

**Notice 9 – Land Registry Direct – Electronic Delivery of Applications under rule
14 of the Land Registration Rules 2003**

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,
 - (b) expressions used have, unless the contrary intention appears, the meaning which they bear in the Rules, and
 - (c) “direct debit reference number” means the unique reference number issued by the land registry to a person who has entered into an agreement of the type referred to in paragraph 8(b).

Currency of notice

2. This Notice shall be current for the purposes of Schedule 2 to the Rules on and after 16 January 2009 and replaces the previous notice dated 5 November 2008 in respect of electronic delivery of applications.

The delivery of applications through Land Registry Direct

3. Arrangements have been made to use Land Registry Direct for dealing with electronic delivery of applications of the types specified in column 1 of the Schedule.
4. Column 2 of the Schedule lists against the relevant application any limitations on its delivery or on the type of application that can be made and any requirements specific to that application.
5. The delivery of all applications is subject to the provisions of paragraphs 6 to 13.

When applications may be delivered

6. Applications may only be delivered between—
 - (a) 0700 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 the 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.
8. Applications A to N listed in column 1 of the Schedule may only be delivered by a person who either—
 - (a) maintains a credit account authorised under article 14(1) of the Land Registration Fee Order 2004 (or under any Order which supersedes it), or
 - (b) has entered into an agreement with the land registry allowing payment of fees by direct debit as authorised under article 13(2) of the Land Registration Fee Order 2006 (or under any Order which supersedes it) and who provides, if requested, their direct debit reference number.
9. Applications O to R listed in column 1 of the Schedule may only be delivered by a person who has entered into an agreement with the land registry allowing payment of fees by direct debit as authorised under article 13(2) of the Land Registration Fee Order 2006 (or under any Order which supersedes it) and who provides, if requested, their direct debit reference number.
10. Subject to paragraph 11, applications may only be delivered by—
 - (a) a conveyancer, or
 - (b) an employee of a conveyancer who is authorised to make applications on behalf of that conveyancer.

General limitations

11. Applications may not be made in respect of—

- (a) more than one registered title in the same application,
- (b) an application in respect of part only of a registered title,
- (c) a title the registration of which is pending,
- (d) a title the individual register of which is not held in electronic form,
- (e) a title to a freehold estate in commonhold land,
- (f) a title to a profit a prendre in gross,
- (g) a title to a franchise,
- (h) a title which has been registered with a qualified title.

Particulars to be provided

12. Each applicant must provide on request—

- (a) such of the particulars set out in paragraph 13 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 the Schedule.

General particulars

13. The particulars referred to in paragraph 12(a) are—

- (a) the title number of the registered estate,
- (b) the address of the property,
- (c) the administrative area(s) and postcode(s) (if known),
- (d) the nature of the application,
- (e) the name of the person or persons on whose behalf the application is 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 title information document is to be despatched,
- (j) whether an electronic or a postal confirmation of completion of the application is requested.

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

15 January 2009

Schedule

Applications that may be delivered

Application	Specific limitations or requirements
A. Applications to enter a home rights notice	<p>The person delivering the application must provide the following particulars—</p> <ul style="list-style-type: none">(a) the full name and address for service of the spouse or civil partner having the benefit of the home rights charge,(b) the full name of the spouse or civil partner on whose beneficial estate or interest the home rights are a charge,(c) whether or not a home rights charge in respect of the applicant's marriage to or civil partnership with the person referred to at (b) has been registered in respect of any dwelling-house not forming part of the land in the title against which the home rights notice is to be registered,(d) if a charge of the kind referred to at (c) has been registered—<ul style="list-style-type: none">(i) the address of the dwelling-house in respect of which it has been registered, and(ii) if it has been registered under the Land Charges Act 1972, the registration number, or(iii) if it has been registered under the Land Registration Act 1925 or the Land Registration Act 2002, the title number,(e) whether an order has been made under section 33(5) of the Family Law Act 1996 in respect of the home rights which are the subject of the application,(f) where such an order has been made, a certificate given by a conveyancer certifying that he is holding an office copy of the order, and(g) a declaration that the information given in the application is true and that the applicant is entitled by virtue of section 31(2) or 31(5) of the Family Law Act 1996 to a charge on the legal estate registered under the title number in respect of which the application is made.

