Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 4

ADVANCE NOTICES

59 Effect of advance notice: registered deeds

(1) Subsections (2) and (3) apply in relation to any two deeds ("deed Y" and "deed Z") relating to the same plot of land where—

(a) during a protected period relating to deed Y—

(i) an application is made for registration of deed Z, and

(ii) on or after the date of that application, an application is made for registration of deed Y, and

(b) deed Z either—

(i) is not a deed in relation to which a protected period is running, or

(ii) is such a deed, but the protected period relating to deed Y began before the protected period relating to deed Z.

(2) If deed Z is registered before the Keeper comes to make any decision as to whether or not to accept the application for registration of deed Y, that decision is to be taken as if deed Z had not been registered.

(3) If the decision mentioned in subsection (2) is to accept the application—

(a) deed Y has on registration the same effect as if deed Z had not been registered, and

(b) the Keeper must amend the register so that it gives effect (if any) to deed Z as if it were registered after deed Y.

Modifications etc. (not altering text)

C1 Pt. 4 applied (with modifications) (8.12.2014) by The Land Registration etc. (Scotland) Act 2012 (Incidental, Consequential and Transitional) Order 2014 (S.S.I. 2014/190), arts. 1(2), **4**

Commencement Information

I1 S. 59 in force at 8.12.2014 by S.S.I. 2014/127, **art. 2**

Changes to legislation:
Land Registration etc. (Scotland) Act 2012, Section 59 is up to date with all changes known to be in force on or before 14 September 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.
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)