4. Unregistered land

Each Concentrate revision guide is packed with essential information, key cases, revision tips, exam Q&As, and more. Concentrates show you what to expect in a law exam, what examiners are looking for, and how to achieve extra marks. This chapter discusses unregistered land. This is land where title has not been registered at the Land Registry. Proof of ownership comes from an examination of title deeds relating to that land. Identification of any third party proprietary interests burdening a piece of unregistered land cannot be discovered by a search of the land register. Rather, an examination of the title documents and various registers is required to discover their existence. The most important is a search of the Land Charges Register which is made against the names of previous owners, not the property address. Legal interests over unregistered land bind the world, with the exception of the puisne mortgage, which requires registration as a land charge to be binding. Interests covered by the Land Charges Act 1972 must be registered as the appropriate land charge to
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bind a purchaser. Failure to register such an interest appropriately means that the interest will not bind certain types of purchasers of the land.

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