
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

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

PART 5

Application and transitional provisions

Application of these Regulations

26.—(1) Subject to this regulation, these Regulations apply in relation to—

- (a) a person (“RP”) who—
 - (i) owns or tenants land,
 - (ii) is not a person of a type listed in schedule 2, and
 - (iii) in relation to that land, is associated with a person to whom a Part of schedule 1 applies,

whether RP became such an owner or tenant, or the association with the person to whom a Part of schedule 1 applies was formed, before or after the commencement of these Regulations, and

- (b) a person who is an associate of RP, whether the association was formed before or after the commencement of these Regulations.

(2) During the transitional period, the following regulations do not have effect—

- (a) regulation 10(8) (offence of failing to comply with duty to notify of controlled interest and association etc.),
- (b) regulation 12(4) (offence of failing to comply with duty to notify events),
- (c) regulation 13(5) (offence of failing to notify associate about recording of details),
- (d) regulation 14(3) (offence of associate failing to notify of association),
- (e) regulation 15(7) (offence of person failing to provide information on request),
- (f) regulation 17(5) (offence of failing to comply with duties relating to security declarations),
- (g) regulation 20(1) and (2) (offences for providing false or misleading information or failing to disclose information that should be provided),
- (h) regulation 22 (offence by an organisation).

(3) During the transitional period, a referral to the Lands Tribunal for Scotland under regulation 19 may be made in respect of entries which are in the RCI only (and not in respect of any omission to include an entry in the RCI).

(4) For the purposes of this regulation, the “transitional period” is the period—

- (a) beginning on 1 April 2022, and
- (b) ending on 1 April 2023.