, consumer affairs nominated by the Lord Chancellor and
- (i) any person nominated under section 127(3) of the Land Registration Act 2002.

The power of nomination set out in (i) has not been exercised so the Rule Committee comprises eight members.

The current Rule Committee members are:

Mr Justice Morgan,
High Court Judge
Chairman of the Rule Committee

Peter Collis
Chief Land Registrar

Rodney Stewart Smith
Nominee of the General Council of the Bar

Richard Barnett,
Nominee of the Council of the Law Society

Michael Webber
Nominee of the Council of Mortgage Lenders

Kim Caley,
Nominee of the Council of Licensed Conveyancers

David Powell
Nominee of the Royal Institution of Chartered Surveyors

Peter Candon,
A person with experience in, and knowledge of, consumer affairs nominated by
the Lord Chancellor

The High Court Judge member acts as chair of the Rule Committee. Members of
the Rule Committee are generally appointed for an initial term of four years.

The address and contact details for the Rule Committee are:

The Secretary to the Land Registration Rule Committee
Registration Legal Services Group
Land Registry, Head Office
32 Lincoln's Inn Fields
London
WC2A 3PH

The Rule Committee Responsibilities

The work of the Rule Committee involves considering and commenting on draft land registration rules and fee orders² for the purpose of advising and assisting the Lord Chancellor as to the making of such legislation.

Members of the Rule Committee consider relevant papers provided by Land Registry officials and discuss their views through meetings and correspondence. Workload and time commitment varies according to the volume of proposed legislation, but Rule Committee business takes up an average of four days a year.

The Land Registration Act 2002 does not limit the scope of advice to be given to the Lord Chancellor by the Rule Committee but the Rule Committee takes account of matters such as clarity of drafting of secondary legislation, practicality and compatibility with:

- the Land Registration Act 2002 and rule making powers under this Act
- the European Convention on Human Rights
- any other existing legislation.

In practice members of the Rule Committee are included in consultations on secondary legislation prepared by Land Registry so that they can express a view notwithstanding that the legalisation is neither land registration rules nor a fee order.

The Chairman of the Rule Committee has overall responsibility for this Scheme.

Responsibility for maintaining this Scheme on a daily basis lies with:

Corporate Legal Services,
Land Registry, Head Office
32 Lincoln's Inn Fields
London WC2A 3PH

2. What we spend and how we spend it

The Rule Committee does not hold a budget. No financial information relating to projected and actual income and expenditure, procurement and contracts exists.

² These are under section 102 of the Land Registration Act 2002. Fee orders require the consent of the Treasury.

The Rule Committee does not have any staff to support its work. Land Registry provides secretariat support.

Members of the Rule Committee are not paid for their services. Members can claim, from Land Registry, reasonable traveling expenses, accommodation costs if applicable and out of pocket expenses.

The Rule Committee does not publish an annual report but it is mentioned in HM Land Registry Annual Report and Accounts. Land Registry's annual report is available free electronically from Land Registry's Website but there is a charge for a hard copy of the report.

3. What are our priorities and how are we doing

Due to the role and nature of the work of the Rule Committee it does not have strategies and plans, audits, inspections and reviews.

4. How we make decisions

Meetings of the Rule Committee are held as and when required and meetings are generally held at Land Registry's offices at 32 Lincoln's Inn Fields, London WC2 3PH. Occasionally matters are dealt with (with the agreement of the Rule Committee members) by email.

Papers for meetings are issued at least one week before the meeting and papers would comprise copies of:

- the draft rules/fee order
- a memorandum explaining what the provisions of the rules/fee order are intending to achieve
- any consultation paper, summary of the responses to consultation and a draft of the report on the consultation responses.

At meetings the Rule Committee, after a discussion of general principles, considers the rules or order, provision by provision with a Land Registry lawyer addressing drafting points.

Copies are available of:

- minutes of meetings held since 2004

- any papers submitted by Land Registry Officials to the Rule Committee for consideration since 2004

It is intended that some of these will be made available on the Land Registry website in due course.

5. Our policies and procedures

The non judicial member of the Rule Committee is nominated by the Lord Chancellor in accordance with the Office of the Commissioner of Public Appointments Code of Practice for Ministerial Appointments to Public Bodies. The Commissioner encourages nominating bodies and those responsible for other appointments to reflect the spirit of the Code.

The Code can be accessed on Office of the Commissioner for Public Appointments – <http://www.ocpa.gov.uk>

The Code sets out the principles of public life and covers handling conflicts of interest.

Members of the Rule Committee have consideration to Cabinet Office's Guidance on Codes of Practice for Board Members of Public Bodies. The Guidance can be viewed at - <http://www.civilservice.gov.uk/publications>

Information relating to diversity is set out in the government 's objective to improve diversity and standards in public appointments are set out at – <http://www.direct.gov.uk>

6. Lists and registers

The Rule Committee does not maintain public registers as public records, asset and information registers and disclosure logs due to nature of the Rule Committee and its work and responsibilities.

7. The services we offer

The role of the Rule Committee is set out in sections 102 and 127 of the Land Registration Act 2002.

The Rule Committee does not produce leaflets or any additional guidance about its role. Copies of statutory instruments considered (when in draft) by the Committee and subsequently made by a Minister on behalf of the Lord

Chancellor are available from Office of Public Sector Information at <http://www.opsi.gov.uk>

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