
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

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

PART 4

Other electronic document requirements for registration in the Keeper's registers

Amendment of the Electronic Documents (Scotland) Regulations 2014

9.—(1) The Electronic Documents (Scotland) Regulations 2014⁽¹⁾ are amended as follows.

(2) In regulation 1(2) (interpretation)—

- (a) omit the definition of “the ARTL system”;
- (b) in the definition of “ARTL document”—
 - (i) for “ARTL document” substitute “digital registration document”; and
 - (ii) for “ARTL system” substitute “digital registration system”; and
- (c) after the definition of “digital certificate” insert—

““digital registration system” means a computer system managed and controlled by the Keeper in accordance with section 99(1) of the Land Registration etc. (Scotland) Act 2012;”.

(3) In regulation 6 (registration of electronic documents in the Land Register)—

- (a) the existing regulation becomes paragraph “(1)”;
- (b) for “ARTL document” substitute “digital registration document”
- (c) in paragraph (a), for “ARTL system” substitute “digital registration system”;
- (d) in paragraph (c)—
 - (i) in sub-paragraph (i) omit “(10/12)”;
 - (ii) in sub-paragraph (iv) for “Secure Hash Algorithm-1 (SHA-1)” substitute “Secure Hash Algorithm-2 (SHA-2)⁽²⁾”;
 - (iii) in sub-paragraph (v), after “documents” insert “, land and buildings transaction tax land transaction returns”; and
 - (iv) in sub-paragraph (viii), after “or to refer” insert “land and buildings transaction tax or”;
- (e) at the end, insert—

“(2) A digital registration document to be recorded in the Register of Sasines against burdened or benefitted property (or both) which is capable of being, and is also to be,

(1) S.S.I. 2014/83 amended by S.S.I. 2014/347 and S.I. 2016/696.

(2) This algorithm is set out in Federal Information Processing Standards Publication 180-2 issued by the United States National Institute of Standards and Information dated 1st August 2002 (<https://csrc.nist.gov/csrc/media/publications/fips/180/2/archive/2002-08-01/documents/fips180-2withchangenotice.pdf>).

dual registered in the Land Register of Scotland under section 4(5) or 75(1) of the Title Conditions (Scotland) Act 2003⁽³⁾—

(a) must comply with the requirements of paragraph (1)(a) to (c); and

(b) may be registered using the digital registration system.”; and

(f) at the end of the title to that regulation insert “and Register of Sasines”.

(4) In regulation 7 (registration of ARTL standard securities for preservation and execution), for “ARTL document” substitute “digital registration document”.

(5) In the title to that regulation for “ARTL” substitute “electronic”.

(3) Section 4 is amended by the Land Registration etc. (Scotland) Act 2012 [asp 5](#) and the Tenements (Scotland) Act 2004 [asp 11](#). Section 75 is amended by the Land Registration etc. (Scotland) Act 2012 [asp 5](#).