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Dear Mr Patel

Review of the Land Registration model – CLC response

Thank you for giving the CLC the opportunity to respond to the BIS consultation on changes to land registration.

Business model: We are not in a position to comment whether the creation of a new service delivery company is in the consumer interest. There are some tests that we believe should be applied in order for BIS to make that assessment and afterwards to gauge the success of the project. Those tests should include whether services to users are improved and whether they are being delivered more efficiently. We are anxious that quality, efficiency and effectiveness should continue to be assessed by the Office of the Chief Land Registrar.

Stamp Duty payment: We have been in discussion for some time with HMRC and HM Land Registry about the current arrangements for payment of Stamp Duty Land Tax to HMRC and registration of title by HM Land Registry. We hope that new arrangements can be introduced to reduce scope for fraud. This will require tighter coordination between the two agencies and could be aided by shorter timetables for the payment of the tax and registration of title.

We believe that such changes would not cause any inconvenience to home buyers or their agents. They offer the possibility of increasing tax revenue by reducing the scope for fraud and at the same time they could reduce burdens and costs for HMRC and legal service regulators who currently have to deal with the consequences of SDLT fraud. They would also lead to better consumer protection.

We are aware that HM Land Registry does not wish to add collection of SDLT to its responsibilities in any way. We believe that is not necessary and it seems that the model of coordination being proposed in Scotland might be a good guide to what can be achieved in England and Wales. This should be made a priority for the new service delivery agent.

Yours sincerely

Sheila Kumar
Chief Executive Officer