
STATUTORY INSTRUMENTS

1998 No. 3100 (S. 183)

LAND REGISTRATION, SCOTLAND

The Land Registration (Scotland) Amendment Rules 1998

Made - - - - *4th December 1998*

Laid before Parliament *11th December 1998*

Coming into force - - *1st January 1999*

The Secretary of State, in exercise of the powers conferred on him by section 27(1) of the Land Registration (Scotland) Act 1979⁽¹⁾ and of all other powers enabling him in that behalf, and after consultation with the Lord President of the Court of Session, hereby makes the following Rules:

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Land Registration (Scotland) Amendment Rules 1998 and shall come into force on 1st January 1999.

(2) In these Rules, the “principal Rules” means the Land Registration (Scotland) Rules 1980⁽²⁾.

Amendment of the principal Rules

2. In rule 2 of the principal Rules (interpretation) after the definition of “debt” insert—

““Registers Direct service” means the service provided by the Keeper which allows remote direct access by computer for the purpose of searching and retrieving information in respect of the register.”.

3. For rule 24 of the principal Rules (application to Keeper for report or office copy) substitute—

“Application to Keeper for report or office copy

24.—(1) Subject to paragraphs (2) and (3) below, an application to the Keeper for a report or office copy in terms of section 6(5) of the Act mentioned in column 1 of the following table shall be in the appropriate form as referred to in column 2 of the said table.

(1) 1979 c. 33.

(2) S.I.1980/1413, as amended by S.I. 1982/974 and 1995/248.

Status: This is the original version (as it was originally made).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

	<i>(1)</i> <i>Report or office copy applied for</i>	<i>(2)</i> <i>Form</i>
(1)	Report prior to Registration	10
(2)	Continuation of report prior to Registration	11
(3)	Report over registered subjects	12
(4)	Continuation of report on registered subjects	13
(5)	Report to ascertain whether or not subjects have been registered	14
(6)	Office copy (in terms of section 6(5) of the Act)	15

(2) An application for a report or office copy in terms of section 6(5) of the Act may be made by telephone provided the information which would have been included under an equivalent application under paragraph (1) above is supplied, together with such additional information as may be required by the Keeper.

(3) An application for a report or office copy in terms of section 6(5) of the Act may be made by facsimile or electronic mail provided the information which would have been included under an equivalent application under paragraph (1) above is supplied.”.

4. After rule 24 of the principal Rules (application to Keeper for report or office copy) insert—

“Application for Registers Direct service

24A.—(1) An application may be made to the Keeper for use of the Registers Direct service.

(2) On making an application, an applicant shall submit such information as will enable the Keeper to be satisfied that suitable arrangements have been made for payment of any fees incurred by the applicant.

(3) Any user of the Registers Direct service shall, on being required to do so by the Keeper, submit such information as will enable the Keeper to be satisfied that the requirements of paragraph (2) above continue to be met.”.

St Andrew’s House,
Edinburgh
4th December 1998

Henry B McLeish
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Land Registration (Scotland) Rules 1980 by providing that:–

- (a) the search and retrieval of information in respect of the Land Register may be made by remote direct access by computer (rule 5); and
- (b) applications for reports or office copies may be made by telephone, facsimile or electronic mail provided that the information required by Forms 10, 11, 12, 13, 14 and 15 is supplied by the applicant (rule 4).