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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2018 No.**

**The Registers of Scotland (Digital  
Registration, etc.) Regulations 2018**

**PART 4**

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

**Amendment of the Electronic Documents (Scotland) Regulations 2014**

**8.**—(1) The Electronic Documents (Scotland) Regulations 2014<sup>(1)</sup> 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)<sup>(2)</sup>”;
  - (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,

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(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<sup>(3)</sup>—

(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”.

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(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](#).