Draft rules laid before Parliament under section 128(5) of the Land Registration Act 2002, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2011 No.

LAND REGISTRATION, ENGLAND AND WALES

The Land Registration (Network Access) (Amendment) Rules 2011

Made - - - - ***

Coming into force in accordance with rule 2

The Lord Chancellor makes the following rules in exercise of the powers conferred by sections 92(2) and 128(1) of, and paragraphs 1(4), 2(4), 3(2) and (3), and 11 of Schedule 5 to, the Land Registration Act 2002(**1**).

He has consulted such persons as he considered appropriate, in accordance with paragraph 11(2) of Schedule 5 to that Act.

In making rules under paragraphs 1(4) and 3(2)(a) of Schedule 5 to that Act he has had regard, in particular, to the matters set out in paragraph 11(3) of Schedule 5 to that Act.

In accordance with section 128(5) of that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation

1. These rules may be cited as the Land Registration (Network Access) (Amendment) Rules 2011.

Commencement

2. These rules shall come into force on the day that section 71 of the Legal Services Act 2007(**2**) comes into force, unless that section is already in force when these rules are made, in which case these rules shall come into force on the day after the day on which they are made.

(**1**) 2002 c. 9.
(**2**) 2007 c. 29.

Interpretation

3. In these rules "the network access rules" means the Land Registration (Network Access) Rules 2008(**3**) and in rules 5 and 6 a reference to a rule or schedule by number is a reference to the rule or schedule so numbered in the network access rules.

Amendments to the network access rules

4. The network access rules are amended as set out in rules 5 and 6.

Amendments to rule 2 of the network access rules

5. In rule 2(1)—

(a) after the definition of "address for service" insert—

""approved regulator" has the same meaning as in section 20 of the Legal Services Act 2007,";

(b) for the definition of "intervention" substitute—

""intervention" means—

(a) an intervention by the Law Society under section 35 of, and Schedule 1 to, the Solicitors Act 1974(**4**), section 9 of, and Schedule 2 to, the Administration of Justice Act 1985(**5**), or section 89 of, and Schedule 14 to, the Courts and Legal Services Act 1990(**6**),

(b) an intervention by the Council for Licensed Conveyancers under section 31 of, and Schedule 5 to, or section 32 of, and Schedule 6 to, the Administration of Justice Act 1985(**7**),

(c) an intervention by a licensing authority under section 102 of, and Schedule 14 to, the Legal Services Act 2007, or

(d) an intervention of a similar nature to those referred to in (a), (b) and (c) of this definition by any other approved regulator in accordance with its regulatory arrangements,

and for the purpose of these rules an intervention occurs on the day when the intervening body first decides to exercise the power of intervention in question in relation to a person or body,;";

(c) after the definition of "intervention" insert—

(**3**) S. I. 2008/1748.

(**4**) 1974 c. 47; Schedule 1 was amended by: the Criminal Justice Act 1982 (c. 48), sections 38 and 46; the Administration of Justice Act 1985 (c. 61), section 8 and Schedule 1, paragraph 13; the Courts and Legal Services Act 1990 (c. 41), section 91(1); the Access to Justice Act 1999 (c. 22), section 48 and Schedule 7, paragraph 6; the Mental Capacity Act 2005 (c. 9), section 67(1) and Schedule 6, paragraph 22(1), (4); the Legal Services Act 2007 (c. 29), sections 177 and 210, Schedule 16, paragraphs 1 and 77 and Schedule 23.

(**5**) 1985 c. 61; section 9 was amended by: the Courts and Legal Services Act 1990, section 125(7) and Schedule 20; the Access to Justice Act 1999, section 106 and Schedule 15 Part II; the Legal Services Act 2007, sections 177 and 210, Schedule 16, paragraphs 80 and 81 and Schedule 23; SI 2000/1119, regulation 37(3); SI 2009/1587, articles 1(1) and 3(4). Schedule 2, paragraphs 32 to 35 were amended by the Legal Services Act 2007, sections 177 and 210, Schedule 16, paragraphs 80 and 119 to 122 and Schedule 23.

(**6**) 1990 c. 41; section 89 was amended by: the Legal Services Act 2007, section 177 and Schedule 16, paragraph 125; SI 2000/1119, regulations 1(1) and 37 and Schedule 4, paragraph 14. Schedule 14, paragraph 5 was amended by: the Mental Capacity Act 2005, section 67(1) and Schedule 6, paragraph 35; the Legal Services Act 2007, sections 177 and 210, Schedule 16, paragraphs 126 and 131 and Schedule 23.

(**7**) Sections 31 and 32 were amended by the Legal Services Act 2007, sections 182 and 210, Schedule 17, paragraphs 1, 19 and 20 and Schedule 23. Schedule 5 and Schedule 6, paragraphs 10 to 13, were amended by the Legal Services Act 2007, sections 182 and 210, Schedule 17, paragraphs 1, 31 and 32 and Schedule 23.