

SL1 - The Land Registry (Fees) 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 in exercise of the powers conferred by Section 84 of the Land Registration Act (Northern Ireland) 1970 and now vested in it. This Statutory Rule is subject to the affirmative resolution procedure of the Assembly.

Purpose of the Draft Rule

The purpose of the Draft Rule is to prescribe fees to be taken in the Land Registry and the manner in which such fees may be paid for the purpose of the Land Registration Act (Northern Ireland) 1970.

The principal changes introduced by the Draft Rule will be to:

- i. update the scale fee bands to reflect current market values and amend associated fees to correlate with the value of property. A discount for electronic submission will be provided, applied consistently across all bands.
- ii. align fees with the new digital services being introduced, fees to reflect operational costs and provide a discount for electronic submission.
- iii. provide a new lay-out and simplified wording.
- iv. provide the various methods by which fees may be paid. Fees for the new digital services must be paid for using electronic methods only.
- v. redistribute fees. This aims to maintain rather than increase or decrease the overall income level ensuring that the cost of providing services is covered by the proposed fees, without profit or loss in line with Managing Public Money NI and Section 84 of the Land Registration Act (Northern Ireland) 1970.

It is proposed that the Draft Rule will be made in December 2026 and subject to Assembly assent, will come into operation in accordance with Article 1. The Draft Rule contains revocation and transitional provisions to align the commencement of the new fees, matters exempt from a fee and a reduction to the fee retained by the Department (if application is refused, abandoned or withdrawn) with the phased roll out of the new digital services. As with previous Fees Orders, Land Registration customers will be given a minimum of three months' notice of the commencement of any new fees.

Options considered

- Do nothing –
 - the option to do nothing would mean that the structure and the fees being charged would not align with all of the new digital services being introduced.
 - in relation to the proposed changes to scale fee bands and associated fees, the option to do nothing would result in the Department continuing to charge fees based upon bands which do not reflect current property prices and an unfair and inequitable distribution of fees across the bands.
 - in relation to the proposed re-distribution of fees and the provision of a discount for electronic submission, the option to do nothing would mean that fees would not reflect operational costs incurred.
 - in relation to the proposed change that only electronic payments methods can be used for electronic services, the option to do nothing would mean that the full benefits of the new digital solution being introduced would not be realised.
- Secondary Legislation- The Land Registry (Fees) Order (Northern Ireland) 2026 (preferred option).

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 new Land Registration Fees policy proposals and providing an advance copy of the public consultation regarding these proposals was included in their meeting of 28 January 2026.

Further to this, an overview of the consultation response analysis and an advance copy of the Consultation Summary Report was submitted to the Committee for consideration in their meeting of 9 September 2026.

Financial Implications

The proposed Order seeks to prescribe registration fees to ensure, as far as is practicable, that those fees shall be such as to produce an annual amount sufficient to pay all salaries, remuneration and other expenses payable under and incidental to the working of the Land Registration Act (Northern Ireland) 1970.

The Committee should also note that if the Draft Rule is not implemented, the Land Registry will not have a fees structure that aligns with and supports the new digital services being introduced. This would have financial implications for the Department.

Consultation

In accordance with Section 84 of the Land Registration Act (Northern Ireland) 1970 consultation has taken place with the Statutory Land Registry Rules Committee chaired by a High Court judge and including representatives of both the Bar Council and Law Society of Northern Ireland.

A public consultation on the new Land Registration Fees policy proposals opened on the 26 February 2026 and ran for a period of 12 weeks, closing on 21 May 2026.

An overview of the analysis of the consultation responses and an advanced copy of the Consultation Summary Report was considered by the Committee during their meeting of 9 September 2026 and published on the Department's website on the 10 September 2026: <https://www.finance-ni.gov.uk/consultations/departments-finance-land-registration-fees-orders-consultation>.

The Department received 42 responses to the consultation, which showed strong support for the proposals outlined, with an overall agreement rate of 92.3%.

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.

A letter was issued on 8th July 2026 to Ministerial colleagues drawing their attention to the policy proposals, outcome of the consultation and intention to make the new Statutory Rule and inviting their comments. On 28th July 2026 the Minister for the Department for Infrastructure responded by stating that she had no objection to proceeding with the proposed new Statutory Rule and welcomed the benefits expected for service users. On 3rd August 2026 the Deputy First Minister requested and was provided with a comparison of current and proposed fees and a comparison with ROI and UK jurisdictions. On 18th September 2026 the Deputy First Minister further queried the difference between current

scale fees in England & Wales and other jurisdictions. A response was issued to advise that as services vary across the different jurisdictions, fees cannot be directly compared. No other nor further responses were received from Ministers.

Equality Impact

An Equality Impact Assessment screening exercise has been completed for the Draft Rule, and the Department identified a potential adverse impact on older people and noted that mitigating assistance would be provided. The Equality Commission commented that more information could be set out in the screenings. Once the proposed mitigation steps are fully developed and information is available, the Department proposes to update the Equality Impact Assessment Screenings which will then be made publicly available. The Department will continue to monitor this area where new information becomes available.

There are no impacts on equality of opportunity in any other 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 that the new proposals would impose the minimum impact on all service users, including Northern Ireland businesses and the voluntary/community sector. A full impact assessment was not necessary due to the lack of viable alternatives to the proposals and unavailability of relevant data to produce a meaningful report.

Rural Needs Impact

A Rural Needs Impact Assessment has been carried out for the Draft Rule, 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.

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.

Any other information

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

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 on 18 November 2026.

Proposed Operational Date

It is proposed that the Draft Rule will be made in December 2026 and subject to Assembly assent, will come into operation in accordance with Article 1. The Draft Rule contains revocation and transitional provisions to align the commencement of the new fees, matters exempt from a fee and a reduction to the fee retained by the Department (if application is refused, abandoned or withdrawn) with the phased roll out of the new digital services. As with previous Fees Orders, Land Registration customers will be given a notice period of the commencement of any new fees. This will be a minimum of three months.

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