

HM Land  
Registry



# Practice and Process

## Newsletter

Issue 15

16 May 2024

Welcome to issue 15 of *Practice and Process*. This month we have a busy mix of practice guide updates and process changes for you, along with the second round of questions in our Ask Adam feature and a focus on two more of our top 10 tips videos. As always, our aim is to bring clarity to the way we work with you – but if anything needs further explanation, [please ask Adam!](#)

---

## PG4



Land Registration Act 2002

### Which practice guide has changed?

[Practice guide 4: adverse possession of registered land](#)

#### When did it change?

2 April 2024

#### What has changed?

We have amended section 3.

#### What does it mean for customers?

We have amended our guidance on the circumstances which prevent an application for registration based on adverse possession being made, following consideration of recent case law.

---

# PG6



## Which practice guide has changed?

[Practice guide 6: devolution on the death of a registered proprietor](#)

### When did it change?

2 April 2024

### What has changed?

We have added section 2 and amended multiple other sections.

### What does it mean for customers?

We have provided more comprehensive information about our requirements for the grant of representation for a deceased owner, and our practice when registering a personal representative pursuant to a grant ad colligenda bona or disposition by such a personal representative.

# PG6



## Which practice guide has changed?

[Practice guide 6: devolution on the death of a registered proprietor](#)

### When did it change?

29 April 2024

### What has changed?

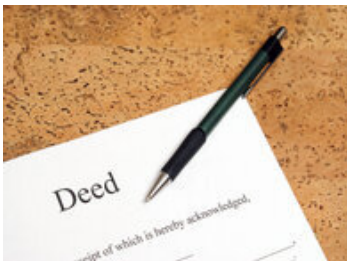
We have amended section 8.

### What does it mean for customers?

We have clarified what evidence is required for the removal of a restriction in Form A from the register.

The information we require should explain both the nature of the beneficial interest, and what happened to that interest.

# PG8



## Which practice guide has changed?

[Practice guide 8: execution of deeds](#)

### When did it change?

15 April 2024

### What has changed?

We have amended section 7.

### What does it mean for customers?

We have included a cross-reference to the default forms of execution in section 5 (Execution of deeds by other corporations incorporated in the UK) which are also acceptable for local authorities.

# PG19



## Which practice guide has changed?

[Practice guide 19: notices, restrictions and the protection of third-party interests in the register](#)

### When did it change?

2 April 2024

### What has changed?

We have amended section 3.9.1.

### What does it mean for customers?

We have clarified our requirements where a consent or certificate is required from a specified person who cannot be traced.

Under these circumstances, we need to see evidence of the steps undertaken to obtain the relevant consent or certificate.

---

# PG67



## Which practice guide has changed?

[Practice guide 67: evidence of identity](#)

### When did it change?

15 April 2024

### What has changed?

We have amended section 11.

### What does it mean for customers?

We have clarified situations where one set of identity evidence is submitted to cover multiple applications.

Under these circumstances you must state in each application that the confirmation of identity evidence has been lodged as part of an application against another title number(s) and state the title number(s).

---

# PG82



## Which practice guide has changed?

[Practice guide 82: electronic signatures accepted by HM Land Registry](#)

### When did it change?

15 April 2024

### What has changed?

We have amended section 3.3.

### What does it mean for customers?

We have provided more guidance on amending deeds executed using conveyancer-certified electronic signatures.

In addition, minor amendments have been made to several other parts of the guide for clarification purposes.

## Process changes



## Improving the Estimated Completion Date

Following customer feedback we're changing the way we calculate the Estimated Completion Date displayed on HM Land Registry systems for our professional customers.

The date will become more accurate, enabling greater clarity and understanding of when a submitted application will be completed.

The improved process will go live this month.

---

## Changes to our address for service policy and practices

We are changing our policy on addresses for service.

### What is happening?

We use addresses for service to contact applicants when we require more information about their application, and to get in touch with property owners if and when we need to.

From 10 June 2024, apart from applications made solely to change ownership of land or property, customers will need to formally apply to change it as part of their larger application.

### What this means for conveyancers

This means that if you want to update a registered proprietor's address for service you must include a change of address for service transaction within the application. We will no longer check across deeds and documents and either assume panel 9 of the e-AP1 is correct or raise a requisition if we find a discrepancy.

Digital Registration Service (DRS) customers should add the 'Change of address for service' transaction from the drop-down menu and upload evidence as prompted on screen.

Business Gateway and postal customers should include 'Change of address for service' in the 'Application, priority and fees' section.

