



# Proposals to amend the Land Registration Rules 2003 consultation response form

Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes. Please see the section on confidentiality on page 6 of consultation document for further details.

The closing date for this consultation is **5 April 2017**.

Please return completed forms to: [irr2016@landregistry.gov.uk](mailto:irr2016@landregistry.gov.uk)

1. **Name:** Council for Licensed Conveyancers
2. **Organisation (if applicable):** Council for Licensed Conveyancers
3. **Address:** 49-51 East Road, London, N1 6AH
4. **Are you responding as: an individual or representing the views of an organisation:**  
Other (please complete box below)  
  
Other: Regulator of specialist property lawyers
5. **If you are responding on behalf of an organisation, please tell us who you represent:**  
[Click here to enter text.](#)

**Proposal A - To allow for the introduction of fully digital conveyancing documents with e-signatures to be used for land transactions and land registration, and to revoke existing rules allowing only limited digital mortgages**

**Question A**

Do you agree with the proposal to allow (but not require) all dispositions that must be registered to be carried out using digital documents with digital signatures, after the registrar has issued a notice that the service is available?

The Council for Licensed Conveyancers strongly supports moves to digitise the land registration process as this has significant potential to improve the efficiency and security of property transfer processes. So we support this proposal as an enabling measure.

HM Land Registry will need to ensure that all the relevant players in the property market have confidence in the digital tools it proposes to use itself and/or mandate others to use when dealing with the Land Registry. This will be vital for continued confidence in the security and reliability of the Register itself which is so fundamental to the health of the property market in England and Wales.

We look forward to working with the Land Registry to drive forward the digitisation of property transfer to increase security and enable legal service providers to innovate and continue to improve their services to the clients.

**Proposal B - Revoke the Proper Office Order and make consequential amendments to the Land Registration Rules 2003**

**Question B**

Do you agree that the Proper Office Order 2013 is superfluous and can be revoked?

On the face of it, this seems like a helpful measure, but it risks reducing the quality of the service that conveyancers receive from HM Land Registry. We have been told that relationship between conveyancers and staff at 'their' Land Registry offices was strong and supportive in the past and helped to ensure that any issues could generally be dealt with quickly and informally. It will help the smooth functioning of the system if, in future, Land Registry is able to replicate that kind of service.

**Proposal C - Allow for the introduction of new statutory services identified as beneficial to our users through user research**

**Question C**

C1. Do you agree that the Rules should allow for an online service for inspection, copying and official copies of parts of the register and documents, as well as full copies?

Yes. We assume that there will be an additional charge for this service but would expect this to reflect the fact that this will be an online service and be on a cost recovery basis.

C2. Do you agree that the Rules should allow for an online service for historic day list information and historic information about a registered title?

Yes, this too will be a useful service. There is a danger, however, that easy availability of such information could make it easier for fraudsters to establish a perception of themselves as genuine owners of a property. It may be that this service should be available only to Land Registry account holders as a way to mitigate that fraud risk.

**Proposal D - Reflect the modernisation and simplification of our services through digital transformation**

**Question D**

D1. Do you have any comments on the proposals to amend rules 203 – 205 and 214 (retention and return of documents), and rules 19 and 199 (use of fax) to reflect changes we have already made in our practice?

Our only question is whether the Land Registry will stand by the accuracy of its records when the original paper documents have not been supplied in relation to an application.

D2. Do you agree with the proposal to revoke the provision for outline applications?

Yes

**Proposal E - Allow for more flexibility as to when the Land Registry is open for business and open to the public**

**Question E**

E1. Do you have any comments on the proposals to clarify the definitions of business day and working day?

These clarifications are helpful.

E2. Do you agree that Land Registry should have more flexibility about when it is open for personal visits?

It will be important that this flexibility does not reduce service to customers or lead to the effective loss of the free validation service.

**Proposal F - Make minor improvements in the Rules**

**Question F**

Do you agree with the proposals—  
F1. To add Form AN1 to rule 90?

Yes.

F2. To amend rule 140 and Schedule 5, and remove form CIT from the list of prescribed forms so it can be amended when necessary?

Yes, but it will be important to keep the frequency of amendments to form CIT to a minimum and give sufficient notice of the introduction of any new versions.

If not please say why.

[Click here to enter text.](#)

### **General Question**

#### **Question G**

Do you have any other comments about the proposed Rule amendments?

[Click here to enter text.](#)

Thank you for taking the time to let us have your views on this consultation. We do not intend to acknowledge receipt of individual responses unless requested below.

Choose an item.