



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 3

PUBLIC SERVICE REFORM

Land registration

33 Electronic submission of copies of deeds and writs to Registers of Scotland

- (1) The Land Registration etc. (Scotland) Act 2012 is modified by subsection (2).
- (2) In section 21 (application for registration of deed), after subsection (4) insert—
 - “(5) For the purposes of this section, submission by electronic means of a copy of the deed is sufficient evidence of the original for the purposes of accepting an application for registration.
 - (6) But subsection (5) applies only where submission of the copy is by a means (and in a form) which is specified on the Keeper’s website as being acceptable.
 - (7) In subsection (5), the reference to submission by electronic means is to submission—
 - (a) by means of an electronic communications network (for example as an attachment to an email), or
 - (b) by other means but in a form which requires the use of electronic apparatus by the recipient to render the thing delivered intelligible.
 - (8) In this section—

“electronic communications network” has the meaning given by section 32 of the Communications Act 2003,

“the Keeper’s website” means the website maintained by, or on behalf of, the Keeper of the Registers of Scotland.”.
- (3) The Land Registers (Scotland) Act 1868 is modified by subsection (4).

Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Cross Heading: Land registration. (See end of Document for details)

- (4) In section 6A (provision for writs transmitted electronically to general register of sasines)—
- (a) in subsection (1), the words “which is an electronic document” are repealed,
 - (b) after subsection (5) insert—
 - “(6) For the purposes of this section, submission by electronic means of a copy of the writ is sufficient evidence of the original for the purposes of accepting an application.
 - (7) But subsection (6) applies only where submission of the copy is by a means (and in a form) which is specified on the Keeper’s website as being acceptable.
 - (8) In subsection (6), the reference to submission by electronic means is to submission—
 - (a) by means of an electronic communications network (for example as an attachment to an email), or
 - (b) by other means but in a form which requires the use of electronic apparatus by the recipient to render the thing delivered intelligible.
 - (9) In this section—

“electronic communications network” has the meaning given by section 32 of the Communications Act 2003,

“the Keeper’s website” means the website maintained by, or on behalf of, the Keeper of the Registers of Scotland.”.

Commencement Information

II [S. 33](#) in force at 1.10.2022, see [s. 59\(1\)](#)

34 Register of Inhibitions: electronic signature of documents

- (1) The Bankruptcy and Diligence etc. (Scotland) Act 2007 is modified as follows.
- (2) After section 148 insert—

“148A Register of Inhibitions: electronic signature of documents

- (1) This section applies in relation to a document which is required or permitted to be registered or recorded in the Register of Inhibitions.
- (2) An electronic signature fulfils any requirement (however expressed) that the document be signed in order to be registered or recorded in the Register.
- (3) Any requirement (however expressed) that the document be given to the Keeper in order to be registered or recorded in the Register may be fulfilled by transmitting it to the Keeper electronically.
- (4) For the purposes of subsection (3), the document must be transmitted by a means (and in a form) which is specified on the Keeper’s website as being acceptable for those purposes.

Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Cross Heading: Land registration. (See end of Document for details)

(5) In this section—

“document” includes a copy of a document,

“electronic signature” is to be construed in accordance with section 7(2) of the Electronic Communications Act 2000, but includes a version of an electronic signature which is reproduced on a paper document,

“the Keeper” means the Keeper of the Registers of Scotland,

“the Keeper’s website” means the website maintained by, or on behalf of, the Keeper of the Registers of Scotland.”.

Commencement Information

I2 [S. 34](#) in force at 1.10.2022, see [s. 59\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Cross Heading: Land registration.