### Service enhancements to come

We will be supporting this change with enhancements to our external services and guidance in due course. Once these are in place, when submitting non-change of ownership applications through the HM Land Registry portal, customers will be prompted to consider applying to update the address for service.

For Business Gateway users, we are working to ensure the 'Application, priority and fees' data will auto populate when an address is added to the field 'Name and address(es) for service of the proprietor of any new charge to be entered in the register'.

At present, however, all customers should follow the relevant existing process for making an application, as set out above in **What this means for conveyancers**.

### Why we are doing this

Currently, confusion can arise as to whether an address for service needs to be updated or not. Our new, more streamlined approach should ensure greater consistency, as well as encouraging applications that are clear and correct from the outset.

While service enhancements will eventually help, our aim is to eliminate confusion as soon as we can, to tackle inconsistency and reduce the number of requisitions we send.

### Points to note

If your application is solely to change ownership, our existing practice stands. You need to provide an address for service, which we will take from the details you submit.

For all other applications, we will **only** consider a change of address when you formally apply to update it. So, for example, if you are using DRS, add the transaction 'Change of address for service' to your application from the drop-down menu. When you check your AP1, it won't have auto-populated into panel 9, but it will be listed in panel 4 of the e-AP1.

You will also need to upload the right evidence, such as correspondence that makes it clear what the new address for service should be, and that you have the authority to make this change.

We will take no further action if you submit evidence of a change of address without making a specific application on the relevant form.

#### **If you are lodging your application by post**

If you are using a paper form AP1, you must clearly state the address for service in panel 9 and make an application to update the address for service in panel 4. If it is not clear that you act for the registered proprietor, however, we will not change the address, but we will issue a stock letter on completion of the application or add it to any requisitions arising.



## Ask Adam

We've had a bumper crop of questions from you for this, the second instalment of our new question and answer feature with Customer Policy Manager Adam Hookway. [Please send us your questions for a forthcoming issue.](#)

**Anonymous:** Can you explain when registering a brand new Lease, why the Leasehold title will be created and registered, but the note on the Freehold Title (and addition to Schedule of Notices of Leases) is not updated at the same time, perhaps up to a year afterwards. This means when selling flats the Freehold does not show the Leasehold title registered against it. Should we just accept that you will get around to it eventually?

**Adam:** An application to register a new lease is in effect two applications in one. The first is to create a new leasehold title for the actual lease whilst the second is to note the new lease on the superior, often freehold, title.

On busy superior titles there can often be a number of pending applications waiting to be processed. Whilst strictly speaking the priority order needs to be maintained there are times when we might be able to complete the new leasehold registration but are unable to update the superior title at the same time, because the prior pending application(s) against that title need to be completed first and the title updated in the right order. We then have to wait for the prior applications to update the superior title to complete before the new lease will appear in the schedule as mentioned.

This is especially true when a new lease is expedited and we are able to process it swiftly. However we can't ignore the priority order of applications pending against the superior title.

**Tracey Stokes, Charles Russell Speechlys:** When we use the contact form on the HMLR website, when you respond can you please include the original question in the response?

**Adam:** While replies are issued using an email system they do not operate in the same way so as to create a 'chain'. Your suggestion will be included in future considerations re the contact form and how we respond.

**Anonymous:** Will you accept a Power of Attorney document certified just on the last page, rather than a full copy certified on every page (plus the last one)? Practice Guide 9 does not make this clear and some caseworkers at HMLR are raising requisitions on this, whereas others are not.

**Adam:** We used to insist that a copy power be certified at the end of every page as required by s.3, Powers of Attorney Act 1971. We no longer insist on this and a single certification can cover the whole document but we do reserve the right to request multiple certification if we feel that it is necessary.

**Do you have a question for Adam? Send it to us now**

## Reduce your requisitions by following our tips for eliminating errors

In the latest in our series highlighting our Top 10 Tips videos designed to help you ensure your applications are complete and correct, this month we're featuring...

### Dates & amounts



The deed is dated but you still got a requisition. Find out why – and what to do if you don't know the price paid – by watching this short video.

### Deed in parts



We prefer to receive a single copy of a transfer, executed by all the parties. But if that's not possible, how do you make sure you don't get a requisition? 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.

### 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.



Join our customer webinars



Are you using the Digital Registration Service?



Have you read our Strategy 2022+?

Your colleagues can subscribe to Practice and Process

[Manage your preferences](#)

[Unsubscribe](#)