

EXPLANATORY MEMORANDUM TO
THE LAND REGISTRATION, STATUTORY CHARGES, GROUND RENTS AND
REGISTRY OF DEEDS (ELECTRONIC COMMUNICATIONS) ORDER
(NORTHERN IRELAND) 2026

2026 No.

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Finance to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under sections 1 and 2 of the Electronic Communications Act (Northern Ireland) 2001 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. To amend existing legislation in respect of the Land Registry Register, Statutory Charges Register, Ground Rents Register and Registry of Deeds in order to ensure that the electronic and digital services offered by Land Registry's new digital solution will be implemented lawfully.

3. Background

The Rule will:

- Enable the introduction of electronic and digital services to varying degrees in each of the registers. This will include a scanned submission service where electronic scans of hardcopy documents can be submitted and the introduction of digital forms, where appropriate.
- Take into consideration the significant advancements in the development and use of digital signatures within the marketplace and update some of the digital signature provisions within the existing legislation to reflect changes in the way the signatures are accessed and used
- Enable electronic searching in the four registers.
- Facilitate the electronic discharge of charges by lenders when authorised by the Registrar of Titles.

4. Consultation

- 4.1. A public consultation on the proposal to make the Rule opened on the 14 October 2025 and ran for a period of 13 weeks, closing on 12 January 2026.
- 4.2. A report on the responses received was published on 9th March 2026. The report showed that there is strong support for the proposals and respondents considered that the introduction of electronic and digital services will benefit customers.

5. Equality Impact

- 5.1. While it is confirmed that consideration was given to compliance with Section 75 of the Northern Ireland Act 1998, an impact assessment was not carried out because the proposal was subject to a Policy Screening exercise which revealed that an impact assessment was not necessary. The findings of this Policy Screening exercise were published online on the Departments website¹.

6. Regulatory Impact

- 6.1. A Regulatory impact assessment was not carried out as the proposal was subject to a Policy Screening exercise which revealed that an impact assessment was not necessary because the proposal would not impose any new regulatory burdens or penalties. The findings of this Policy Screening exercise were published online on the Departments website².

7. Financial Implications

- 7.1. There are no financial implications associated with this Rule. This Rule will enable the introduction of electronic and digital services which will be offered on a full cost recovery basis.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Department has carried out a Human Rights Act screening analysis and no human rights issues have been identified. The proposals did not engage any Convention rights and is compatible with Article 2(1) of the Protocol on Ireland/Northern Ireland. A Windsor Framework screening analysis has been carried out and rights under Article 2(1) are not engaged.

9. EU Implications

- 9.1. Not applicable.

10. Parity or replicatory measure

- 10.1 The proposed Rule is not equivalent to any other legislation.

¹ [Land Registration Implementation Project - EQIA Screening 2025](#)

² [Land Registration Implementation Project - Regulatory Impact Assessment \(Screened Out\)](#)

11. Additional information

11.1. Not applicable.