

DRAFT SCOTTISH STATUTORY INSTRUMENTS

**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 to be provided by persons who own or tenant land subject to the control of another*

**Information about events affecting the RCI**

**12.**—(1) If an event mentioned in column 1 of the following table occurs, the person mentioned in column 2 of that table for the event must give the Keeper notice, in the specified form, of—

- (a) the event, and
- (b) the information specified in column 3 in relation to the event.

<i>Event</i> <i>(Column 1)</i>	<i>Person</i> <i>(Column 2)</i>	<i>Information to be given</i> <i>(Column 3)</i>
a recorded person becoming aware that a person notified under regulation 10(3) as being an associate ceases to be an associate	the recorded person	(a) the recorded person's name and address, (b) the title number of the land, or where there is no title number, a description of the land that the recorded person owns or tenants which is sufficient for it to be identified, (c) the former associate's required details, and (d) the date (if known) on which the former associate ceased to be an associate
a recorded person ceasing to be a person to whom regulation 10 applies	the recorded person	(a) the person's name and address, (b) the title number of the land, or where there is no title number, a description of the land that the person owns or tenants which is sufficient for it to be identified, (c) the date on which regulation 10 ceased to apply to the person,

**Draft Legislation:** This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, The Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) Regulations 2021 ISBN 978-0-11-104875-7

<i>Event</i>	<i>Person</i>	<i>Information to be given</i>
<i>(Column 1)</i>	<i>(Column 2)</i>	<i>(Column 3)</i>
a recorded person becoming aware that any other information notified by the person under regulation 10(3) has changed	the recorded person	(a) the recorded person's name and address, (b) the title number of the land, or where there is no title number, a description of the land that the recorded person owns or tenants which is sufficient for it to be identified, (c) the change to the information, and (d) the date (if known) on which the change occurred.

(2) The notice must be given—

- (a) in a case where the associate has notified the recorded person of the event, as soon as practicable after receipt of the notification, or
- (b) in any other case, within 60 days beginning with the date on which the event occurred.

(3) Before giving notice under paragraph (2) the recorded person must take reasonable steps to verify the accuracy of the information to be given in the notice with the associate.

(4) A person who is subject to a duty under this regulation commits an offence if the person, without reasonable excuse, fails to comply with this regulation.

(5) Without limiting paragraph (4), a recorded person has a reasonable excuse in respect of a particular associate if—

- (a) the recorded person, having taken reasonable steps to do so, is unable to verify the accuracy of the information to be given in the notice, and
- (b) the recorded person has given notice to that effect to the Keeper in the specified form.

(6) A person who commits an offence under paragraph (4) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.