

**Changes to legislation:** Land Registration etc. (Scotland) Act 2012, Paragraph 6 is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 5 MINOR AND CONSEQUENTIAL MODIFICATIONS

### *Titles to Land Consolidation (Scotland) Act 1868 (c.101)*

- 6 (1) The Titles to Land Consolidation (Scotland) Act 1868 is amended as follows.
- (2) In section 159 (litigiosity not to begin before date of registration of notice of summons)—
- (a) the existing provisions become subsection (1),
  - (b) after that subsection insert—  

“(2) A notice registered under subsection (1) on or after the date on which section 67 of the Land Registration etc. (Scotland) Act 2012 (asp 5) (warrant to place a caveat) comes into force shall not have any effect in rendering litigious any land a title sheet for which is comprised in the Land Register of Scotland or in placing in bad faith any person acquiring such land.”.
- (3) In section 159A (registration of notice of summons of action of reduction)—
- (a) in each of subsections (2)(b) and (3)(b), repeal “register in the Land Register of Scotland or, as the case may be,”,
  - (b) after subsection (3) insert—  

“(4) This section does not apply in relation to lands for which there is a title sheet in the Land Register of Scotland.”.
- (4) In schedule B, in form No. 1 (formal clauses of a disposition of land etc.), in the note relating to subscription of the document in question—
- (a) for “Subscription of the document by the granter of it” substitute “ In the case of a traditional document, subscription of it by the granter ”,
  - (b) after “1995” insert “ , which also makes provision as regards the authentication of an electronic document ”.

#### **Commencement Information**

**II** Sch. 5 para. 6 in force at 8.12.2014 by S.S.I. 2014/127, art. 2

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48A48B and cross-heading inserted by [2016 asp 18 s. 43\(2\)](#)
- s. 116(3)(ba)(bb) inserted by [2016 asp 18 s. 43\(3\)](#)