

## **Notice 3 –Land Registry Direct – Information, official searches, outline applications**

### **Notice given under Schedule 2 to the Land Registration Rules 2003**

#### **Interpretation**

1. In this Notice—
  - (a) “the Rules” means the Land Registration Rules 2003 (SI 2003/1417), as amended, and a reference to a rule by number is to the rule so numbered in the Rules, and
  - (b) expressions used have, unless the contrary intention appears, the meaning which they bear in the Rules.

#### **Currency of notice**

2. This Notice shall be current for the purposes of Schedule 2 to the Rules on and after 25 January 2010 and replaces the previous notice dated 23 December 2009 in respect of access to services through Land Registry Direct.

#### **Services available through Land Registry Direct**

3. Column 1 of Schedule 1 lists the services available through Land Registry Direct
4. Column 2 of Schedule 1 lists against the relevant service any limitations on use or requirements specific to that service.
5. All the services are subject to the provisions of paragraphs 6, 7 and 8.

#### **When the services are available**

6. Applications may only be made between—
  - (a) 0630 hours and 2200 hours (inclusive) on any day Monday to Friday which is not Christmas Day, Good Friday or a day specified as or proclaimed to be a bank holiday in England and Wales in or under section 1 of the Banking and Financial Dealings Act 1971, and
  - (b) 0700 hours and 1700 hours (inclusive) on any Saturday (not being Christmas Day).

#### **Who may deliver applications**

7. Applications may only be delivered by a person who has been approved by the Land Registry to use Land Registry Direct and—

- (a) where the Land Registry Direct: Conditions of Use 2003 apply, has signed an acknowledgement of receipt (provided by the registrar) of those conditions, has lodged that acknowledgement with the registrar and complies with those conditions, or
  - (b) where the Land Registry Direct: Conditions of Use 2000 apply, and where a person's Equipment and Software are connected to the System by means of the Provider's Service (as defined in those conditions), has signed an acknowledgement of receipt (provided by the registrar) of those conditions, has lodged that acknowledgement with the registrar and complies with those conditions, or
  - (c) has signed an agreement with HM Land Registry for the provision of information through the European Land Information Service (EULIS) programme and complies with the conditions set out in the agreement.
8. Applications may only be delivered by a person who maintains a credit account authorised under article 14(1) of the Land Registration Fee Order 2006 (or under any order which supersedes it) and who requests that the fee payable in respect of each application is debited to his credit account.
9. Where the conditions set out in the agreement with HM Land Registry for the provision of information through the European Land Information Service (EULIS) programme apply, applications can only be made for services A, C, E and G referred to in the first column of Schedule 1.

### **Particulars to be provided**

10. Each applicant must provide on request—
- (a) such of the particulars set out in paragraph 11 as are required for an application of the type applied for, and
  - (b) any particulars specified in relation to such application in the second column of Schedule 1.

### **General particulars**

11. The particulars referred to in paragraph 10(a) are—
- (a) the title number of the registered estate,
  - (b) the address of the property,
  - (c) the administrative area(s) and postcodes(s) (if known),
  - (d) the nature of the application,

- (e) the name of the person or persons on whose behalf the application is being made,
- (f) the surname or, if not an individual, the full name of the registered proprietor, or one of the registered proprietors, of the estate,
- (g) the reference and telephone number of the person delivering the application,
- (h) the name and address of the person or firm with whom any requisitions should be raised and their reference and telephone number,
- (i) if different from that given at (h), the name, address and reference of the person or firm to whom any—
  - (i) official copy in paper form,
  - (ii) certificate of inspection of the title plan,
  - (iii) result of official search in paper form of a registered title or a pending first registration application,
  - (iv) result of official search of the index map,
  - (v) result of official search of the index of relating franchises and manors, or
  - (vi) official search certificate of the result of a search for the purpose of section 56(3) of the Family Law Act 1996,

is to be despatched.

NB Where the information requested includes the reference of any person or firm, reference must be restricted to a maximum of twenty-five characters including oblique strokes and punctuation marks, or, if there is no reference, the word “none” must be keyed in.

