



# Land Registration etc. (Scotland) Act 2012

## 2012 asp 5

### PART 4

#### ADVANCE NOTICES

#### 63 Discharge of advance notice

- (1) A person who applied for an advance notice may apply to the Keeper for the discharge of that notice.
- (2) An application under subsection (1) may be made only during the protected period.
- (3) The Keeper may accept an application under subsection (1) only if—
  - (a) the person to whom the intended deed would be granted consents, and
  - (b) either—
    - (i) such fee as is payable in respect of the application is paid, or
    - (ii) arrangements satisfactory to the Keeper are made for payment of that fee.
- (4) If the Keeper accepts the application, the Keeper must—
  - (a) if the advance notice was entered in the application record—
    - (i) remove it from there, and
    - (ii) if the notice has not already been entered in the archive record, enter it in that record,
  - (b) if the advance notice was recorded in the Register of Sasines, record a notice of discharge in relation to the advance notice.
- (5) On the advance notice being removed from the application record or, as the case may be, a notice of discharge being recorded, the advance notice ceases to have effect.

#### Modifications etc. (not altering text)

- C1** Pt. 4 applied (with modifications) (8.12.2014) by [The Land Registration etc. \(Scotland\) Act 2012 \(Incidental, Consequential and Transitional\) Order 2014 \(S.S.I. 2014/190\)](#), arts. 1(2), 4

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**Changes to legislation:** Land Registration etc. (Scotland) Act 2012, Section 63 is up to date with all changes known to be in force on or before 11 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](#)

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#### Commencement Information

**II**    [S. 63](#) 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\(3\)](#)