



Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 1

THE LAND REGISTER

Tenements etc.

16 Tenements and other flatted buildings

- (1) Where the Keeper considers it appropriate in relation to a flatted building to do so, the Keeper may, instead of representing each registered flat in the building as a separate cadastral unit, represent the building and all the registered flats in it as a single cadastral unit.
- (2) Where a flatted building and the registered flats in it are represented as a single cadastral unit—
 - (a) the cadastral map must show, for that cadastral unit, the title numbers of each registered flat, and
 - (b) the respective pro indiviso shares in the pertinents of the registered flats need not be entered in the proprietorship section of the title sheet of any of those flats.
- (3) But subsections (1) and (2) do not apply in relation to land pertaining to the flatted building which—
 - (a) extends more than 25 metres from the building in so far as it so extends, or
 - (b) is further than 25 metres from the building (measuring along a horizontal plane from whatever point of that building is nearest to the land).
- (4) In this Act a “flatted building” means—
 - (a) a tenement, or
 - (b) any other subdivided building.
- (5) A “subdivided building”—
 - (a) means a building or part of a building, not being a tenement, which comprises two or more related flats, at least two of which—
 - (i) are, or are designed to be, in separate ownership, and

Status: This is the original version (as it was originally enacted).

- (ii) are divided from each other vertically, and
 - (b) includes the solum and any other land pertaining to the building or part of the building.
- (6) In determining whether flats comprised in a subdivided building are related, the Keeper must have regard, among other things, to—
 - (a) the title to the building, and
 - (b) any real burdens.
- (7) In subsection (6), “title to the building” means—
 - (a) any conveyance, or reservation, of property which affects the subdivided building, any flat in the building or any pertinent of the building or of any such flat, and
 - (b) the relevant title sheet of the building, any flat in it or any pertinent of the building or of any such flat.
- (8) Expressions used in this section and in sections 26 and 29 of the Tenements (Scotland) Act 2004 ([asp 11](#)) have the meanings given in that Act.