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Joe Timothy  
Director of Legal Services

21 January 2010

## Schedule 1

### Services available through Land Registry Direct

Service	Specific limitations or requirements
A. Applications to inspect and make copies of the registers and documents under section 66(1) of the Land Registration Act 2002	<ol style="list-style-type: none"> <li>1. Applications may not be made in respect of a registered title to a profit a prendre in gross or a franchise.</li> <li>2. Applications may only be made where—               <ol style="list-style-type: none"> <li>(a) every document in respect of which the application is made is kept in electronic form, and</li> <li>(b) the registrar considers that a copy in electronic form of the register or document is capable of being inspected conveniently.</li> </ol> </li> <li>3. The relevant title, or caution title, number must be provided.</li> <li>4. Where inspection of a document is sought, the nature and the date of that document and the title number (if any) under which the document is stated in the register to be filed must be provided.</li> </ol>
B. Applications for official copies in <b>paper form</b> of a registered title or an individual caution register or caution plan made under rule 134	The relevant title, or caution title, number and the number of copies required must be provided.
C. Applications for official copies in <b>electronic form</b> of a registered title or an individual caution register or caution plan made under rule 134	<ol style="list-style-type: none"> <li>1. Applications may not be made in respect of a registered title to a profit a prendre in gross or a franchise.</li> <li>2. Applications may only be made where—               <ol style="list-style-type: none"> <li>(a) every document in respect of which the application is made is kept in electronic form, and</li> <li>(b) the registrar considers that an official copy in electronic form of each document is capable of being issued conveniently.</li> </ol> </li> <li>3. The relevant title, or caution title, number must be provided.</li> <li>4. An application which but for 2 above would be within this service may be dealt with by the registrar as an application under Service B.</li> </ol>
D. Applications for official copies in <b>paper form</b> of documents referred to in the register of title and kept by the registrar under rule 135	There must be specified: the title number of the individual register; the administrative area(s) in which the estate registered under that title number is situated; the title number (if any) under which the document is stated in the register to be filed; and in every case the nature and the date of the document to be copied.

Service	Specific limitations or requirements
E. Applications for official copies in <b>electronic form</b> of documents referred to in the register of title and kept by the registrar under rule 135	1. Applications may only be made where— <ul style="list-style-type: none"> <li>(a) every document in respect of which the application is made is kept in electronic form, and</li> <li>(b) the registrar considers that an official copy in electronic form of each document is capable of being issued conveniently.</li> </ul> 2. An application which but for 1 above would be within this service may be dealt with by the registrar as an application under Service D. 3. As Service D.
F. Applications for certificate of inspection of the title plan under rule 134	Applications may only be made where there is an approved estate plan in respect of the registered title.
G. Applications for day list information under rule 141(2)	1. Where an application has been made, the day list information (if any) in respect of the relevant registered title shall be provided to the applicant from the registrar's computer system to the applicant's remote terminal. 2. The day list information will be provided as set out in Schedule 2.
H. Outline applications under rule 54	1. Application can only be made in respect of all of the land in a registered title. 2. The relevant title number must be provided. 3. The nature of the right, interest or matter being protected must be provided.
I. Enquiries as to the notification of discharge of a charge by electronic means under rule 142	Enquiries may only be made against a registered title whose number is specified in the enquiry
J. Applications for an official search of the index map under rule 145	Applications may only be made in respect of property identified by— <ul style="list-style-type: none"> <li>(a) its postal address, and</li> <li>(b) the administrative area in which it is located.</li> </ul>
K. Applications for an official search of the index of relating franchises and manors under rule 146	The information required in panel 5 of Form SIF in Schedule 1 to the Rules must be provided.

Service	Specific limitations or requirements
<p>L. Applications for an official search <b>with priority of the whole</b> of the estate in a registered title or the whole of the estate in a pending first registration application under rule 147</p>	<p>There must be provided: the title number; the name of the proprietor or applicant for first registration; in the case of an official search relating to a registered title a search from date within the meaning of rule 131; and whether it is to protect a purchase, a lease or a charge.</p>
<p>M. Issuing official certificates of search <b>with priority of the whole</b> of the estate in a registered title or the <b>whole</b> of the estate in a pending first registration application <b>under rule 149(2)(b)</b></p>	<ol style="list-style-type: none"> <li>1. An official certificate of search will only be issued under rule 149(2)(b) or 156(2)(b) (as appropriate) in electronic form by way of Land Registry Direct on request and where— <ol style="list-style-type: none"> <li>(a) in the case of an official search relating to a registered title, the result of search states that: <ol style="list-style-type: none"> <li>(i) there are no pending applications which fall within paragraph G of Part 3 of Schedule 6 to the Rules, and</li> <li>(ii) there are no official searches of part of the estate in the registered title which fall within paragraph H of Part 3 of Schedule 6 to the Rules,</li> </ol> </li> <li>(b) in the case of an official search relating to a pending application for first registration, all the details required to issue a certificate have been entered on the day list and the result of search states that: <ol style="list-style-type: none"> <li>(i) there are no pending applications which fall within paragraph H of Part 4 of Schedule 6 to the Rules, and</li> <li>(ii) there are no official searches of part of the estate in the pending first registration application which fall within paragraph I of Part 4 of Schedule 6 to the Rules.</li> </ol> </li> </ol> </li> <li>2. Notwithstanding paragraph 1, in the case of an official search relating to a registered title, where the result of search reveals any adverse entry falling within paragraph F of Part 3 of Schedule 6 to the Rules, an official search certificate will only be issued by way of Land Registry Direct where the individual register of title in respect of which the search is made is kept in electronic form and the title is not in respect of a profit a prendre in gross, or a franchise.</li> </ol>

