

Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 2

REGISTRATION

Notification

42 Notification to Scottish Ministers of certain applications

- (1) This section applies where an application under section 21 is rejected on the ground that (or on grounds which include the ground that) the Keeper is not satisfied that the application does not relate to a transfer prohibited—
 - (a) by section 40(1) of the Land Reform (Scotland) Act 2003 (asp 2) (effect of registration of community interest in land), or
 - (b) under section 37(5)(e) of that Act (prohibition pending determination as to whether a community interest in land is to be registered).
- (2) However, this section does not apply where the only reason for the Keeper not being satisfied as mentioned in subsection (1) is that the application is not accompanied by a declaration required under section 43(2) of that Act (incorporation of certain declarations into deed giving effect to transfer).
- (3) The Keeper must—
 - (a) notify the Scottish Ministers, and
 - (b) provide them with a copy of the application.

Commencement Information

II S. 42 in force at 8.12.2014 by [S.S.I. 2014/127](#), [art. 2](#)

Changes to legislation:

Land Registration etc. (Scotland) Act 2012, Section 42 is up to date with all changes known to be in force on or before 18 January 2021. 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.

[View outstanding changes](#)

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\(3\)](#)