

Legal aid charges to be registrable in the statutory charges register [j601]

1. In Schedule 11 to the Land Registration Act (Northern Ireland) 1970 (matters registrable in the Statutory Charges Register), after paragraph 53 insert—

“54.—(1) A charge—

5 (a) created by Article 12(5) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981; or

(b) created in favour of the Department of Justice by Article 17(7) of the Access to Justice (Northern Ireland) Order 2003.

(2) Sub-paragraph (1) applies to a charge so far as it—

10 (a) affects any registered or unregistered land, and

(b) is on property recovered or preserved on or after the relevant day.

(3) In addition, sub-paragraph (1) applies to a charge so far as it—

(a) affects any registered land, and

(b) is on property recovered or preserved before the relevant day,

15 if immediately before that day the charge is not registered under section 44 as a burden affecting that land.

(4) In sub-paragraph (2) or (3) “the relevant day” is the day that sub-paragraph (1) comes into operation in relation to a description of property which covers the property concerned.

20 (5) So far as sub-paragraph (1) applies to a charge, it does so from the time the charge is created.”.