



The Adjudicator to HM Land Registry

RECTIFICATION APPLICATION TO THE ADJUDICATOR TO RECTIFY OR SET ASIDE DOCUMENTS

Part 1 Details of Applicant

Please fill in the contact details of the person making the application.

Name	
Address	
Post Code	
Telephone (work)	
Telephone (home)	
Telephone (mobile)	
Fax	
Email	

Part 2 Details of Applicant’s Solicitor or Other Representative

If applicable, please fill in the details of the applicant’s solicitor.

Name	
Address	
Post Code	
Telephone	
Fax	
Email	

In the case of a lay representative (i.e. someone who is not a qualified solicitor or barrister), the Applicant’s signature is required below to authorise the lay representative to act on their behalf.

Signature:

Date:

Part 3 Details of Person(s) Against Whom an Order is Sought

Please enter the contact details of the person(s) against whom you are seeking an order.

Name	
Address	
Post Code	
Telephone (work)	
Telephone (home)	
Telephone (mobile)	
Fax	
Email	

Part 4 Details of Application

Please enter the details of the application, including the Land Registry Title Number.

Description/Address	
Title Number	
Remedy Sought	
Grounds on which Application is Based	

[Please continue on a separate sheet if necessary]

Part 5 List of Documents

Please list the documents in your possession or control which –

- are central to your case, or
- the Adjudicator or any other party to the proceedings will require in order properly to understand the rectification application.

Description	Original/ Copy	Date of Document	Parties	Document Number

[Please continue on a separate sheet if necessary]

Part 6 List of Witnesses

Please list any witnesses that you intend to call to give evidence to support your application.

[Please continue on a separate sheet if necessary]

Part 7 Copy Documents to Include With Your Application

Pursuant to rule 16(1) of The Adjudicator to HM Land Registry (Practice and Procedure) Rules 2003 (as amended), which is reproduced overleaf, you are required to include the following with your application:

- A copy of each of the documents you have listed in Part 5
- A copy of the document to which this application relates

Part 8 Statement of Truth

The application must be verified by a statement of truth before it can be accepted.

I believe/the Applicant believes that the facts stated in this application are true.

Signed:

Date:

I am the Applicant / Applicant’s Representative
and my relationship to the Applicant is

(delete as applicable)

Part 9 Where to Send This Form

Please return the completed form and copy documents to:

The Adjudicator to HM Land Registry
7th Floor, Victory House
30-34 Kingsway
London WC2B 6EX

Telephone: 020 3077 5800
DX: 141420 Bloomsbury 7

August 2008

The Adjudicator to H M Land Registry (Practice and Procedure) (Amendment) Rules 2008 set out a series of amendments to the Adjudicator to H M Land Registry (Practice and Procedure) Rules 2003.

The text below is intended to set out the relevant 2003 Rules incorporating the amendments effected by the 2008 Rules. This is not an official document. It has been prepared by the Adjudicator's office and is intended only for the guidance of parties to proceedings before the Adjudicator. It should not be used for any other purpose.

Please note that, while every care has been taken to ensure that the text is accurate, no liability is accepted for any errors which remain. In the case of any conflict between this text and the 2003 and/or 2008 Rules, the Rules will prevail.

The amended rules only apply to cases where either the reference from the Land Registry or the application for rectification is received by the Adjudicator on or after 25 August 2008. They may also apply to cases received on or after 25 July but before 25 August, but only if the Adjudicator specifically directs that they shall apply.

Form and contents of a rectification application

16. - (1) A rectification application must —

- (a) be made in writing;
 - (b) be dated and verified by a statement of truth;
 - (c) be addressed to the adjudicator;
 - (d) include the following information—
 - (i) the name and address of the person or persons against whom the order is sought;
 - (ii) details of the remedy being sought;
 - (iii) the grounds on which the rectification application is based;
 - (iv) a list of witnesses that the party intends to call to give evidence in support of the rectification application; and
 - (v) the applicant's name and address for service;
 - (e) include the following copies—
 - (i) copies of any documents in the applicant's possession or control which—
 - (aa) are central to the applicant's case; or
 - (bb) the adjudicator or any other party to the proceedings will require in order properly to understand the rectification application; and
 - (ii) a copy of the document to which the rectification application relates, or if a copy is not available, details of the document, which must include available, its nature, its date, the parties to it and any version number or other similar identification number or code that it has; and
 - (f) be served on the adjudicator.
- (2) Following receipt by the adjudicator of a rectification application, the adjudicator must enter the particulars of the rectification application in the record of matters.
- (3) If, having considered the rectification application and made any enquiries he thinks necessary, the adjudicator is satisfied that it is groundless, he must reject the rectification application.

Disclosure and inspection of documents

27. - (1) Any document supplied to the adjudicator or to a party under this rule or under rule 28 may only be used for the purpose of the proceedings in which it was disclosed.

(2) Within 28 days after service of the respondent's statement of case under rule 13 or the lodging of an objection under rule 18, each party must—

(a) serve on the adjudicator and each of the other parties a list, which complies with rule 47, of all documents in that party's possession or control which—

- (i) that party intends to rely upon in the proceedings;
- (ii) adversely affect that party's own case;
- (iii) adversely affect another party's case; or
- (iv) support another party's case; and

(b) send to the adjudicator copies of all documents in the list served under subparagraph (a).

(3) Paragraph (4) applies to documents--

(a) referred to in a party's –

- (i) statement of case;
- (ii) rectification application under rule 16(1); or
- (iii) written statement under rule 18(a)(i); or

(b) appearing on a list served by a party under paragraph (2).

(4) In addition to any other requirement in these rules to disclose or provide copies of documents, in relation to any document referred to in paragraph (3) each party must--

(a) permit any other party to inspect and take copies on reasonable notice and at a reasonable time and place; and

(b) provide a copy if requested by another party on payment by such other party of reasonable copying costs.

(5) Paragraphs (2), (3) and (4) are subject to any direction of the adjudicator to the contrary

(6) The adjudicator may at any time give directions requiring a party to state whether that party has any particular document, or class of documents, in its possession or control and, if so, to comply with the requirements of paragraphs (2), (3) and (4) in relation to such documents as if one of the categories at paragraph (2)(a) applied to them.

ADJUDICATOR TO HER MAJESTY'S LAND REGISTRY

PRACTICE DIRECTION

**RECTIFICATION APPLICATIONS UNDER S108(2) LAND REGISTRATION ACT
2002 AND OBJECTIONS THERETO**

The Adjudicator to HM Land Registry makes the following practice direction:

Rule 27 (Disclosure and Inspection of Documents) of the Adjudicator to Her Majesty's Land Registry (Practice and Procedure) Rules 2003 as amended by the Adjudicator to Her Majesty's Land Registry (Practice and Procedure) (Amendment) Rules 2008

Paragraph (2) of rule 27 is to apply to any rectification application under Rule 16 and any objection under Rule 18 subject to the following modifications:

- 1) The list of documents required to be served by the applicant under that paragraph is to be included in the application and is to be limited to documents which are in his possession or control and which –
 - (a) are central to the applicant's case; or
 - (b) the adjudicator or any other party to the proceedings will require in order properly to understand the rectification application.
- 2) The list of documents required to be served by an objector to a rectification application is to be included in the objection and is to be limited to documents which are in his possession or control and which –
 - (a) are central to the objector's case; or
 - (b) the adjudicator or any other party to the proceedings will require in order properly to understand the party's written statement.

Dated this Thursday 21 August 2008