Application	Specific limitations or requirements
<p>B. Applications to renew the registration of a home rights notice or a matrimonial home rights caution</p>	<p>The person delivering the application must provide the following particulars—</p> <ul style="list-style-type: none"> (a) the address for service of the spouse or civil partner having the benefit of the home rights charge, (b) a certificate given by a conveyancer certifying that he is holding an office copy of the court order made under section 33(5) of the Family Law Act 1996, and (c) a declaration that, following an order made under section 33(5) of the Family Law Act 1996, application is made under section 32 of, and paragraph 4(3)(a) of Schedule 4 to, that Act for the renewal by way of agreed notice of the registration of the notice or caution against dealings registered against the title in respect of which the application is made.
<p>C. Applications to cancel a home rights notice on the death of either a spouse or civil partner</p>	<p>The person delivering the application must provide a certificate given by a conveyancer certifying that he has seen the original or an official copy of the death certificate or other evidence of death.</p>
<p>D. Applications to withdraw a caution entered under section 54 of the Land Registration Act 1925</p>	<p>The person delivering the application must provide the following particulars—</p> <ul style="list-style-type: none"> (a) the full name of the cautioner as it appears in the register, (b) the address for service of the cautioner, and (c) the date on which the caution was registered.
<p>E. Applications to cancel a caution entered under section 54 of the Land Registration Act 1925</p>	<p>The person delivering the application must provide the following particulars—</p> <ul style="list-style-type: none"> (a) the full name of the cautioner as it appears in the register, (b) the date on which the caution was registered, and (c) if there are two or more cautions in favour of the same cautioner registered on the same date, details of the caution to be cancelled.

Application	Specific limitations or requirements
F. Applications to withdraw a restriction	<p>The person delivering the application must provide the following particulars—</p> <ul style="list-style-type: none"> (a) whether the restriction affects the registered estate or a registered charge, and if the latter, details of the charge, (b) the basis on which the applicant is entitled to apply to withdraw the restriction, (c) if the application requires the consent of any person, a certificate given by a conveyancer certifying that he holds that consent, and (d) the wording of the restriction in respect of which the application is made.
G. Applications to remove a unilateral notice	<ul style="list-style-type: none"> 1. Applications can only be made where no more than four beneficiaries of the notice are registered. 2. The person delivering the application must provide the following particulars— <ul style="list-style-type: none"> (a) the full name of the registered beneficiary of the unilateral notice, (b) the date on which the unilateral notice was registered (if shown on the register), (c) if there are two or more unilateral notices in favour of the same beneficiary, registered on the same date, details of the unilateral notice to be removed, (d) whether the applicant is the registered beneficiary of the unilateral notice, his personal representative or his trustee in bankruptcy, (e) if the applicant is the personal representative of the registered beneficiary of the unilateral notice, a certificate given by a conveyancer to that effect, and (f) if the applicant is the trustee in bankruptcy of the registered beneficiary of the unilateral notice, a certificate given by a conveyancer to that effect.

Application	Specific limitations or requirements
H. Applications to cancel a unilateral notice	<ol style="list-style-type: none"> 1. Applications can only be made where no more than four beneficiaries of the notice are registered. 2. The person delivering the application must provide the following particulars— <ol style="list-style-type: none"> (a) a statement that the applicant is the registered proprietor of the registered estate or registered charge affected by the unilateral notice, (b) the full name of the registered beneficiary of the unilateral notice, (c) the date on which the unilateral notice was registered, and (d) the full name and address for service of any person other than the registered beneficiary who the applicant believes may be entitled to be registered as the beneficiary of the notice.
I. Applications to register a change of name of a registered proprietor	<ol style="list-style-type: none"> 1. Applications may only be made where the change of name— <ol style="list-style-type: none"> (a) arises on marriage, or (b) on registration of a civil partnership, or (c) is effected by deed poll. 2. The person delivering the application must provide the following particulars— <ol style="list-style-type: none"> (a) whether the application affects the registered estate or a registered charge and, if the latter, details of the charge, (b) the name to be changed in the register and the new name which is to replace it, (c) whether the name has been changed by marriage, registration of a civil partnership or by deed poll, and (d) a certificate given by a conveyancer that he acts for the applicant and that the applicant has changed his name as stated in the application.
J. Applications to change a registered proprietor's address for service in the register	<p>The person delivering the application must provide the following particulars—</p> <ol style="list-style-type: none"> (a) whether the application affects the registered estate or a registered charge and if the latter, details of the charge, (b) the name of the proprietor whose address is to be changed, or, if appropriate, that all proprietors' addresses are to be changed, and (c) the new address.

Application	Specific limitations or requirements
K. Applications to change the property description of the land in a registered title	The person delivering the application must provide the new property description that he seeks to have entered in the register.
L. Applications to remove from the register the name of a deceased joint proprietor, or to enter a note of the death of such proprietor	<p>The person delivering the application must provide the following particulars—</p> <ul style="list-style-type: none"> (a) whether the application affects the registered estate or a registered charge and, if the latter, details of the charge, (b) the full name of the deceased, (c) the date of death, and (d) a certificate given by a conveyancer certifying that he acts for the surviving registered proprietor or proprietors and that the deceased died on the date given in the application.
M. Applications to enter a restriction in Form A on severance of a joint tenancy of a registered estate	<ol style="list-style-type: none"> 1. The applicant must be a registered proprietor of the registered estate. 2. The person delivering the application must provide a certificate given by a conveyancer certifying that he acts for the applicant and that a beneficial joint tenant of the registered estate to which the application relates has given to the other beneficial joint tenant or tenants notice of his desire to sever the beneficial joint tenancy in accordance with the proviso to section 36(2) of the Law of Property Act 1925.

