

**2005 No. 580**

**REGISTERS AND RECORDS**

**The Fees in the Registers of Scotland Amendment Order 2005**

*Made* - - - - *27th October 2005*

*Coming into force* - - *28th November 2005*

The Scottish Ministers, in exercise of the powers conferred by section 25 of the Land Registers (Scotland) Act 1868(a) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Fees in the Registers of Scotland Amendment Order 2005 and shall come into force on 28th November 2005.

**Amendment of the Fees in the Register of Scotland Order 1995**

2. The Fees in the Registers of Scotland Order 1995(b) is amended as follows.

3. In Part I of the Schedule (Land Register of Scotland)–

(a) for section 2 (reports) substitute–

**“2. REPORTS**

When application is made–

- |     |   |        |
|-----|---|--------|
| (a) | on Form 10 for a report prior to first registration                               | £27.00 |
| (b) | on Form 11 for continuation of report prior to first registration                 | £15.00 |
| (c) | on Form 12 for a report over registered subjects                                  | £27.00 |
| (d) | on Form 13 for continuation of report over registered subjects                    | £15.00 |
| (e) | on Form 14 for a report to ascertain whether or not subjects have been registered | £27.00 |

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(a) 1868 c.64; section 25 was substituted by section 23 of the Land Registration (Scotland) Act 1979 (c.33) and amended by the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820), article 4 and Schedule 2, paragraph 3. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1995/1945, amended by S.I. 1999/1085, S.S.I. 2001/163 and S.S.I. 2004/507.

- (f) on Form P16 for comparison of a bounding description with the Ordnance Map separately from item (a) above £27.00
- (g) on Form P17 for comparison of the boundaries of the Certificate Plan with the Ordnance Map separately from item (c) above £27.00
- (h) on Form P16 for comparison of a bounding description with the Ordnance Map in conjunction with item (a) above, a combined fee of £40.00
- (i) on Form P17 for comparison of the boundaries on the Certificate Plan with the Ordnance Map in conjunction with item (c) above, a combined fee of £40.00

Note:

The fees for items (a) to (i) above include the provision of a hard copy report. If a duplicate hard copy report is required there is an additional fee of £7 for each report.”;

(b) In section 3 (miscellaneous services)–

- (i) omit entries (d) and (e); and
- (ii) at the end add–

“For the provision of information from a deed or document in the Land Register archive, per each such deed or document” £14.20

4. In Part XII of the Schedule (fees applicable to all registers)–

(a) for the section headed “Fees for the provision of Information” substitute–

“FEES FOR THE PROVISION OF INFORMATION

**A. General Register of Sasines**

**1. Presentment Book**

- (a) Per search against a name £1.65
- (b) Per search against an address £1.65
- (c) Per search against a minute number £1.65

**2. Minute Book**

- (a) Per search against a name £1.65
- (b) Per search against an address £1.65
- (c) Per search against a minute number £1.65

**3. Search Sheet**

- (a) Per search against a name Nil
- (b) Per search against an address Nil
- (c) Per search by search sheet number £1.65
- (d) Per view of any individual search sheet £1.65

- (e) The provision of information from any other index, volume, document or process £1.65

## **B. Land Register of Scotland**

### **1. Application Record**

- (a) Per search against a name £3.30
- (b) Per search against an address £3.30
- (c) Per search against an application number £3.30
- (d) Per search against a title number £3.30

### **2. Title Sheet**

- (a) Per search against a name £3.30
- (b) Per search against an address £3.30
- (c) Per search against a title number £3.30
- (d) Per view of the title sheet affecting one interest in land £3.30

Note: Where on the same occasion a view of the title sheet is made against an entry identified in the course of an initial search as per 2(a) and (b), no fee is payable in respect of the initial search.

- 3. Per Index Map Search £1.65
- 4. The provision of information from any other index, volume, document or process £1.65
- 5. Per property price search £3.30

## **C. Books of Council and Session**

For each search in the Register of Deeds or Register of Judgments Index against:

- 1. a name £1.65
- 2. a pursuer/petitioner £1.65
- 3. a defender/respondent £1.65
- 4. a judgment number £1.65

## **D. Register of Inhibitions and Adjudications**

- 1. For each group of 6 names or fewer searched against £1.65
- 2. For provisions of a copy of the daily minutes (per day) £21.00
- 3. Per search of a specified minute number £1.00

Note: A search includes a print disclosing relevant entries if requested within 7 working days of the date of the original search.”.

(b) for the section headed “Extracting and copying fees” substitute–

“EXTRACTING AND COPYING FEES

1.	For a plain copy or duplicate	£16.50	
2.	For an official extract or certified copy	£20.70	
3.	For a copy of a deed recorded in the General Register of Sasines	£9.00	
4.	For an office copy	£25.00	
5.	For each additional copy of any deed or document requested at the same time as a request for a first copy	£6.00	”; and

(c) in the section headed “Other services” omit paragraphs 1 and 2.

St Andrew’s House,  
Edinburgh  
27th October 2005

*JOHANN M LAMONT*  
Authorised to sign by the Scottish Ministers

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends, with effect from 28 November 2005, the Fees in the Registers of Scotland Order 1995 ("the 1995 Order"), so as to:

(1) Increase the fees for certain forms by an average of approximately 13.5% in respect of the provision of Land Registration reports as follows:–

- (a) Forms 10, 12, 14, P16 and P17 increased from £22.70 to £27.00;
- (b) Forms 11 and 13 increased from £13.60 to £15.00;
- (c) Form P16/10 and P17/12 increased from £34 to £40. (Article 3).

(2) Provide a fee for the provision of a new service, namely the provision of information from the Land Register archive, being £14.20 for each deed or document from which information is provided.

(3) Revise the fee structure in respect of the payment of fees for the provision of information as follows:–

- (a) a search against a name, address, minute number or search sheet number in the General Register of Sasines is decreased from £2.00 to £1.65;
- (b) a search against a name, address, application number or title number in the land Register is decreased from £7 to £4;
- (c) a search by the Index Map is decreased from £2.00 to £1.65;
- (d) a property price search (a new service) can now be made at a fee of £3.30 per search;
- (e) a search against a name, pursuer, defender or judgement number in the Register of Deeds is decreased from £2.00 to £1.65;
- (f) a search against 6 names or fewer in the Register of Inhibitions and Adjudications is decreased from £3.50 to £1.65;
- (g) for a paper copy of the daily minutes of the Register of Inhibitions and Adjudications is reduced to £21. (Article 4);

(4) Provide standardised charges for extracts or copies of documents in place of the scheme of charges based upon the number of pages copied. Where two or more copies of the same deed or document are requested at the same time the charge for the second and for each additional copy is £6.00.

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**REGISTERS AND RECORDS**

The Fees in the Registers of Scotland Amendment Order 2005

**£3.00**

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