
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2018 No.

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

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 grantor.”.

(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⁽¹⁾.

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

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish
Statutory Instrument: The Registers of Scotland (Digital Registration, etc.) Regulations 2018 No. 72
