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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2017 No.**

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

PART 2

Advance notices

**Procedure for application for an advance notice or discharge of advance notice in Land Register**

2.—(1) The Land Register Rules are amended as follows.

(2) In regulation 3(1) (procedure for application for an advance notice relating to the whole of a registered plot)—

- (a) for “An application” substitute “Subject to paragraph (3), an application”;
- (b) omit “the whole of”;
- (c) omit “or” after sub-paragraph (a);
- (d) omit sub-paragraph (b)(ii) and the “or” which precedes it;
- (e) at the end, insert—

“; or

(c) the Keeper is otherwise satisfied that exceptional circumstances make it impractical to do so;”;

(f) after paragraph (1), insert-

“(1A) In particular, paragraph (1)(c) is met—

- (a) if the applicant is a natural person who granted the deed to which the advance notice relates; and
- (b) the application is not made by a person who, in connection with the grant, acts as a solicitor or other legal adviser to the granter.”.

(3) For regulation 3(3) (procedure for application for an advance notice relating to part of a registered plot) substitute—

“(3) Except in respect of advance notices relating to the whole of a registered plot, paragraph (1) does not apply unless the Keeper has notified a date in accordance with paragraph (4).

(4) Such a notification by the Keeper must state the date on which it comes into effect, which date may not be earlier than 6 months after the date of its publication on the Keeper’s website<sup>(1)</sup>.

(5) Before making such a notification, the Keeper must consult the Scottish Ministers.”.

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(1) <https://www.ros.gov.uk/>

