



THE LAND REGISTRATION ACT 1982
THE LAND REGISTRY FEES ORDER 2002

Approved by Tynwald

18th June 2002

Coming into operation

5th August 2002

In exercise of the powers conferred on the Treasury by section 76(1) of the Land Registration Act 1982¹, and of all other enabling powers, the following Order is hereby made:-

PART 1

GENERAL

1. Citation and Revocation

(1) This Order may be cited as the Land Registry Fees Order 2002 and, subject to section 76(2) of the Act, shall come into operation on 5th August 2002.

(2) The Land Registry Fees Order 2000² is revoked.

2. Interpretation

(1) In this Order -

“the Act” means the Land Registration Act 1982;

“charge” includes a sub-charge;

“monetary consideration” means a consideration in money or money’s worth (other than a consideration consisting solely of a covenant to pay money owing under a charge);

“area” means an area comprising a single parcel or 2 or more contiguous parcels;

¹ 1982 c.7

² SD 551/00

“the Registrar” means the Chief Registrar;

“the Rules” means the Land Registry Rules 2000;

“scale fee” means a fee payable under Part 2.

(2) Any reference in this Order to a numbered rule is a reference to the provision so numbered of the Rules.

(3) Other expressions in this Order which are defined in the Act or the Rules have the same meanings as in the Act or the Rules, as the case may be.

PART 2

SCALE FEES

3. Calculation of fees - general

(1) Subject to paragraphs (2) to (4), for the purposes of any application, the value on which any fee payable on the application shall be -

(a) the amount declared in the application as the monetary consideration for the transaction giving rise to the application subject to sub-paragraph (b)

(b) where no transaction gives rise to the application, or no amount is so declared, or the consideration is nominal, or where the amount declared under sub-paragraph (a) is under value, the amount declared in the application as the value of the land.

(2) For the purpose of an application for compulsory first registration of a leasehold estate in land on the grant of a lease (whether out of registered or unregistered land), the monetary consideration for the lease shall be taken to be -

$$P + 10R$$

where -

P = the premium for the lease (as declared in the application)

R = the highest ascertainable amount of annual rent reserved by the lease.

(3) Where a transaction is effected by way of exchange, each conveyance or transfer shall be treated as a separate transaction for the purpose of calculating the fees payable (which shall accordingly be calculated on the value of the land affected).

(4) Where the amount or value on which a scale fee is to be calculated is not £1,000 nor an exact multiple of £1,000, the amount or value shall be rounded up to £1,000 or the next multiple of £1,000 above, as the case may be.

4. Valuation

(1) The value of any land for the purpose of article 3 shall be the amount which, if sold in the open market by a willing seller, the following interest might be expected to realise -

- (a) in the case of the surrender of a lease, the leasehold estate immediately before the surrender;
- (b) in any other case, the estate the subject of the application.

(2) The Registrar may accept a certificate as to the value of any land given by such person as appears to him to be qualified to give it.

5. Application for first registration

(1) Subject to paragraph (2), the fee payable on an application for first registration of title to any land shall be -

- (a) £3.80 for each £1,000 of value, or
- (b) £50,

whichever is the higher.

(2) Where -

- (a) the land the subject of such an application consists of or includes a dwelling which is occupied or capable of being occupied as such, and the monetary consideration or value in accordance with article 3. does not exceed £90,000 the fee payable shall be £50.
- (b) the application is a voluntary first registration, and the deed has already been registered in the Deeds Registry, the fee payable shall be £50.

6. Application for registration of transfer or other dealing with registered land

(1) This article applies to the following dealings with registered land -

- (a) a transfer (including a transfer made pursuant to an order of a court);
- (b) a surrender of a registered lease for title to an estate in land for a monetary consideration (however effected);
- (c) a transmission on defeasance of the estate of a registered owner;
- (d) a rectification of the register.

(2) Subject to paragraph (3), the fee payable on an application for registration of a dealing to which this article applies shall be as follows -

<i>Value</i>	<i>Fee</i>
not exceeding £200,000	£2.80 for each £1,000 of value
exceeding £200,000	£3.80 for each £1,000 of value

(3) Where -

- (a) the land the subject of such an application consists of or includes a dwelling which is occupied or capable of being occupied as such,
- (b) the transfer is accompanied by a Government Grant in accordance with the provisions of the House Purchase Assistance Scheme 1999 (as amended or replaced from time to time), and
- (c) the monetary consideration does not exceed £90,000;

the fee payable shall be £50.

