# Land Registration etc. (Scotland) Act 2012

**2012 asp 5**

## PART 2

REGISTRATION

*Closure of Register of Sasines etc.*

### 48 Closure of Register of Sasines etc.

(1) The recording of any of the following in the Register of Sasines has no effect—

(a) a disposition,

(b) a lease,

(c) an assignation of a lease,

(d) any other deed in so far as it relates to a registered plot of land or to a registered lease.

(2) The recording, on or after such day as is prescribed, of a standard security in the Register of Sasines has no effect.

(3) The recording, on or after such day as is prescribed, of a deed other than one mentioned in subsection (1) or (2) in the Register of Sasines has no effect.

(4) On and after the day prescribed under subsection (3), any deed the recording of which would, by virtue of that subsection, have no effect is (subject to the provisions of this Act) registrable in the Land Register.

(5) Where by virtue of this section the recording of a deed, disposition, lease, assignation or standard security in the Register of Sasines would have no effect, the Keeper is to reject any application to record it.

(6) Subsection (1)(a) is without prejudice to sections 4 (creation of real burden) and 75 (creation of positive servitude by writing: deed to be registered) of the Title Conditions (Scotland) Act 2003 (asp 9).

(7) Any day prescribed under subsection (2) or (3) is to be a day no earlier than the day subsection (3)(b) of section 27 is repealed by virtue of subsection (6) of that section.

***Changes to legislation:*** *Land Registration etc. (Scotland) Act 2012, Section 48 is up to date with all changes known to be in force on or before 08 August 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*

(8) In subsections (2) and (3), "prescribed" means prescribed by the Scottish Ministers by order.

(9) An order under subsection (2) or (3) may make different provision for different areas.

(10) Before making an order under subsection (2) or (3), the Scottish Ministers must consult—

(a) the Keeper, and

(b) such other persons appearing to have an interest in the closure of the Register of Sasines to the recording of deeds as the Scottish Ministers consider appropriate.

**Commencement Information**

**I1** S. 48 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)