



Version 1.0 03/03/09

Changes to the Network Access Agreement and Technical Manual;
Changes to the Signature Network Access Agreement

Introduction

1 This code of practice aims to set standards of good practice that we, Land Registry, will follow in making changes to the Network Access Agreement and Technical Manual, and to the Signature Network Access Agreement, and in communicating such changes to subscribers.

2 The Network Access Agreement provides:

“10 The Registrar reserves the right (except to the extent that they may be prescribed by the Act or Rules) to change all or any of the terms of this agreement including the Technical Manual, provided that no changes will be made which are not also made to all other agreements in the same form as this one.”

The Signature Network Access Agreement provides:

“10.1 The registrar reserves the right to change all or any of the terms of this agreement, except to the extent that they are prescribed by the Rules.”

Both agreements confirm that the registrar will abide by the terms of this code of practice when making such changes.

3 Electronic systems, information technology and security measures will evolve, become obsolete and require updating. We will need to make changes to constantly protect the security of the network. We will also wish to improve the network and services as new developments allow. We will therefore need to make changes to the Network Access Agreement and Technical Manual, and to the Signature Network Access Agreement, to reflect such new services, improvements, and security measures.

4 This code of practice will be kept under review and may be changed or updated from time to time, but in making such changes we will consult on any proposed amendments in accordance with the principles set out in this code, as if it were a Network Access Agreement.

Changes to the Network Access Agreement

This section relates to changes to the Network Access Agreement apart from the Technical Manual.

- 5 Where an urgent change is required to deal with an unforeseen situation it may not be practical to consult. In that case we will introduce the change on a temporary 'as necessary' basis until, where appropriate, a consultation process has been followed.
- 6 Otherwise we will consult under this code if we propose to make changes to the Network Access Agreement, unless the changes are required as a result of legislation.
- 7 The consultation will follow the guidelines under the heading 'Consultation' below.

Changes to the Technical Manual

This section relates to the Technical Manual.

- 8 Where an urgent change is required to deal with an unforeseen situation it may not be practical to consult. In that case we will introduce the change on a temporary 'as necessary' basis until, where appropriate, a consultation process has been followed.
- 9 We will not normally consult on changes to the Technical Manual which are of a minor nature, or are made for the purpose of clarification, or which correct any inaccuracy.
- 10 We will not consult on changes to the wording of the Technical Manual Part 2 (changes made to explain how to use new services) but, subject to the other principles set out in this code, we will consult on the proposal that will result in changes.
- 11 We may not consult on the exact changes to the wording of the Technical Manual Part 1 but, subject to the other principles set out in this code, we will consult on the proposal that will result in changes.
- 12 We will not consult under this code on changes to the Technical Manual if they are required as a result of legislation.
- 13 We will not make changes that, in the opinion of the registrar are likely to have a significant impact on, or disadvantage to, subscribers without consultation. For instance:
 - the introduction of new services
 - major changes to existing services
 - changes which restrict or exclude Land Registry's liability

- changes which impose additional obligations or liabilities on the subscriber (other than changes which relate only to new optional services)
- changes that require new software or hardware or render existing software obsolete.

14 The consultation will follow the guidelines under the heading 'Consultation' below.

Changes to the Signature Network Access Agreement

This section relates to changes to the Signature Network Access Agreement only.

- 15 Where an urgent change is required to deal with an unforeseen situation it may not be practical to consult. In that case we will introduce the change and, where appropriate, a consultation process will follow.
- 16 We will not normally consult on changes to the Signature Network Access Agreement which are of a minor nature, or are made for the purpose of clarification, or which correct any inaccuracy.
- 17 We will not consult under this code on changes to the Signature Network Access Agreement if they are required as a result of legislation.
- 18 We will not make changes that, in the opinion of the registrar, are likely to have a significant impact on, or disadvantage to, customers without consultation. For instance:
- the introduction of new services
 - major changes to existing services
 - changes which restrict or exclude Land Registry's liability
 - changes which impose additional obligations or liabilities on the customer (other than changes which relate only to new optional services)
 - changes that require new software or hardware or render existing software obsolete.
- 19 The consultation will follow the guidelines under the heading 'Consultation' below.

Consultation

- 20 We will be clear about what our proposals are, who may be affected, what questions are being asked and the timescale for the responses.
- 21 We will ensure that our consultations are clear, concise and accessible.

- 22 The consultation procedures adopted will depend on the nature of the change, but will involve one or more of the following.
- An article in a Land Registry newsletter, describing the issue and inviting responses by a particular date.
 - Publication on the Land Registry website of an article describing the issue and inviting responses by a particular date.
 - The publication of articles or advertisements in other newsletters, newspapers, professional journals or magazines.
 - Direct mailing to our subscribers, customers and other relevant stakeholders.
 - The establishment of working parties and liaison groups involving e-conveyancing participants and other stakeholders who, in our view, fairly represent the principal types of participant likely to be affected by the issue concerned.
 - Stakeholder meetings.
- 23 We will use a means of consultation and allow a length of consultation proportionate to the significance or disadvantage to the subscriber or customer of the proposed change, and consultation will last no less than four weeks but normally no more than 12 weeks.

Implementing the change

- 24 We will give due weight to the replies to the consultation, but will not be bound by them.
- 25 We will give feedback regarding the responses received and how the consultation process influenced the proposed changes.
- 26 We will give notification of changes to subscribers and customers by a bulletin on the Land Registry website and, where appropriate to the importance of the change, by other means such as those listed in paragraph 22 above.
- 27 We will give no less than 15 business days notice of proposed changes (except in cases of emergency). If consultation has taken place we will give no less than 15 business days notice of proposed changes after the conclusion of the consultation and consideration of any replies.
- 28 We will, where practical, give more than 15 business days notice to allow an appropriate period for implementation. In determining the appropriate period we will take account of whether the changes to the Network Access Agreement or Technical Manual make it necessary for subscribers to change or upgrade their own systems or revise existing working arrangements.

- 29 We will aim, where practical, to update the version of the Network Access Agreement, Technical Manual, or Signature Network Access Agreement on the website to show the full text on the effective date of the change.