



**CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma**

**Unit 17 – Conveyancing**

**Question paper**

**June 2024**

**Time allowed: 3 hours and 15 minutes (includes 15 minutes reading time)**

**Instructions and information**

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 100 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- A basic calculator is provided should you require the use of one.
- You are **not** allowed access to any statute books.
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

***Turn over***

**Answer ALL questions.**

**Question 1**

Reference: Question relates to 29A The Channel, Wallasey, Merseyside CH45 5XH (**The Channel**) and to **Documents 1, 2, 3, 4 and 8** of the case study materials.

- (a) Describe the documents you will need to send to the buyers' lawyer to deduce title to The Channel under the Law Society Conveyancing Protocol (**the Protocol**). Explain the purpose of each document you refer to. **(10 marks)**
- (b) Describe the standard pre-contract enquiry forms for The Channel that you will send to the buyers' lawyer under the Protocol. Explain the purpose of each form you refer to. **(8 marks)**
- (c) Explain the effect of clause 6.16 of the lease on this sale and at what stage of the conveyancing process you should deal with this requirement to ensure your client is in a satisfactory position to proceed, taking into account the provisions of the Standard Conditions of Sale (**Document 8**). **(8 marks)**

**(Total: 26 marks)**

**Question 2**

Reference: Question relates to Rose Cottage, Trelawne Way, Irby, Wirral CH61 8MK (**Rose Cottage**) and to **Documents 1, 2, 5, 6 and 7** of the case study materials.

Look at the information contained in **Documents 2, 5 and 7**.

- (a) Explain any planning and building control issues that these documents reveal in relation to Rose Cottage and the options available to your client to rectify any of these issues. **(17 marks)**

Read entry number 1 of the Charges Register of the Official Copy of the Register of 114 Trelawne Way, Irby, Wirral CH61 8MK (**Document 6**).

- (b) Explain any issues that are raised by this entry in relation to Rose Cottage and the options available to your client to rectify any of these issues. **(8 marks)**

**(Total: 25 marks)**

### Question 3

Reference: Question relates to Rose Cottage, Trelawne Way, Irby, Wirral CH61 8MK (**Rose Cottage**) and to **Documents 1, 2, 5, 6 and 7** of the case study materials.

You are drafting the Form TP1 to be sent to the sellers' solicitor for approval prior to exchange of contracts for the purchase of Rose Cottage.

- (a) Draft a clause that can be inserted into box 12 (Additional Provisions) of the Form TP1 to deal with access to Rose Cottage over the shared driveway shown in yellow on the plan forming part of **Document 5**.

**(5 marks)**

All outstanding matters have been completed to your satisfaction and you have now exchanged contracts on both the sale of The Channel and the purchase of Rose Cottage with a completion date of 28 June 2024.

- (b) Explain the pre-completion searches that you will carry out for Rose Cottage. For each search, identify the form used to carry out the search and the priority period (if any) conferred by the search result.

**(8 marks)**

- (c) Explain the action you will now take on behalf of National Westminster Bank plc in relation to the mortgage deed in readiness for completion.

**(7 marks)**

**(Total: 20 marks)**

**Turn over**

#### Question 4

Reference: Question relates to Rose Cottage, Trelawne Way, Irby, Wirral CH61 8MK (**Rose Cottage**) and to **Documents 1, 2, 5, 6, 7 and 8** of the case study materials.

You have received a telephone call from the sellers' lawyer telling you that Mrs Singh has been declared bankrupt since exchange of contracts on the purchase of Rose Cottage.

- (a) Explain the effect of Mrs Singh's bankruptcy on her ownership of Rose Cottage and the procedure you must follow to ensure that the title to Rose Cottage is validly transferred to your client.

**(9 marks)**

Despite your client being ready, able and willing to complete, completion is now not going to occur on 28 June 2024 due to delay on the part of the sellers.

- (b) Explain what remedies your client has against the sellers under the Standard Conditions of Sale (5<sup>th</sup> Edition – 2018 Revision) (**Document 8**).

**(10 marks)**

The purchase of Rose Cottage has now completed, albeit late.

- (c) Describe the documents you need to submit to the Land Registry to apply for registration of your client's purchase and any time limits with which you must comply. Explain the purpose of each document you refer to.

**(10 marks)**

**(Total: 29 marks)**

**End of the examination**

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