

ELIZABETH II



1966 CHAPTER 39

An Act to alter the provisions of Part XI of the Land Registration Act 1925 relating to the making of orders creating areas of compulsory registration, to restrict the rights under that Act to register unregistered land in other areas, to amend its provisions relating to losses indemnifiable under that Act and to repeal section 11 of the Small Holdings and Allotments Act 1926. [13th December 1966]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) In Part XI of the Land Registration Act 1925 (power to make Orders in Council making registration compulsory in counties and other areas)—

Amendments of Land Registration Act 1925. 1925 c. 21.

(a) section 120(2) and sections 121 and 122 (requirements to be complied with before making of an Order), and

(b) section 120(3) (utilisation of existing land registries),

shall cease to have effect.

(2) Applications under sections 4 and 8 of the said Act (first registration of title) as respects land outside an area of compulsory registration shall not be entertained except in such classes of cases as the registrar may, by notice published in such way as appears to him appropriate, from time to time specify and in those cases the registrar may require the applicant under either of those sections to show that there are special considerations which make it expedient to grant the application.

In this subsection " area of compulsory registration " means an area as respects which an Order in Council made or having effect under the said section 120 is in force.

1925 c. 21.

(3) The registrar may under section 83(8) of the Land Registration Act 1925 grant any indemnity on account of costs or expenses taken into account under that subsection notwithstanding that no other indemnity money is payable (but subject to subsection (5)(c) of that section under which no indemnity is payable on account of costs incurred in taking or defending proceedings without the consent of the registrar).

(4) Subsection (5)(a) of the said section 83 (losses wholly or partly due to fraud by the applicant for indemnity or, in certain cases, fraud by his predecessor in title) shall apply to any loss incurred after the commencement of this Act as if references in that paragraph to fraud included references to any act, neglect or default.

Citation,
construction,
repeals and
commence-
ment.

2.—(1) This Act may be cited as the Land Registration Act 1966 and the Land Registration Acts 1925 and 1936 and this Act may be cited together as the Land Registration Acts 1925 to 1966.

(2) This Act shall be construed as one with the Land Registration Act 1925.

1926 c. 52.

(3) The enactments mentioned in the Schedule to this Act (which include section 11 of the Small Holdings and Allotments Act 1926 imposing an obligation to register land acquired by a local authority for the purpose of small holdings) shall be repealed to the extent specified in the third column of that Schedule.

(4) This Act shall come into force at the expiration of a period of one month beginning with the date on which it is passed.

SCHEDULE

Section 2.

REPEALS

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 21.	The Land Registration Act 1925.	Section 120(2)(3). Sections 121 and 122.
16 & 17 Geo. 5. c. 52.	The Small Holdings and Allotments Act 1926.	Section 11.
26 Geo. 5 and 1 Edw. 8. c. 26.	The Land Registration Act 1936.	Section 1.
10 & 11 Geo. 6. c. 48.	The Agriculture Act 1947.	In Schedule 8 Part I the entry relating to section 11 of the Small Holdings and Allotments Act 1926.
1963 c. 33.	The London Government Act 1963.	In section 80(2) the words from "and nothing" to the end of the subsection.

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