PART 3 OTHER FEES

7. Fixed fees

Subject to articles 10 and 12, on any application, or for any service, specified in Schedule 1 there shall be payable the fee specified in that Schedule.

8. Boundaries

On an application -

- (a) under section 59(2) of the Act to settle and enter on the title register as conclusive any boundary of registered land, or
- (b) under section 59(5) of the Act to determine the boundaries or extent of registered land,

there shall be payable such a fee as the Registrar considers reasonable, having regard to the expense of any examination of title, enquiries, notices, surveying, mapping and other work involved.

9. Other applications

On any application for which no fee is prescribed under the preceding provisions of this Order and which is not exempted by article 10 there shall be payable such fee (not exceeding a fee calculated in accordance with article 6 on the value of the land affected) as the Registrar considers reasonable, having regard to the expense of any examination of title, enquiries, notices, surveying, mapping and other work involved.

PART 4

GENERAL AND ADMINISTRATIVE PROVISIONS

10. Exemptions

No fee shall be payable on an application in the circumstances specified in Schedule 2.

11. Payment of fees

(1) Any fee payable under this Order shall be paid in cash or by a crossed cheque in favour of "Isle of Man Government".

(2) Where the amount of a fee is ascertainable at the time of the application, it shall be paid on presentation of the application.

(3) Where the amount of a fee is not ascertainable at the time of the application -

(a) such amount as the Registrar may direct (either generally or in the particular case) shall be paid on presentation of the application on account of the fee, and

(b) the balance (if any) shall be paid within 21 days of notification of the amount thereof by the Registrar to the applicant or his Advocate.

(4) Where the amount paid on his account under paragraph (3)(a) exceeds the amount of the fee, the Registrar shall, as soon as practicable after the latter amount is ascertained, refund the balance to the applicant.

(5) Where in accordance with the Rules an application is treated as withdrawn by reason that the full amount of any fee remains unpaid, the Registrar shall refund to the applicant any sum paid on account of the fee, less such amount as he considers reasonable in respect of the expenses already incurred of any examination of title, enquiries, notices, surveying, mapping or other work.

(6) This article has effect subject to article 13.

12. Reduction or Waiver of Fees

The Registrar may reduce or waive the fee payable on any application or for any service if he considers that it is excessive or unreasonable in the circumstances of the case.

13. Credit accounts

(1) The Registrar may make arrangements with any person for the maintenance by that person of a credit account with the Registrar for the payment of fees in respect of applications made by him.

(2) Where an account holder makes an application in respect of which credit facilities are available, he may make a request, in such manner as the Registrar directs, for the appropriate fee to be debited to his credit account.

(3) The Registrar shall not be required to accept such a request where the amount due on the account -

(a) exceeds the credit limit applicable to the account, or

(b) would exceed that limit if the request were accepted.

(4) Where an account holder makes an application -

(a) in respect of which arrangements under paragraph (1) are in force, but

(b) which is not accompanied by any fee and does not contain a request for the fee to be debited to that account, the Registrar may debit the fee to the account holder's credit account.

(5) The Registrar shall send a statement of account to each account holder at the end of each month or such period as he may (either generally or in any particular case) direct, and on delivery of the statement -

(a) the account holder shall forthwith pay any sum due on his credit account in accordance with article 11(1); or

(b) where the account holder has made arrangements for payment of his account by direct debit, the Registrar shall give instructions that the sum be paid in accordance with those arrangements.

(6) The Registrar may at any time, and without giving reasons, terminate or suspend any or all arrangements under paragraph (1).

(7) In this article -

“account holder” means a person with whom arrangements have been made under paragraph (1);

“credit limit”, in relation to a credit account, means the maximum amount (if any) which is to be due on the account at any time, as notified by the Registrar from time to time to the account holder.

SCHEDULE 1

FIXED FEES

PART 1

APPLICATIONS FOR REGISTRATION ETC.