Application	Specific limitations or requirements
<p>N. Applications to enter a restriction in Form A, other than one within application M</p>	<ol style="list-style-type: none"> 1. Applications may only be made where— <ol style="list-style-type: none"> (a) the applicant is the registered proprietor of the registered estate to which the application relates, or a person entitled to be registered as such, or (b) the registered proprietor of the registered estate to which the application relates, or a person entitled to be registered as such, consents to the application. 2. The person delivering the application must provide the following particulars— <ol style="list-style-type: none"> (a) whether— <ol style="list-style-type: none"> (i) the applicant is the registered proprietor of the registered estate, or (ii) is a person entitled to be registered as proprietor of the registered estate, or (iii) the registered proprietor of the registered estate consents to the application, or (iv) a person entitled to be registered as the registered proprietor of the registered estate consents to the application, and (b) if the applicant or a person consenting to the application is a person entitled to be registered as proprietor of the registered estate, a certificate given by a conveyancer certifying that he is satisfied that the applicant or person consenting is entitled to be registered as such and that— <ol style="list-style-type: none"> (i) the certifying conveyancer holds the originals of the documents containing evidence of that person’s entitlement, or (ii) an application for registration of the applicant or person consenting as proprietor is pending at the land registry.

Application	Specific limitations or requirements
O. Applications to enter a unilateral notice	<ol style="list-style-type: none"> 1. Applications can only be made where no more than four beneficiaries of the notice are to be registered. 2. The person delivering the application must provide the following particulars— <ol style="list-style-type: none"> (a) whether the interest to be protected by the unilateral notice affects the registered estate or a registered charge, and if the latter, details of the charge; (b) the address for service of the beneficiary of the notice, and (c) a certificate given by a conveyancer certifying— <ol style="list-style-type: none"> (i) that the beneficiary is interested in the registered estate or charge affected; (ii) the nature of that interest, and that the interest is not a public or customary right.
P. Applications for an order that a restriction be disapplied or modified	<p>The person delivering the application must provide the following particulars—</p> <ol style="list-style-type: none"> (a) whether the applicant applies to disapply or to modify the restriction, (b) the date on which the restriction was registered, (c) whether the restriction affects the registered estate or a registered charge, and if the latter, details of the charge, (d) the name as it appears in the register of any person named in the restriction, (e) details of the modification applied for or the disposition or type of disposition to be affected, (f) a statement that the applicant has sufficient interest in the restriction, (g) details of the applicant’s interest in the restriction, and (h) the reason the applicant requires the order to be made.
Q. Applications to be registered as a person to be notified of an application for adverse possession	<p>The person delivering the application must provide the following particulars—</p> <ol style="list-style-type: none"> (a) whether the application affects a registered estate in land or a registered rentcharge, (b) a statement confirming that the applicant has an interest in the registered estate which would be prejudiced by the registration of any other person as proprietor of that estate under paragraph 1 of Schedule 6 to the Land Registration Act 2002, and <p>a certificate given by a conveyancer as to the nature of the applicant’s interest.</p>

Application	Specific limitations or requirements
<p>R. Applications to upgrade a possessory or good leasehold title</p>	<ol style="list-style-type: none"> 1. An application cannot be made in respect of— <ol style="list-style-type: none"> (a) a rentcharge title, or (b) a title approved by the land registry as a scheme title. 2. The person delivering the application must provide the following particulars— <ol style="list-style-type: none"> (a) whether the applicant applies to upgrade the title— <ol style="list-style-type: none"> (i) from possessory freehold title to absolute freehold title, (ii) from possessory leasehold title to good leasehold title, (iii) from possessory leasehold title to absolute leasehold title, or (iv) from good leasehold title to absolute leasehold title, (b) the basis on which the applicant is entitled to apply to upgrade the title, (c) the reason the title may be upgraded, (d) a statement confirming that no claim adverse to the title of the property has been made by virtue of an estate, right or interest whose enforceability is preserved by virtue of the existing entry about the class of title, and (e) where the application is for upgrading of possessory title after the required lapse of time, one of the following— <ol style="list-style-type: none"> (i) a statement that the applicant is in physical possession of the land in the title, (ii) a statement that the registered proprietor is in possession of the land in the title, or (iii) a statement as to who is in possession of the land in the title, including the full name of that person and a statement as to their relationship with the applicant.