

LAND LAW

UNIT 3

INTRODUCTION TO REGISTERED LAND

As you should be aware by now, land registration really began in 1925 with the Land Registration Act of that year. This introduced a system of “creeping registration” with different areas of England and Wales becoming subject to registration at different times. However, we have had compulsory registration over all of England and Wales since 1990 and more titles become registered every year. Registration of title is now governed by the Land Registration Act 2002, which came into force on the 13th of October 2003, and the Land Registration Rules 2003.

Land Registry is an arm of government. Its Head Office is based in Croydon, South London, and there are 14 other district offices dotted around the country.

The main functions of Land Registry are to register titles to land for the first time, and to register transfers of titles and mortgages to land.

So let's start with compulsory first registration.

Broadly speaking, when an owner of unregistered land deals with that land in any way, the transaction triggers compulsory first registration. In other words, the owner has to apply to Land Registry to convert the unregistered title into a registered one.

The triggering events are listed in section 4 of the Land Registration Act 2002 so that tells you when a currently unregistered title must be submitted to Land Registry for conversion into a registered title. The most important triggers to know about are: a transfer of land, whether or not that is for value, so it includes a sale and a gift of land; a transfer of land as a result of a court order, for example, on divorce, and also assents. I should explain that an assent is used where the land owner has died and his or her personal representatives pass the ownership of the land to a beneficiary, either because of what the deceased said in their will or because of the intestacy rules.

Another triggering event is the grant of a legal lease for a period of over 7 years and so is the creation of a mortgage. Once the land is registered, then section 27 of the two thousand and two Act requires that subsequent dealings with a registered freehold or lease, known as “dispositions”, must be completed by registration before ownership can pass to the new owner.

In principle, third party interests over land will only affect someone dealing with that piece of registered land if the interests have been entered on the register. However, you may remember that a third party proprietary interest that has not been entered on the register may still bind the owner of registered land, if it meets the requirements of what is called “an overriding interest”. Overriding interests are controversial and we will return to them later.

The Land Registration Act of 1925 also introduced the now familiar concept of state guaranteed title. The “state guarantee of title” amounts, in summary, to the principle

Registered Land The New Law

Hussin A.Rothana



Registered Land The New Law:

Registered Land, the New Law Charles Harpum, Janet Bignell, 2002 The Land Registration Act 2002 introduces some of the most radical changes to land law and conveyancing since 1925 This book provides a comprehensive authoritative and practical guide to the new Act and its implications for property practitioners Written by British specialist property lawyers the book discusses the new procedures for first registration electronic conveyancing registered land and new adjudication and dispute resolution procedures

The New Law of Land Registration Elizabeth Cooke, 2003-09-17 This book is an examination of the law of land registration in England and Wales in the light of the Land Registration Act 2002 and in particular at the way land registration is influenced by and in turn influences the evolution of land law as a whole It examines the legal problems that have arisen in connection with land registration and considers the effect of the 2002 statute drawing extensively upon the law in other jurisdictions and considering possibilities for future development This is a book which will be essential reading for students their teachers and practitioners who will have to grapple with the intricacies of the new Act when it comes into force

New Perspectives on Land Registration Amy Goymour, Stephen Watterson, Martin Dixon, 2018-02-08 The Land Registration Act 2002 has been in force for almost fifteen years When enacted the legislation which replaced the Land Registration Act 1925 was intended to offer a clear and lasting framework for the registration of title to land in England and Wales However perhaps confounding the hopes of its drafters the legislation's interpretation and application has since generated many unanticipated problems which demand attention In this book's twenty chapters leading land law scholars Law Commissioners past and present judges and Registry lawyers unpick key technical controversies and expose underlying theoretical and policy concerns Core issues addressed in these chapters include the legitimate ambitions of registration regimes the nature and security of title afforded by registration the resolution of priority disputes affecting registered titles the relationship between the general law and the registration regime and new challenges presented by modern technological developments

Land Law Ben McFarlane, Nicholas Hopkins, Sarah Nield, 2012-06-14 An authoritative course text designed to provide a standalone resource for students It contains a blend of carefully selected key cases legislation and academic debate linked by substantial author commentary

United Arab Emirates Land Ownership and Property Laws Handbook Volume 1 Strategic Information and Dubai Property Laws IBP, Inc., 2015-06 United Arab Emirates Land Ownership and Agricultural Laws Handbook Strategic Information and Basic Regulations

