
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 491

**The Automated Registration of Title to Land
(Electronic Communications) (Scotland) Order 2006**

Amendment of the Land Registration (Scotland) Act 1979

5.—(1) In section 4 (applications for registration)—

- (a) in subsection (1) for “subsection (2)” substitute “subsections (2) and (2A)”; and
- (b) after subsection (2) insert—

“(2A) An application for registration made by electronic communication within the ARTL System shall not be accepted by the Keeper unless the application is made—

- (a) in respect of land situated in a designated area; and
- (b) in respect of an authorised dealing with that land.

(2B) For the purpose of subsection (2A)—

- (a) a “designated area” is an area designated by the Keeper, by direction, for that purpose; and
- (b) an “authorised dealing” is a dealing which is of a kind authorised by the Keeper, by direction, for that purpose.

(2C) A direction made by the Keeper under this section—

- (a) shall be published in such manner as the Keeper considers appropriate for the purpose of bringing it to the attention of the persons affected by it;
- (b) may make different provision for different purposes;
- (c) may include incidental, supplementary, saving and transitional provisions; and
- (d) may be varied or revoked by a subsequent direction.”.

(2) In section 5 (completion of registration)—

- (a) in subsection (2) after “register” insert, “or, where such copy is issued as an electronic communication, authenticated in such manner as the Keeper thinks fit”; and
- (b) in subsection (3) after “register” insert, “or, where such certificate is issued as an electronic communication, authenticated in such manner as the Keeper thinks fit”.

(3) In section 28(1) (interpretation)—

- (a) before the definition of “deed” insert—

““ARTL System” means the computer system managed and controlled by the Keeper of the Registers of Scotland to enable creation of documents as electronic communications within the ARTL System and the electronic generation and communication of an application for registration of a dealing affecting an interest in land registered in the Land Register of Scotland and automated registration in respect of that interest;

“dealing” means a transaction or event capable of affecting the title to a registered interest in land;” and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) after the definition of “deed” insert—
““electronic communication” has the same meaning as in the Electronic Communications Act 2000;”.