



How to deal with freezing orders

You act for Toy Town Bank plc which has the benefit of a freezing order (a Mareva injunction) against Sarah Jones. You discover that Sarah is the sole registered proprietor of 666 Morris Road, Swansea.

You are instructed by your clients to take action to prevent Sarah Jones from disposing of her property until they can take further action against her. You recollect that in a similar case a few years ago you were able to register an inhibition to “freeze” a title. You are also aware that it is not possible to register an inhibition under the Land Registration Act 2002.

How can you protect your client’s interest?

As your client is regarded as having sufficient interest in the land (see Rule 93(h) of the Land Registration Rules 2003), you should apply using form RX1 for a restriction in form AA setting out the full wording of the restriction. It is important that in Panel 13 of form RX1 you set out the full details of the interest claimed and lodge a copy of the freezing order. The restriction reads as follows:

“RESTRICTION: Under an order of the High Court made on 4 January 2005 claim number 023456 no disposition by the proprietor of the registered estate is to be registered except with the consent of [name] of [address] or under a further order of the Court.”