Service	Specific limitations or requirements
<p>N. Issuing official certificates of search <b>with priority of the whole</b> of the estate in a registered title or the whole of the estate in a pending first registration application <b>under rule 149(4)</b></p>	<p>An official certificate of search falling within rule 149(4) or rule 156(4) will only be issued by way of Land Registry Direct where—</p> <p>(a) in the case of an official search relating to a registered title, the result of search states that there are no adverse entries, no pending applications and no official searches which fall within paragraphs F, G or H of Part 3 of Schedule 6 to the Rules,</p> <p>(b) in the case of an official search relating to a pending application for first registration—</p> <p>(i) all the details required to issue a certificate have been entered on the day list, and</p> <p>(ii) the result of search states that there are no pending applications and no official searches which fall within paragraphs H or I of Part 4 of Schedule 6 to the Rules.</p>
<p>O. Applications for an official search <b>without priority of the whole</b> of the land in a registered title made under rule 155</p>	<p>There must be provided: the title number and the name of the proprietor.</p>
<p>P. Issuing official search certificates <b>without priority of the whole</b> of the estate in a registered title <b>under rule 156(2)(b)</b></p>	<p>Please see entry under Service M</p>
<p>Q. Issuing official search certificates <b>without priority of the whole</b> of the estate in a registered title <b>under rule 156(4)</b></p>	<p>Please see entry under Service N</p>
<p>R. Applications for an official search certificate of the result of a search for the purpose of section 56(3) of the Family Law Act 1996 under rule 158</p>	<p>1. Applications can only be made by or on behalf of a person with a charge over the property.</p> <p>2. There must be provided: the title number and the name of the proprietor.</p>

**Schedule 2**  
**(referred to at Service G in Schedule 1)**

**Day List Information**

**General**

1. The title number in respect of which the application for day list information was made.

**Information as to pending applications**

2. Where there is an entry on the day list in respect of a pending application, the entry will indicate whether, at the time the entry was made, the application was—
  - for first registration of the estate which has been allotted the title number (a “First Registration Application”),
  - for registration of a transfer of part of the estate in the registered title (a “Transfer of Part”),
  - for registration of a lease of all or part of the estate in the registered title to which section 27(2)(b) of the Land Registration Act 2002 applies (a “Dispositional First Lease”),
  - an outline application under rule 54 of the Rules , or
  - none of above, such as an application for the entry of a notice in the register (a “Dealing”).
3. Where two or more applications were delivered together, only one entry will be made. For example, the following applications are often delivered at the same time: – to discharge a registered charge, to register a transfer and to register a legal charge, and are covered by a single entry (“Dealing”).
4. Where there is an entry on the day list in respect of a pending application, the following will be revealed—
  - (a) The date and time the entry was made on the day list.
  - (b) If recorded on the day list, the name of the applicants.
  - (c) If recorded on the day list, the name, address and reference of the person who lodged the application or, if it is a proposal by the registrar to alter the register which is being treated as an application, the name of the relevant Land Registry office.

- (d) If recorded on the day list, and entry is in respect of a Transfer of Part or Dispositionary First Lease, a short description of the estate said by the applicant to be affected by the application.

### **Information as to official searches**

5. Where there is an entry on the day list in respect of an application for an official search with priority, the following will be revealed—
- (a) Whether the application is—
- for a search of the *whole* of the estate in the registered title or estate which is the subject of a pending application for first registration under the allotted title number, or
  - for a search of *part* of the estate in the registered title or estate which is the subject of a pending application for first registration under the allotted title number.
- (b) Whether the reason given by the applicant for making the application was that he intended to purchase, take a lease or take a registered charge.
- (c) The date and time the entry was made on the day list.
- (d) The number allocated by the registrar to the official certificate of search.
- (e) The name of the applicant.
- (f) If recorded on the day list, the name, address and reference of the person who lodged the application.
- (g) If recorded on the day list, and the search is of part of the estate in the registered title or allotted title number, a short description of the estate said by the applicant to be affected by the search.