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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2021 No.**

**The Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) Regulations 2021**

**PART 3**

**Duties to provide information**

*Information associates must provide*

**Associate's duty to notify of association**

- 14.**—(1) This regulation applies if—(1)
- (a) a person (“A”) knows, or reasonably ought to know, that A is an associate of a person (“B”) who owns or tenants land, and
  - (b) A has not received a notice under regulation 13 within 67 days of becoming such an associate.
- (2) A must, as soon as reasonably practicable, give notice to B of—
- (a) the fact that A is an associate of B in respect of the land, and
  - (b) A’s required details as an associate.
- (3) A person who, without reasonable excuse, fails to comply with paragraph (2) commits an offence.
- (4) A person who commits an offence under paragraph (3) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**Duty of associate to provide information upon request**

- 15.**—(1) Paragraph (2) applies if a person (“A”) receives a request for verification of A’s required details from a person under regulation 10(5).
- (2) A must, as soon as reasonably practicable—
- (a) confirm that A is an associate and—
    - (i) indicate whether the details are correct (and if not, provide the correct details),
    - (ii) if applicable, state that A intends to make or has made a security declaration, or
  - (b) inform the person who made the request that A is not an associate.
- (3) Paragraph (4) applies if—
- (a) either of the following changes occurs—
    - (i) a change to the required details of an associate of a recorded person,
    - (ii) a person ceases to be an associate of a recorded person, and

- (b) the change has not been reflected in the RCI or the associate has made a security declaration which remains in effect.
- (4) The associate or, as the case may be, the former associate must, as soon as reasonably practicable, give notice to the recorded person of the change and the date of the change (if known).
- (5) Paragraph (6) applies if a person (“A”) receives a request for verification of the accuracy of information under regulation 12(3).
- (6) A must indicate whether the information is correct (and if not, provide the correct information).
- (7) A person who, without reasonable excuse, fails to comply with paragraph (2), (4) or (6) commits an offence.
- (8) A person who commits an offence under paragraph (7) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.