

HM Land
Registry



Practice and Process

Newsletter

Issue 13

14 March 2024

Welcome to issue 13 of *Practice and Process*, which marks the first anniversary of the launch issue.

Thanks to all of you who responded to the reader survey we ran in the January and February issues as part of our annual review of the newsletter. We're very pleased that almost everyone gave it either 4 or 5 out of 5, though we also take on board your comments and suggestions for improvement.

To the reader who wanted the process changes more clearly separated, and the reader who wanted 'more Q&As', please see below!

PG19



Which practice guide has changed?

[Practice guide 19: Notices, restrictions and protection of third-party interests](#)

When did it change?

19 February 2024

What has changed?

We have amended sections 3.1.5.6, 3.5.1 and 3.8.

What does it mean for customers?

Section 3.1.5.6 has been amended to include guidance on compliance with company counter fraud restrictions.

Section 3.5.1 has been amended to reflect the action we will take when an application is made to enter a restriction in Form LL at the same time as an application to register another disposition.

Section 3.8 has been amended to clarify what is required when seeking, under rule 130 of the Land Registration Rules 2003, alteration of a document containing an application for a restriction, where a mistake was made by the parties in the restriction applied for.

PG19



Which practice guide has changed?

[Practice guide 19: Notices, restrictions and protection of third-party interests](#)

When did it change?

26 February 2024

What has changed?

We have amended sections 3.1.5.8 and 3.1.6.8.

What does it mean for customers?

The guidance now includes our requirements on complying with company anti-fraud restrictions.

PG25



Which practice guide has changed?

[Practice guide 25: Leases: when to register](#)

When did it change?

26 February 2024

What has changed?

We have amended section 4.1.

What does it mean for customers?

We have improved the guidance's clarity on leases granted for a term of seven years or less or where the unexpired term is for seven years or less.

PG56



Which practice guide has changed?

[Practice guide 56: Rentcharges](#)

When did it change?

12 February 2024

What has changed?

We have amended section 2.5.

What does it mean for customers?

We have clarified that a note will be added to the register if evidence of registration at Companies House is not lodged with an application to register a rentcharge in accordance with rule 111 of the Land Registration Rules 2003.

PG56



Which practice guide has changed?

[Practice guide 56: Rentcharges](#)

When did it change?

26 February 2024

What has changed?

We have amended section 4.

What does it mean for customers?

We have clarified that we do not make an entry in the register relating to informal apportionments and exonerations unless specifically requested.

PG63



Which practice guide has changed?

[Practice guide 63: The land charges registers and agricultural credits register: registration, official search, office copy and cancellation](#)

When did it change?

12 February 2024

What has changed?

We have amended multiple sections.

What does it mean for customers?

We have made the amendments to reflect the withdrawal of the fax service previously available, to clarify our practice on certain points (particularly on the cancellation of land charges) and to provide more information about the agricultural credits register.

PG67



Which practice guide has changed? [Practice guide 67: Evidence of identity](#)

When did it change?

5 February 2024

What has changed?

We have amended multiple sections.

What does it mean for customers?

We have made the amendments to reflect changes made to form ID3 and the withdrawal of form ID4.

Form ID4 (for corporate bodies) was withdrawn on 5 February 2024. We will continue to accept form ID4 as part of a three-month transitional period to allow forms verified before that date to be lodged.

Form ID4 will not be accepted for applications lodged on or after 6 May 2024.

Process changes



Execution of deeds by corporate bodies

We previously informed customers that from 20 September 2019 HM Land Registry would not accept 'signed as a deed' as an acceptable form of wording in prescribed form deeds executed by companies and limited liability partnerships and would require that the forms of execution set out in Schedule 9 to the Land Registration Rules 2003 are used.

We considered that this better reflected section 44 of the Companies Act 2006 and the provisions in the Land Registration Rules 2003, which require particular forms of execution to be used on prescribed forms of deed. That remains our view.

However, we continue to receive a very large number of applications where a deed is executed by a company using wording that refers to 'signed as a deed', rather than 'executed as a deed'.

The courts do not appear to have considered using such wording is invalid (see *Williams and others v Redcard Ltd and others* [2011] 4 All ER 444) and we are determined to avoid raising requisitions other than where this is necessary.

Given this, we will not raise a requisition when 'signed as a deed' is used in the execution of a prescribed deed by a corporate body, although adopting the wording set out in Schedule 9 of the Land Registration Rules 2003 will avoid confusion and bring greater consistency.

This will apply both to applications received from now on and those currently pending at HM Land Registry.

Charities Act 2011 (important changes)

The Charities Act 2022 amends many of the provisions of the Charities Act 2011. The amendments to these provisions are being implemented in different phases, the most recent of these coming into force on 7 March 2024.

In addition, The Charities Act 2022 (Commencement No. 3, Consequential, Saving and Transitory Provisions) Regulations 2024 has made amendments to rules 176 and 180 of, as well as Schedule 4 to, the Land Registration Rules 2003. These also came into force on 7 March 2024.

A key result of these changes is that the statements required in dispositions of land and in mortgages, as well as the standard Form E restriction, have changed.

It is important to ensure dispositions contain the forms of statements that were required on the date the deed was made.

Practice guides 14 and 14a were updated on 7 March 2024 to cover the amendments relevant to HM Land Registry matters and to include specific guidance for:

- dispositions made before 7 March 2024;
- dispositions made on or after 7 March 2024; and
- dispositions made on or after 7 March 2024, but made pursuant to a contract for the sale, lease or other disposition entered into before 7 March 2024.

Questions about our practice and processes? Ask Adam!

We know you must have questions you'd like to ask us about your applications and our practice and processes. Our Customer Policy Manager Adam is ready, willing and able – within reason! – to answer them. Send us your questions and we'll feature a selection, and Adam's answers, in each issue.

[Send us your questions for Adam](#)

Make sure your applications are complete and correct – watch our Top 10 Tips videos

In 2023 we sent almost a million requisitions, 70% of which came down to around 30 specific issues. None involved a certificate or consent, but collectively they took us – and more importantly, our customers – a huge amount of time and money to resolve. We asked our caseworkers for their top tips, and created ten short videos designed to help you lodge complete and correct applications. Last month we featured Names and Witness details, and this month...

Type of ownership



Do you often forget to tell us how new proprietors are to hold the property? **Watch this video for a catchy way to remember.**

Identity



Find out when we need identity evidence and how to flawlessly fill out panel 13 of form AP1. **Watch now.**

HM Land Registry training hub

[Our HM Land Registry training hub](#) provides access to a wealth of easy-to-find and easy-to-follow guidance and training materials on hundreds of topics – all in one place – to help you prepare and submit high quality applications, and make the best use of HM Land Registry services.

Along with [practice guides](#), you'll find links to [guidance pages](#), [webinars](#), [videos](#), [podcasts](#), [checklists](#) and [flowcharts](#).

We're continuously growing and developing our training offering and will be adding new content as and when it becomes available.

HM Land Registry Essentials

[Our self-service training package HM Land Registry Essentials](#) will help you with the basics – whether you're new to conveyancing or just need a refresher. What does HM Land Registry do? How do we fit into the conveyancing process? And how do you avoid requisitions when submitting applications to us? Find out the answers to these questions and more.



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