



Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 2

REGISTRATION

Applications for registration

25 Conditions of registration: certain deeds relating to unregistered plots

- (1) The conditions are that—
 - (a) the deed is valid,
 - (b) the deed so describes the plot as to enable the Keeper to delineate its boundaries on the cadastral map,
 - (c) where within the plot there is a lesser area in respect of which a registrable encumbrance is constituted there is included in, or submitted with, the application a plan or description sufficient to enable the Keeper to delineate the boundaries of the lesser area on the cadastral map,
 - (d) there is included in the application a description of every public right of way (by whatever means) over or through the plot in so far as known to the applicant.
- (2) Subsection (1)(b) and (c) do not apply—
 - (a) if the plot to which the deed relates is a flat in a flatted building, and
 - (b) either—
 - (i) the flatted building is, by virtue of section 16, represented as a single cadastral unit in the cadastral map, or
 - (ii) the Keeper has indicated that the flatted building is, by virtue of that section, to be so represented.
- (3) Despite subsection (2), subsection (1)(b) and (c) apply in so far as the plot includes a pertinent outwith the flatted building, being a pertinent only of the plot.
- (4) Subsection (1)(c) does not apply in relation to an encumbrance which consists of—
 - (a) a right to lead a pipe, cable, wire or other such enclosed unit over or under land,
 - (b) a servitude created other than by registration.

Changes to legislation: Land Registration etc. (Scotland) Act 2012, Section 25 is up to date with all changes known to be in force on or before 21 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](#)

- (5) In this section and sections 30 and 41 in so far as they apply by virtue of this section, references to the plot are to be read as references to—
- (a) where this section applies by virtue of section 24(2), (3) or (4), the area of land which forms the subjects of the lease,
 - (b) where this section applies by virtue of section 24(5), the area of land to which the deed relates,
 - (c) where this section applies by virtue of section 24(6) or (7), the area of land in respect of which the subordinate real right is constituted.

Commencement Information

II [S. 25](#) 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\(3\)](#)