
Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, Paragraph 9. (See end of Document for details)

SCHEDULES

SCHEDULE 5

TRANSFER OF RESPONSIBILITY FOR LOCAL LAND CHARGES TO LAND REGISTRY

PART 1

AMENDMENTS TO THE LOCAL LAND CHARGES ACT 1975

- 9 (1) Section 10 (compensation for non-registration or defective official search certificate) is amended as follows.
- (2) In subsection (1)—
- (a) omit “appropriate” in each place,
 - (b) in paragraph (aa) for “in a case where” substitute “if”, and
 - (c) in that paragraph for “otherwise than in documentary” substitute “in electronic”.
- (3) Omit subsection (2).
- (4) In subsection (4) for “registering authority in whose area the land affected is situated” substitute “Chief Land Registrar”.
- (5) In subsection (5)—
- (a) for the words from “a registering authority” to “not the originating authority” substitute “the Chief Land Registrar”, and
 - (b) for “the registering authority” in each place substitute “the Chief Land Registrar”.
- (6) After that subsection insert—
- “(5A) An amount equal to any compensation paid under this section by the Chief Land Registrar in respect of a local land charge is also recoverable from the originating authority in a case where the matter within subsection (1) giving rise to the Chief Land Registrar's liability is a consequence of—
- (a) an error made by the originating authority in applying to register the local land charge, or
 - (b) an error made by the originating authority in applying for the registration of the local land charge to be varied or cancelled.”
- (7) In subsection (6)—
- (a) for “a registering authority” substitute “the Chief Land Registrar”,
 - (b) for “that authority” substitute “the Chief Land Registrar”,
 - (c) after “(5)” in each place insert “or (5A)”, and
 - (d) for “the registering authority” substitute “the Chief Land Registrar”.
- (8) After subsection (6) insert—

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“(6A) The Chief Land Registrar may insure against the risk of liability to pay compensation under this section.”

(9) In subsection (7) for “Limitation Act 1939” substitute “ Limitation Act 1980 ”.

(10) In subsection (9) for “registering authority's” substitute “Chief Land Registrar's”.

Commencement Information

II Sch. 5 para. 9 in force at 12.4.2015, see s. 57(5)(e)

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