Practitioner's Guide to the Land Registration Act 2002 Malcolm Dowden, 2013-11-05 Key provisions of the Land Registration Act 2002 provide the legal framework for electronic conveyancing This book will explain the legislative framework and the current proposals including the key issues of security and authorisation and will highlight the points that need to be addressed by practitioners in order to qualify for access to the new system Electronic conveyancing will not be with us until 2006 and this book will take a thematic approach highlighting the main practical issues arising from the new law and providing precedents

and checklists to help busy conveyancers to manage the risks This book will seek to highlight and to give practical advice on the day to day requirements of the new regime and to promote sensible and cost effective management of the risks

Revised Laws of Hawaii, 1945 Hawaii,1945 Revised Laws of Hawaii Hawaii,1905 **A Practical Approach to Conveyancing** Robert Abbey,Mark Richards,Mark B. Richards,2016 Taking a pragmatic rather than academic approach to conveyancing this work provides solutions to everyday problems encountered by conveyancing practitioners wishing to offer a cost effective and efficient service **A Practical Approach to Conveyancing** Mark Richards,2024 **Land Law** Kevin Gray,Susan Francis Gray,2011-07-14 This seventh edition covers everything from the legal definition of land to the essential elements in a lease or tenancy and the function of covenants in the planning of land use A Practical Approach to Commercial Conveyancing and Property Robert Abbey,Mark Richards,2009-03-05 The A Practical Approach series is the perfect partner for practice work Each title focuses on one field of the law and provides a comprehensive overview of the subject together with clear practical advice and tips on issues likely to arise in practice The books are also an excellent resource for those new to the law where the expert overview and clear layout promotes clarity and ease of understanding Now in its fourth edition A Practical Approach to Commercial Conveyancing and Property serves as an accessible guide through the complex and diverse area of commercial conveyancing and property Practical solutions are given to many of the more commonplace difficulties encountered together with helpful diagrams explaining some of the intricacies involved Checklists are provided as models of procedure and easily followed precedent clauses and forms are supplied This edition has been updated to provide comprehensive coverage of all the legislative changes to commercial property law since the publication of the last edition in February 2006 Significant changes covered in the book include the code for Leasing Business Premises in England and Wales 2007 code the RICS code of Practice on Service Charges in Commercial Property and all recent significant case law such as *Scottish Newcastle v Raduz* 2007 **Kenya Gazette** ,1997-02-28 The Kenya Gazette is an official publication of the government of the Republic of Kenya It contains notices of new legislation notices required to be published by law or policy as well as other announcements that are published for general public information It is published every week usually on Friday with occasional releases of special or supplementary editions within the week

Laws of the State of New York New York (State),1918 *The Oxford Handbook of Kenyan Politics* Nic Cheeseman,Karuti Kanyinga,Gabrielle Lynch,2020-02-14 Kenya is one of the most politically dynamic and influential countries in sub Saharan Africa Today it is known in equal measure as a country that has experienced great highs and tragic lows In the 1960s and 1970s Kenya was seen as a success story of development in the periphery and also led the way in terms of democratic breakthroughs in 2010 when a new constitution devolved power and placed new constraints on the president However the country has also made international headlines for the kind of political instability that occurs when electoral violence is expressed along ethnic lines such as during the Kenya crisis of 2007 08 when over 1 000 people lost their lives and almost

700 000 were displaced The Oxford Handbook of Kenyan Politics explains these developments and many more drawing together 50 specially commissioned chapters by leading researchers The chapters they have contributed address a range of essential topics including the legacy of colonial rule ethnicity land politics devolution the constitution elections democracy foreign aid the informal economy civil society human rights the International Criminal Court the growing influence of China economic policy electoral violence and the impact of mobile phone technology In addition to covering some of the most important debates about Kenyan politics the volume provides an insightful overview of Kenyan history from 1930 to the present day and features a set of chapters that review the impact of devolution on regional politics in every part of the country

