

Draft Regulations laid before the Scottish Parliament under sections 116(3)(j) and (4)(a) of the Land Registration etc. (Scotland) Act 2012, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

**ELECTRONIC COMMUNICATIONS
LAND REGISTRATION
REGISTERS AND RECORDS**

The Registers of Scotland (Digital
Registration, etc.) Regulations 2017

Made - - - - *December 2017*

Coming into force - - *1st January 2018*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 34(2), 43(7), 56(4), 99(3), 100, 115 and 116(1) of the Land Registration etc. (Scotland) Act 2012⁽¹⁾ (“the 2012 Act”), section 9G(3) and (5)(a) of the Requirements of Writing (Scotland) Act 1995⁽²⁾ (“the Requirements of Writing Act”) and all other powers enabling them to do so.

In accordance with sections 99(4) and 115(2) of the 2012 Act, they have consulted the Keeper of the Registers of Scotland (“the Keeper”).

In accordance with section 100(4) of the 2012 Act and section 9G(4) of the Requirements of Writing Act, they have consulted the Keeper, the Keeper of the Records of Scotland and the Lord President of the Court of Session.

In accordance with section 116(3)(j) and (4)(a) of the 2012 Act, a draft of the Regulations has been laid before and approved by resolution of the Scottish Parliament⁽³⁾.

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- (1) 2012 asp 5, (“the 2012 Act”) amended by S.S.I. 2015/265, S.I. 2013/1575, the Co-operative and Community Benefit Societies Act 2014 (c.14), section 151(4) and schedule 7, paragraph 1 and S.S.I. 2014/190 and S.S.I. 2014/346.
- (2) 1995 c.7 (“the 1995 Act”) amended by the Petroleum Act 1998 (c.17), schedule 5, Part 1, paragraph 1, the Scotland Act 1998 (c.46), schedule 8, paragraph 31, S.I. 1999/1820, schedule 2, Part 1, paragraph 118, the Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), schedule 12, Part 1, paragraph 58, S.I. 2000/2040, schedule, Part 1, paragraph 17, the Housing (Scotland) Act 2001 (asp 10), schedule 10, paragraph 22, S.S.I. 2001/128, schedule 4, paragraphs 4 and 5, the Title Conditions (Scotland) Act 2003 (asp 9), schedule 15, paragraph 1, S.S.I. 2006/491, article 3, the Companies Act 2006 (c.46), schedule 16, paragraph 1, the Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3), sections 48(1) and 222(2) and (3), S.I. 2008/948, schedule 1, Part 2, paragraph 199, S.I. 2009/1941, schedule 1, paragraph 151 and the 2012 Act, sections 96, 97 and 98 and schedule 3. Section 9G(3) and (5)(a) was inserted by section 97 of the 2012 Act for limited purposes by, and subject to transitional provision for Automated Registration of Title to Land (“ARTL”) documents in article 3(2) of S.S.I. 2014/41.
- (3) The powers in these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). These Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.