



**CILEX Level 3 Certificate in Law and Practice/
CILEX Level 3 Professional Diploma in Law and Practice**

Unit 10 – Conveyancing

Question paper

June 2023

Time allowed: 1 hour and 45 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 60 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.
- 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

In relation to the sale of 19 Kettle Drive

Reference: Question relates to **Documents 1, 2 and 3** of the case study materials.

- (a) Explain the purpose and effect of the Property Information Form (Form TA6) and give **two** examples of the type of information the form will provide.
(5 marks)
- (b) (i) Identify **one** additional document you need to send to the buyer's lawyers along with the official copy register entries of title number CU79942 as evidence of your client's title.
(1 mark)
- (ii) State **two** reasons why you will need to send the official copy register entries.
(2 marks)
- (iii) State how you would obtain the official copy register entries.
(1 mark)
- (c) Explain how you would deal with the deposit paid by the buyer on exchange of contracts on 19 Kettle Drive and why.
(4 marks)
- (d) Explain why, in this specific case, your client would need to appoint a second trustee to act jointly with her in the sale of the property.
(5 marks)
- (e) Your client is selling with full title guarantee. Explain the reason for this and what this means for your client.
(2 marks)

(Total: 20 marks)

Question 2

In relation to the purchase of 30 Tunkers Park

Reference: Question relates to **Documents 1, 4 and 5** of the case study materials.

(a) Explain:

(i) the effect of the Caution shown in the Proprietorship Register of registered title CU725019;
(2 marks)

(ii) what action you would need the sellers' lawyers to take in respect of the Caution.
(3 marks)

(b) Describe **two** types of search you would carry out before exchanging contracts on your client's purchase of 30 Tunkers Park and give one example of the information that each search will provide.
(4 marks)

In relation to the new mortgage on your client's purchase of 30 Tunkers Park:

(c) (i) explain why it is important for you to obtain formal mortgage instructions from Cattletown Building Society and at what stage in the transaction these need to be received;
(3 marks)

(ii) explain the significance of the UK Finance Mortgage Lenders' Handbook in relation to your firm's dealings with Cattletown Building Society.
(3 marks)

In relation to exchange of contracts on your clients' purchase of 30 Tunkers Park:

(d) (i) identify which Formula for exchange of contracts you would use;
(2 marks)

(ii) explain **three** consequences for your client of an exchange of contracts on their purchase.
(3 marks)

(Total: 20 marks)

Turn over

Question 3

In relation to post-exchange of contracts, completion and post-completion matters

Reference: Question relates to **Documents 1 and 5** of the case study materials.

- (a) Identify **six** steps you would need to take in respect of the existing mortgage on 19 Kettle Drive following completion, in order to fulfil the terms of the undertaking given by you to the buyer's lawyers in your replies to the Completion Information and Undertakings form (TA13).

(6 marks)

- (b) In relation to the Stamp Duty Land Tax payable on your client's purchase of 30 Tunkers Park, state:

(i) what you need to send to HM Revenue & Customs;

(2 marks)

(ii) within what time period you need to send this;

(1 mark)

(iii) what HM Revenue & Customs would then issue to you.

(1 mark)

In relation to registration of your client's purchase of 30 Tunkers Park at the Land Registry:

- (c) (i) identify which policy will be applied by the Land Registry if no evidence of the discharge of the seller's mortgage is available at the time of your application for registration;

(1 mark)

(ii) explain the consequences of that policy being applied by the Land Registry in relation to your client's purchase.

(4 marks)

- (d) List the documents which you need to send to the Land Registry to enable your client to be registered as proprietor of 30 Tunkers Park following completion of her purchase.

(5 marks)

(Total: 20 marks)

End of the examination

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