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Agricultural Land Redistribution and Land Administration in Sub-Saharan Africa Frank F. K. Byamugisha,2014-05-05 Agricultural Land Redistribution and Land Administration in Sub Saharan Africa Case Studies of Recent Reforms focuses on how to undertake land reforms in Sub Saharan Africa but with relevant lessons for other developing countries It provides details with case studies on how reforms were undertaken to address a pressing and controversial development challenge in Africa land ownership inequality and an intransigent development issue inefficiency and corruption in land administration An equally important contribution of the book is assessing reforms and highlighting valuable lessons for other countries contemplating reforms The six case studies collectively cover two main areas of land governance reforms in redistributing agricultural land and reforms in land administration The first two case studies discuss reforms in redistributing agricultural land in Malawi and South Africa part of the southern Africa region where land ownership inequalities rival those in Latin America The remaining case studies four in number are focused on addressing corruption and inefficiency in land administration in a variety of contexts of governance including stable and post conflict countries The case studies cover Decentralizing land administration with demonstrations from Uganda Ethiopia Tanzania and Ghana Developing post conflict land administration systems with examples from Liberia and Rwanda Re engineering and computerizing land information systems with examples from Ghana and Uganda and Improving management of government land through land inventories with examples drawn from Ghana and Uganda The common elements between sometimes disparate experiences provide lessons of relevance to African and other developing countries contemplating similar reforms The rigorous analysis and yet down to earth lessons of experience are a reflection of the authors deep global experience underpinned by personal participation in the reforms covered by the book This volume will be of interest to a wide audience including land specialists and practitioners African policy makers experts and managers in the international development community and the academia

Commonwealth Caribbean Property Law Gilbert

Kodilinye,2013-03-04 Written in the same clear and concise manner as the first edition Commonwealth Caribbean Property Law guides students helpfully through this often complex and confusing core subject area **International Encyclopedia of Comparative Law** K. Zweigert,2003-01-01 No Sales rights in German speaking countries Eastern Europe Portugal Spain Italy Greece South and Central America *Land Grabs in Asia* Connie Carter,Andrew Harding,2015-05-01 Although there is no universally accepted definition of the term land grabbing ordinary people whose livelihoods are adversely affected by land grabbing know exactly what it is It involves the physical capture and control of land and homes including the usurpation of the power to decide how and when these will be used and for what purposes with little or no prior consultation or compensation to the displaced communities This thought provoking book defines land grabbing and examines aspects of the land grabs phenomenon in seven Asian countries researched and written by country specific legal scholars The book provides unique perspectives on how and why land grabbing is practised in China India Pakistan Cambodia Malaysia Myanmar and Indonesia and explores the surprising role that law plays in facilitating and legitimizing land grabs in each country In contrast to most of the literature which law focuses on foreign investors rights under international law here the focus is on domestic laws and legal infrastructures Finding that Asian States need to move beyond existing regimes that govern land to a regime that encourages more equitable land rights allocation and protection of stakeholders rights the book urges further research in the nexus between the use of law to facilitate development Land Grabs in Asia is the first book to explore land grabbing in multiple jurisdictions in Asia As such it will appeal to students and scholars of law and development law and society and international relations as well as being essential reading for development policy makers and government ministers

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Table of Contents **Registered Land The New Law**

1. Understanding the eBook **Registered Land The New Law**
 - The Rise of Digital Reading **Registered Land The New Law**
 - Advantages of eBooks Over Traditional Books
2. Identifying **Registered Land The New Law**
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an **Registered Land The New Law**
 - User-Friendly Interface
4. Exploring eBook Recommendations from **Registered Land The New Law**
 - Personalized Recommendations
 - **Registered Land The New Law** User Reviews and Ratings
 - **Registered Land The New Law** and Bestseller Lists

5. Accessing Registered Land The New Law Free and Paid eBooks
 - Registered Land The New Law Public Domain eBooks
 - Registered Land The New Law eBook Subscription Services
 - Registered Land The New Law Budget-Friendly Options
6. Navigating Registered Land The New Law eBook Formats
 - ePub, PDF, MOBI, and More
 - Registered Land The New Law Compatibility with Devices
 - Registered Land The New Law Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Registered Land The New Law
 - Highlighting and Note-Taking Registered Land The New Law
 - Interactive Elements Registered Land The New Law
8. Staying Engaged with Registered Land The New Law
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Registered Land The New Law
9. Balancing eBooks and Physical Books Registered Land The New Law
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Registered Land The New Law
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Registered Land The New Law
 - Setting Reading Goals Registered Land The New Law
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Registered Land The New Law
 - Fact-Checking eBook Content of Registered Land The New Law
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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