

Draft Regulations laid before the Scottish Parliament under section 116(3)(j) of the Land Registration etc. (Scotland) Act 2012 and section 9E(4)(a) of the Requirements of Writing (Scotland) Act 1995 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2014 No.

LAND REGISTRATION

**The Land Register of Scotland (Automated
Registration) etc. Regulations 2014**

Made - - - - 2014

Coming into force - - 8th December 2014

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 99(3), 100 and 115(1)(c) of the Land Registration etc. (Scotland) Act 2012⁽¹⁾ (“the Land Registration Act”), sections 9E(1)(b) and 9G(3) and (5)(a) of the Requirements of Writing (Scotland) Act 1995⁽²⁾ (“the Requirements of Writing Act”) and all other powers enabling them to do so.

In accordance with section 99(4) of the Land Registration Act, they have consulted the Keeper of the Registers of Scotland (“the Keeper”).

In accordance with section 100(4) of the Land Registration Act and section 9G(4) of the Requirements of Writing Act⁽³⁾, they have consulted the Keeper, the Keeper of the Records of Scotland and the Lord President of the Court of Session.

In accordance with section 116(3)(j) of the Land Registration Act and section 9E(4)(a) of the Requirements of Writing Act, a draft of the Regulations has been laid before and approved by resolution of the Scottish Parliament⁽⁴⁾.

-
- (1) 2012 asp 5 (“the 2012 Act”), amended by the Co-operative and Community Benefit Societies Act 2014 (c.14), section 151(4) and Schedule 7, paragraph 1 and S.S.I. 2014/190.
- (2) 1995 c.7, amended by the Petroleum Act 1998 (c.17), Schedule 5, Part 1, paragraph 1, the Scotland Act 1998 (c.46), Schedule 8, paragraph 31, S.I. 1999/1820, Schedule 2, Part 1, paragraph 118, the Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), schedule 12, Part 1, paragraph 58, S.I. 2000/2040, Schedule, Part 1, paragraph 17, the Housing (Scotland) Act 2001 (asp 10), schedule 10, paragraph 22, S.S.I. 2001/128, Schedule 4, paragraphs 4 and 5, the Title Conditions (Scotland) Act 2003 (asp 9), schedule 15, paragraph 1, S.S.I. 2006/491, article 3, the Companies Act 2006 (c.46), Schedule 16, paragraph 1, the Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3), sections 48(1) and 222(2) and (3), S.I. 2008/948, Schedule 1, Part 2, paragraph 199, S.I. 2009/1941, Schedule 1, paragraph 151 and the 2012 Act, sections 96, 97 and 98 and schedule 3. Sections 9E(1)(b) and 9G(3) and (5)(a) are inserted by section 97 of the 2012 Act for limited purposes by, and subject to transitional provision for Automated Registration of Title to Land (“ARTL”) documents in article 3(2) of, S.S.I. 2014/41.
- (3) Section 9G(4) is inserted by section 97 of the 2012 Act.
- (4) The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). These Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.