## HM Land Registry Restriction – consent or certificate

# RXC

### **IMPORTANT – PLEASE READ**

- Form RXC must accompany or relate to an application lodged under cover of Form AP1.
- You can use the form in all situations where a restriction on the register requires a consent or a certificate to be provided this includes a certificate to comply with a Form LL restriction.
- For guidance as to how to use the form in respect of Form LL restrictions, please refer to Practice Guide 19.
- You cannot use a single RXC form to provide consents or certificates in respect of multiple titles.

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

HM Land Registry is unable to give legal advice, but you can find guidance on HM Land Registry applications (including our practice guides for conveyancers) at <u>www.gov.uk/land-registry</u>. You may find it useful to refer to Practice Guide 19, which addresses compliance with restrictions.

For information on how HM Land Registry processes your personal information, see our <u>Personal Information</u> <u>Charter</u>.

Insert HM Land Registry title number and the address of the property affected by the restriction.	1	Title numbe	er:	
		Property:		
Each restriction will usually start with a date in brackets. This is the date the restriction was added to the register. Each restriction will also be numbered. Insert the date shown in brackets, if one appears, and the entry number. An official copy of the register contains an edition date. Insert this date or, if you access the register via Register View in <u>My Portal</u> , insert the date you are given as the date of the register showing the entries subsisting.	2	The restrict (i)	ion: was registered on	
		and (ii) is a	t entry number	in the
		on (insert editi View'). OR (where	the restriction is not yet reg ained in the following docum	
		Date:		

Place 'X' in the box(es) that apply. You must complete this panel fully and accurately with the details of the individual(s) signing panel 4 or 5.

See rule 217A Land Registration Rules 2003 for the definition of conveyancer.

An individual is "personally named" when their own name (as opposed to, for example, their employer's name) appears in the restriction.

"Acting on behalf of someone else" includes a conveyancer representing a restrictioner, an employee or agent of a corporation, an attorney of an individual or corporation, or a personal representative.

Only certain individuals can give a consent or certificate on behalf of a corporation – see rule 91B of the Land Registration Rules 2003.

You will need to provide further evidence of your authority to provide the consent or certificate with this form if this is not otherwise clear.

Examples of appropriate evidence may include a power of attorney or grant of probate.

Where a Right to Manage Company has been appointed see <u>Practice Guide 27</u>.

If one or more individuals are the registered proprietors of the title referred to in the restriction, insert "Registered Proprietor(s) of title..." under "Status".

If the registered proprietor of the title is a company, provide details of the position of the individual(s) within the company who are giving the consent or certificate under "Status".

If a consent or certificate is given by an employee or agent of a company, please provide the postal address of the company or agent and the work e-mail address of the person giving the consent or certificate under "Address". Choose one of the following two options in Part A:

If you are **personally named** in the restriction, tick the first box in Part A. There is no need to complete Part B.

If your **status is described in the restriction**, but you are not personally named (for example the restriction requires a consent or certificate from 'a conveyancer' or 'the registered proprietor' of a specific title without naming them), tick the first box in part A and complete part B.

If you are acting **on behalf** of someone else (for example as an employee, agent, or conveyancer) tick the second box in Part A, select an appropriate option, and complete Part B.

#### Part A

3

I am/We are described in the restriction as being able to give the consent or certificate.

#### OR

I can consent or give the required certificate on behalf of

#### (insert details) because:

I am a conveyancer acting on their behalf.

I am their duly authorised employee / agent. (delete as applicable)

I am their clerk, secretary, or other permanent officer.

I am a member of their board of directors, council or governing body.

l am

(if you can act on their behalf for some other reason provide full details here)

#### Part B

Details of the individual(s) giving the consent or certificate

Name:

Status:

Address:

	Name: Status: Address:
	<ul> <li>You must complete either:</li> <li>panel 4 if the restriction requires a <u>consent</u>; or</li> <li>panel 5 if the restriction requires a <u>certificate</u>.</li> </ul>
Insert details of all dispositions the consent relates to which accompany this application – for example, transfer, lease, grant or release of easements, legal charge or mortgage. You may wish to specify the date of the disposition and the parties, for example "transfer dated [insert] made between [insert]". If you are providing a bulk consent in respect of a developing estate, you may wish to identify the specific plot numbers the consent applies to, for example "Transfer of plots 1- 7 Bluebell Green." Continuation sheet CS can be used if more than two persons are providing the consent.	<ul> <li>4 I/We consent to the following disposition(s) and to their registration:</li> <li>1.</li> <li>2.</li> <li>3.</li> <li>Signature:</li> <li>Name:</li> <li>Date:</li> </ul>
	Signature: Name: Date:

Insert details of all dispositions the certificate relates to which accompany this application – for example, transfer, lease, grant or release of easements, legal charge or mortgage. You may wish to specify the date of the disposition and the parties, for example "transfer dated [insert] made between [insert]".

If you are providing a bulk certificate in respect of a developing estate, you may wish to identify the specific plot numbers the certificate applies to, for example "Transfer of plots 1-7 Bluebell Green."

Select the appropriate form of certificate.

You can only certify that the provisions referred to in a restriction have been complied with, or that they do not apply to the relevant dispositions, if the wording of the restriction permits a certificate to be given in these terms.

Select the third option if the restriction requires a certificate in other terms.

If the certificate is being given in relation to a Form LL restriction, please refer to Practice Guide 19.

Continuation sheet CS can be used if more than two persons are providing the certificate.

•	5	I/We <b>ce</b>	<b>rtify</b> in relation to the following disposition(s):
е		1.	
5			
		2.	
0		3.	
		that:	
			the provisions referred to in the restriction have been complied with
on		OR – If	permitted by the terms of the restriction
,,,,			the provisions referred to in the restriction do not apply to the above disposition(s)
e		OR	
			other: (please specify the exact wording of the certificate required by the restriction)
d			
		Signatu	ire:
		Name:	
		Date:	
		Signatu	re:
		Name:	
		Date:	

#### WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.