

## Statement of truth in support of an application to cancel a Form A restriction

**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.

Before a restriction in Form A in the proprietorship register can be cancelled, HM Land Registry must be satisfied that the restriction is no longer required. This will often be because the land is no longer subject to a trust. A trust of land exists when the formal ownership of the land (the 'legal estate') is separated from the underlying ownership (the 'beneficial interest').

The restriction will no longer be required if:

- the interest protected by the restriction has ended or passed to the registered proprietor(s) or the survivor(s) of them, and
- nobody else has a beneficial interest in the land, and
- if there are two or more registered proprietors, they now hold the land on trust for themselves (and nobody else) as beneficial joint tenants. Joint owners must hold the legal estate as joint tenants, but their beneficial interests may be held either as joint tenants or as tenants in common. Joint tenants do not have specific shares in the land. On the death of one joint tenant, their interest in the land passes automatically to the others. Tenants in common have specific shares, which can be transferred separately, and are inherited as part of their estate on their death. (See [www.gov.uk/joint-property-ownership](http://www.gov.uk/joint-property-ownership))

If you think the restriction is no longer required but you cannot confirm both statements in panel 5 or 6 below, you can prepare your own statement of truth based on the wording in this form, amended appropriately. You must still provide the explanations required by panels 3 and 4.

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 [www.gov.uk/land-registry](http://www.gov.uk/land-registry).

For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Insert full name(s).

Insert full address(es).

Insert HM Land Registry title number and address of the property affected by the restriction.

Insert details of the nature of the interest(s) protected by the restriction and what has happened to the interest(s).

Please send us copy documents not originals, but confirm they are true copies by writing at the top of page 1: "I certify that this is a true copy of the original", then sign and print your name, and date your signature.

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|---|---|
| 1 | <p>I/We:</p><br><p>of:</p><br><p>make this statement in support of an application to HM Land Registry for the cancellation of a Form A restriction.</p>   |
| 2 | <p>Title number(s):</p><br><p>Property:</p>   |
| 3 | <p>Explain what has happened to the beneficial interest protected by the restriction. (Provide accurate and relevant information). You should include certified copies of any documents showing this.</p> |

You must explain how the interest has passed.

**Where only one registered proprietor will remain on the register, complete panel 5.**

**HM Land Registry cannot consider the application in this form if you are not able to confirm both statements.**

**Where two or more registered proprietors will remain on the register, please complete panel 6.**

**HM Land Registry cannot consider the application in this form if you are not able to confirm both statements.**

If a joint statement is made by two or more persons, all must sign this statement.

If a person making the statement is unable to sign it or is unable to read, a conveyancer eg a solicitor, will have to be involved who must give the appropriate certificate as required by rule 215A (4), (5) and (6) of the Land Registration Rules 2003.

This form should be lodged with form RX3 at HM Land Registry as soon as the statement of truth has been made. If you do not do so, we may ask you to provide further supporting evidence that the declarations made on this form continue to be true up to either the date it is lodged or the completion date of any accompanying disposition.

**WARNING**

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the Registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the Registrar considers it necessary or desirable to serve notice.

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.

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| <b>4</b> | <p>If the interest has passed to the registered proprietor or proprietors, or the survivor(s) of them, explain how this happened. (Provide accurate and relevant information.)</p>   |
| <b>5</b> | <p>Where there remains one registered proprietor:</p> <p>I confirm that no one other than the remaining/surviving registered proprietor now has a beneficial interest in the property.</p> <p><b>AND</b></p> <p>I confirm that no beneficial interest in the property has been separately mortgaged or charged, and that no beneficial owner is or was subject to a charging order or bankruptcy proceedings (a registered mortgage does not count).</p> |
| <b>6</b> | <p>Where there remain two or more registered proprietors:</p> <p>We confirm that they hold the property on trust for themselves (and no one else) as beneficial joint tenants.</p> <p><b>AND</b></p> <p>We confirm that no beneficial interest in the property has been separately mortgaged or charged, and that no beneficial owner is or was subject to a charging order or bankruptcy proceedings (a registered mortgage does not count).</p>        |
| <b>7</b> | <p>I/We believe that the facts and matters contained in this statement are true</p> <p>Signature(s) (of person(s) making this statement): .....</p> <p>.....</p> <p>Print full name(s):</p> <p>Date:</p>   |

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.

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