<i>No.</i>	<i>Nature of Application</i>	<i>Fee</i>
1	To register a charge on registered land	£70
2	To register an assent, a transmission of registered land to a personal representative on death, or to a trustee in bankruptcy	
	for one title	£40
	for each title after the first	£10
3	To register or modify a caution, inhibition, restriction or other entry in the title register for which no other provision is made	
	for one title	£25
	for each title after the first	£10
4	To register or modify the registration of a Schedule 5 burden or a Schedule 6 burden	
	for one title	£25
	for each title after the first	£10
5	To close or partly close a registered leasehold title or rentcharge title otherwise than on surrender	
	for each title closed in whole or part	£25
6	To convert a title from one class to another	£40
7	For first registration of title to a rentcharge	£40
8	To register a transaction in the register of transactions (Rule 8)	£25
9	To enter a caution requiring notice of an application for first registration of land	
	for one area of land	£40
	for each area of land after the first	£10

PART 2

INSPECTIONS, COPIES AND SEARCHES

<i>No.</i>	<i>Nature of Application</i>	<i>Fee</i>	
10	To inspect the title register (including any filed plan), cautions against first registration, register of pending applications and index of names		
	the title register	for each title	£2
	the register of pending applications	for each application	£2
	cautions against first registration	for each application	£2
	index of names	for each name	£2
	any document forming part of the title register	for each title	£2
11	For an office copy of the title register (including the filed plan and any other plan forming part of the title register)		
	the register or part thereof	for each copy	£4
	the filed plan	for each copy - A3 paper	£4
		for each copy - A2, A1 or A0 paper	£10
	any document forming part of the title register (except as mentioned in 12, below)	for each document	£4

12	For a printed copy of a caution against first registration, or of an entry in the index of pending applications, the register of transactions or the index of names	£4
13	For a printed copy of an extract from the registry map	A fee calculated in accordance with the Appendix to this Schedule
14	For an official search of the title register for each title	£4
15	For an official search of the index map for each area of land in respect of which the search is made	£4
16	For a priority search of the title register for each title	£8
17	For a search of the register of transactions for each name	£4

PART 3
AFFIDAVITS AND DECLARATIONS

No.	Nature of Service	Fee
18	For taking an affidavit or statutory declaration	£2.50
19	For marking each exhibit to an affidavit or statutory declaration	£1.50

APPENDIX
FEES FOR EXTRACTS FROM THE REGISTRY MAP

Scale	A4 /A3 Size	A2 Size	A1 Size	A0 Size	500mm Square
Derived from 1:1250 and 1:2500 scale base mapping					
1:100 up to 1:500	£4.50	£10.50	£12	£16	£11
over 1:500 to 1:1000	£5.50	£12.50	£14	£23	£13
over 1:1000 to 1:2500	£7.50	£17.50	£20	£32	£17
over 1:2500 to 1:5000	£10	£22.00	£24	£40	£22
Derived from 1:10000 scale base mapping					
over 1:5000 to 1:10000	£25	£30	£35	£45	N/A
over 1:10000 to 1:20000	£30	£35	£40	£50	N/A

SCHEDULE 2
EXEMPTIONS

1. No fee is payable under item 1 of Part 1 of Schedule 1 (application for registration of charge) where:-
 - (a) another application is made in respect of the same title which will result in the person by whom that application is made becoming registered as proprietor of the land charged, and
 - (b) the application for registration of the charge is made either at the same time as that application or before that application is completed, unless the application for registration of the charge also relates to land in respect of which no application falling within sub-paragraph (a) is made.
2. No fee is payable under items 2 to 7 under Part 1 of Schedule 1 where, in relation to the title in question, the application is accompanied by or forms part of an application for which a scale fee is payable.
3. No fee is payable in respect of:-
 - (a) any change of name, address or description of a registered owner or other person referred to in the title register;
 - (b) any change in the description of registered land;
 - (c) any application by or on behalf of a body as set out in Section 24A(4) of the Act;
 - (d) any application for first registration made in compliance with a direction under Section 24A of the Act;
 - (e) giving effect on the title register to a change of registered owner of land or a charge, otherwise than by virtue of a transfer or on death or bankruptcy;
 - (f) registering the surrender of a registered lease (however effected) where:-
 - (i) the surrender is in consideration or part consideration of the grant of a new lease to the registered owner of substantially the same premises as were comprised in the registered lease, and
 - (ii) a scale fee is paid for the registration of the new lease;
 - (g) registering the discharge of a registered charge;
 - (h) entering on the title register the death of a joint owner;
 - (i) cancelling the registration of a notice (except a notice of an unregistered lease or unregistered rentcharge), caution, inhibition, restriction or note;
 - (j) issuing a summons under the seal or stamp of the Land Registry;
 - (k) issuing an order of the Registrar or the Land Commissioner.

MADE

15th May

2002



Minister for the Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the fees payable on applications and other proceedings in the Land Registry. Provision is made for the maintenance of credit accounts for fees (article 13).