

SL1 - The Land Registration, Statutory Charges, Ground Rents and Registry of Deeds (Electronic Communications) Order (Northern Ireland) 2026

**Mr Peter Hall
Clerk
Committee for Finance
Room 419
Parliament Buildings
Stormont**

Dear Peter,

The Department of Finance (the Department) proposes to make a Statutory Rule under powers conferred by the Electronic Communications Act (Northern Ireland) 2001. This Statutory Rule is subject to the negative resolution procedure.

Purpose of the Draft Rule

The purpose of the Draft Rule is to amend current Land Registration legislation to ensure that the services which will be introduced by Land Registry's new digital solution will be implemented lawfully. Land Registry, part of Land & Property Services, is undertaking a digital transformation project to respond to evolving public expectations, rapid technological advancements and the need for more efficient streamlined services. The Draft Rule will amend existing legislation relating to the four registers which the Land Registry maintains - the Land Registry Register, the Ground Rents Register, the Statutory Charges Register and the Registry of Deeds.

The legislation which requires amendment is:

- The Land Registration Act (Northern Ireland) 1970 (the Land Registration Act)
- The Land Registration Rules (Northern Ireland) 1994
- The Ground Rents Act (Northern Ireland) 2001
- The Property (Northern Ireland) Order 1997
- The Registration of Deeds Act (Northern Ireland) 1970
- The Registration of Deeds Regulations (Northern Ireland) 1997
- The Property (Discharge of Mortgage by Receipt) (Northern Ireland) Order 1983

The Draft Rule will:

- (i) Open up the creation and registration of electronic documents to modernise Land Registry's current services.
- (ii) 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.
- (iii) Allow for a scanned electronic submission service where paper documents can be scanned and the electronic copy submitted.
- (iv) Enable the introduction of electronic and digital services to varying degrees in each of the registers. This will include a scanned submission service and the introduction of digital forms, where appropriate.
- (v) Enable electronic searching in the four registers.
- (vi) Facilitate the electronic discharge of charges by lenders.

It is intended that services provided by the new digital solution will roll out on a phased basis throughout 2027/28. The corresponding provisions of the Draft Rule will be commenced in line with this roll out.

Options considered

- Do nothing - While some of the new services can be offered under the provisions of the current Land Registration legislation, the option to do nothing and to not amend the current legislation would result in Land Registry's new digital solution either not being able to offer newly developed services, or offering services that are not lawful.
- Primary Legislation - The Department considered whether a Land Registration Bill would be a viable option to introduce the proposals. However, this was not the preferred option due to time constraints.
- Secondary Legislation (preferred option) - As the required amendments relate to facilitating electronic communication and storage, the Electronic Communications Act (NI) 2001 (ECA) was identified as appropriate empowering legislation. The proposed amendments do not seek to require an applicant to use an electronic or digital service and therefore the amendments are considered to be within the powers of the ECA. The Department has taken advice from the Departmental Solicitors Office in this regard.

The Department is not aware of any risks or unintended consequences of implementing the Draft Rule.

Previous Engagement with the Committee

A written briefing to the Finance Committee introducing the legislative proposals and providing an advance copy of the public consultation regarding these proposals was included in their meeting of 1 October 2025. Further to this, an overview of the consultation response analysis and an advanced copy of the Consultation Outcome Report was submitted to the Committee for consideration in their 4 March 2026 meeting.

Financial Implications

There are no financial implications associated with the Draft Rule. The Committee should however note that if the Draft Rule is not implemented, the new digital solution for Land Registry will not be able to lawfully offer all of its new services. This would have financial as well as non-financial implications for the Department.

Consultation

A public consultation on the proposals to amend current Land Registration legislation opened on the 14 October 2025 and ran for a period of 13 weeks, closing on 12 January 2026.

An overview of the analysis of the consultation responses and an advanced copy of the Consultation Outcome Report was considered by the Committee during their meeting of 4 March 2026 and published on the Department's website on the 9 March 2026: [Land Registration Legislation Project consultation | Department of Finance](#).

The Department received 58 responses to the consultation, which showed strong support for the proposals outlined, with an overall agreement rate of 93.35%.

The Consultation Outcome Report identified and addressed 12 key themes and queries raised by stakeholders regarding the proposals. These included queries regarding system security, statements of truth, document quality, output of documents, document execution, email addresses and electronic notices. An analysis of the consultation responses suggested that there were no issues raised that required substantive changes to be made to the Draft Rule as published alongside the consultation.

Compliance with Section 24 of the Northern Ireland Act 1998

The Department has carried out a Human Rights Act impact assessment screening exercise, and no human rights issues have been identified. It is the Department's view that the proposals did not engage any Convention rights.

A Windsor Framework impact assessment screening exercise has been carried out, and it is the Department's view that rights under Article 2(1) are not engaged.

Following these assessments, it is the Department's opinion that the provisions of the Draft Rule are compatible with Section 24 of the Northern Ireland Act 1998.

Consideration by the Executive

A determination was made that the matters covered in the Draft Rule do not meet the threshold for matters that require consideration by the Executive.

Equality Impact

An Equality Impact Assessment screening exercise has been completed for the Draft Rule, and it is the Department's view that there are no impacts on equality of opportunity in any of the groups specified in section 75 of the Northern Ireland Act 1998.

Regulatory Impact

The requirement for a Regulatory Impact Assessment has been screened out by the Department. It is the Department's view that the Draft Rule will not impose any new regulatory burdens or penalties and will maintain the regulatory position of allowing both digital and paper applications to be submitted to the Land Registry therefore not impacting the regulatory burden on Northern Ireland businesses or the voluntary/community sector.

Rural Needs Impact

A Rural Needs Impact Assessment has been carried out, and the Department has not identified any different impacts of the Draft Rule on rural areas.

Data Protection Impact

A Data Protection Impact Screening exercise has been carried out for the Draft Rule and the Department has not identified any impacts. In addition, consultation was carried out with the Information Commissioners Office who has confirmed that they are satisfied that the proposed legislative changes do not alter the processing of personal data.

Child Rights Impact

A Child Rights Impact Screening exercise for the Draft Rule has been carried out, and the Department has not identified any impacts.

Position in Great Britain

The proposed Rule is not equivalent to any other legislation in Great Britain. However, it reflects the digital journeys of other registries in the United Kingdom and Republic of Ireland, which already provide or are in the process of providing some form of electronic/digital services.

Any other information

The Draft Rule has been scrutinised and cleared by the Departmental Solicitors Office.

The Office of the Legislative Council has also scrutinised and cleared the Draft Rule as it contains amendments to primary legislation.

Proposed timing of consideration of the SL1

The SL1 has been submitted to the Committee in accordance with the minimum four - week timeframe. The Department proposes that the Committee consider the SL1 at its meeting on 18th November 2026.

Proposed Operational Date

It is proposed that the Draft Rule will come into operation in accordance with article 1.

The draft of the proposed Statutory Rule and Explanatory Memorandum are attached, and you will wish to bring this matter to the attention of the Committee for Finance.

Yours faithfully,

GERARD WILLIS

DEPARTMENTAL ASSEMBLY LIAISON OFFICER