
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends certain fees payable in relation to registering, recording or entering in registers under the management and control of the Keeper of the Registers of Scotland, access to those registers and information made available by the Keeper.

Article 2 amends the Registers of Scotland (Fees) Order 2014 (“the 2014 Order”).

Paragraphs (2) and (4) makes minor consequential amendments to update the definition of “ARTL system”.

Paragraph (5) amends the fee charged for registration in respect of a heritable security from £60 to £80, or £60 where the digital registration system is used.

Paragraph (6) amends the fees payable as follows:—

There is no longer a fee for rejection under section 31(3) of the Act or for withdrawal under section 34(1)(a) of the Act.

Where an application is made for an advance notice under 57(1) of the Act or an application for a discharge of an advance notice under section 63(1) of the Act is increased to £20.

Where an application is made to make an entry in, or remove an entry from a title sheet under section 67(3), 69(2), 70(2), (71(2) or 72 of the Act, the fee is increased to £80.

Where an application is made to request the Keeper to vary warrant under section 76(2) of the Act, the fee is increased to £80.

Paragraph (7) amends the fee charged for any writ presented in the Register of Sasines for recording by memorandum from £60 to £80.

Paragraph (8) amends the fee charged, where a deed is being recorded, for an additional extract or plain copy from £10 plus VAT to £20 plus VAT.

Paragraph (9) amends the fee charged where an application is made under section 21 of the Act, or for recording in the Register of Sasines of deeds not referred to in parts 1 and 2 of the schedule to the 2014 Order. The lower fee for application using the digital registration system is removed.

Paragraph (10) amends the fees for dual registration. The table of fees in Part 3 of the schedule is amended by paragraph (11). The fee for an application where the table is not applicable is £80 for each title sheet or each deed recorded. The fees charged for voluntary registration continue to be lower than fees charged for standard registration.

Paragraph (12) amends the fees charged in connection with the Chancery and Judicial Registers.

Paragraph (13) amends the fees for access to a register under the management and control of the Keeper and information made available by the Keeper.

A Business Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. A copy can be viewed at <https://www.ros.gov.uk/about/publications/consultations-and-surveys/2020/fee-review-2020>.