
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 164

REGISTERS AND RECORDS

The Register of Sasines (Methods of Operation) (Scotland) Regulations 2006

<i>Made</i>	- - - -	<i>21st March 2006</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>22nd March 2006</i>
<i>Coming into force</i>	- -	<i>30th April 2006</i>

The Scottish Ministers, in exercise of the powers conferred by section 1 of the Register of Sasines (Scotland) Act 1987(1) and of all other powers enabling them in that behalf, and after consultation in accordance with section 2(1) of that Act with such persons or bodies as appeared to them to be appropriate, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Register of Sasines (Methods of Operation) (Scotland) Regulations 2006 and shall come into force on 30th April 2006.

(2) In these Regulations—

“electronic form” means a digital image, or series of such images, which is capable of being stored on a computer or other similar device;

“electronic signature” has the meaning given by section 7(2) of the Electronic Communications Act 2000(2);

“the Keeper” means the Keeper of the Registers of Scotland;

Power to copy deeds electronically for recording

2.—(1) The Keeper may cause any deed which has been presented for recording in the Register of Sasines to be recorded in electronic form.

(2) If by reason of the form in which any such deed has been presented it cannot conveniently be copied in electronic form for the purpose of being recorded in accordance with paragraph (1), the Keeper may cause the deed to be put in a form that can conveniently be so copied for that purpose.

(1) 1987 c. 23. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(2) 2000 c. 7.

Authentication of electronic form of deeds

3.—(1) Every electronic form of a deed recorded in the Register of Sasines under regulation 2 shall be authenticated by a certificate of the Keeper in electronic form.

(2) The certificate referred to in paragraph (1) shall include—

- (a) the date of creation of the electronic form of the deed;
- (b) the number of pages contained in the electronic form of each deed;
- (c) the electronic signature of the Keeper or of an officer authorised by the Keeper.

(3) A certificate may authenticate more than one deed.

Certificates of recording

4. Certificates of recording must be endorsed or stamped on deeds by the Keeper in the form of Schedule 1 to these Regulations, or, in the case of deeds recorded in more than one Division of the Register of Sasines, in such other form as the Keeper may determine.

Deeds to be recorded in more than one Division of the Register of Sasines

5. Deeds to be recorded in more than one Division of the Register of Sasines must be recorded at length in electronic form in the Record Volume of one of the counties and by memorandum in the form of Schedule 2 to these Regulations in electronic form in the Record Volume of the other county or counties.

Revocation

6. The Register of Sasines (Microcopies) (Scotland) Regulations 1989(3) are revoked.

St Andrew's House,
Edinburgh
21st March 2006

JOHANN M LAMONT
Authorised to sign by the Scottish Ministers

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SCHEDULE 1

Regulation 4

REGISTERS OF SCOTLAND
GENERAL REGISTER OF SASINES

COUNTY OF

YEAR YEARLY RUNNING NUMBER

Presented and Recorded on

SCHEDULE 2

Regulation 5

MEMORANDUM

No County of

On the day of

Two thousand and

the

with application for registration [for preservation [and execution] as well as for publication] on behalf of

was recorded and is reproduced at length in the Division of this Register applicable to the County of

Year

Yearly Running Number

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for deeds which have been presented for recording in the Register of Sasines to be copied in electronic form and recorded in that form (regulation 2). Provision is made for authentication of electronic forms of deeds. A single certificate of authentication can cover multiple records (regulation 3). These Regulations also provide for certificates of recording to be

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endorsed or stamped on a deed in the form of Schedule 1 (regulation 4). Provision is also made for the recording of deeds in more than one Division of the Register of Sasines (regulation 5).