



Land Registration etc. (Scotland) Act 2012

2012 asp 5

LAND REGISTRATION ETC. (SCOTLAND) ACT 2012

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Changes to legislation: Land Registration etc. (Scotland) Act 2012 is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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SCHEDULE 1 — Registered leases tenanted in common

Shared leases

- 1 This schedule applies where— (a) an area of land—
- 2 The Keeper may, if the Keeper considers it appropriate—
- 3 In the following provisions of this schedule—
- 4 Unless the context otherwise requires, any reference in a document...
- 5 Registration has the same effect in relation to a share...

Shared lease and sharing lease title sheets

- 6 The Keeper must enter— (a) in the property section of...
- 7 The Keeper must also enter— (a) in the property section...
- 8 The Keeper must not enter in or, if entered, must...
- 9 The Keeper may, if the condition mentioned in paragraph 10...
- 10 The condition is that the encumbrance to which the entry...

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Conversion of shared lease title sheet to ordinary lease title sheet

- 11 The Keeper may at any time revoke a designation under...
- 12 Where the Keeper revokes a designation, the Keeper must make...

SCHEDULE 1A — Land transactions: overseas entities

- 1 Cases where Keeper must reject application under section 21
- 2 (1) This paragraph applies where— (a) a person applies under...
- 3 Cases where Keeper must reject application to register notice of title
- 4 (1) This paragraph applies where— (a) by virtue of section...
- 5 Case where Keeper must reject prescriptive application
- 6 Case where Keeper must reject voluntary application
- 7 Consent to registration of certain deeds that cannot otherwise be registered
- 8 Partially executed deeds
- 9 Interpretation

SCHEDULE 2 — Amendment of Registration of Leases (Scotland) Act 1857

- 1 The Registration of Leases (Scotland) Act 1857 (c.26) is amended...
- 2 In section 1 (long leases, and assignments thereof, registrable in...
- 3 In the title of section 1 as so amended, for...
- 4 In section 2 (recorded leases effectual against singular successors in...
- 5 In the title of section 2 as so amended, for...
- 6 In section 3 (assignments of recorded leases)—
- 7 In the title of section 3 as so amended, before...
- 8 In section 10 (adjudgers to complete right by recording abbreviate)—...
- 9 In section 12 (preferences regulated by date of recording transfer)—...
- 10 In the title of section 12 as so amended, before...
- 11 In section 13 (renunciations and discharges to be recorded)—
- 12 In the title of section 13 as so amended, before...
- 13 In section 14 (entry of decree of reduction)—
- 14 In section 15 (mode of registering etc.)—
- 15 In section 16 (registration equivalent to possession), after subsection (2)...
- 16 After section 20B (as inserted by section 52) insert— Disapplication...
- 17 Before schedule (A.) insert— SCHEDULE (ZA.) FORM OF ASSIGNATION OF...
- 18 In each of schedules (A.) (form of assignation of lease),...
- 19 In the title of schedule (A.), at the end insert...
- 20 Schedule (B.) (form of bond and assignation in security) and...
- 21 Schedule (D.) (form of translation of assignation in security) and...
- 22 Before schedule (G.) insert— SCHEDULE (ZG.) RENUNCIATION OF LEASE REGISTERED...
- 23 In the title of schedule (G.), at the end insert...

SCHEDULE 3 — Amendment of Requirements of Writing (Scotland) Act 1995

- 1 The 1995 Act is amended as follows.
- 2 After section 1 insert— Part 2 Traditional documents Application of...
- 3 In section 2 (type of writing required for formal validity...
- 4 In the title of section 2, after “certain” insert “...
- 5 Sections 2A, 2B and 2C are repealed.
- 6 In section 3 (presumption as to grantor's subscription or date...
- 7 Section 3A is repealed.

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- 8 In section 4 (presumption as to grantor's subscription or date...
- 9 In section 5 (alterations to documents: formal validity and presumptions)—...
- 10 In the title of section 5, for “documents” substitute “...
- 11 In section 6 (registration of documents)— (a) in subsection (1),...
- 12 In the title of section 6, for “documents” substitute “...
- 13 Section 6A is repealed.
- 14 In section 7 (subscription and signing)— (a) in subsection (1),...
- 15 In section 8 (annexations to documents)— (a) in subsection (1),...
- 16 In the title of section 8, for “documents” substitute “...
- 17 In section 9 (subscription on behalf of blind grantor or...
- 18 Section 11 is repealed.
- 19 In section 12 (interpretation)— (a) in subsection (1)—
- 20 In section 13 (Crown application), in subsection (1)(c), after “Sasines”...
- 21 The provisions of sections 10 to 15 as amended by...
- 22 The title of Part 4 is “General provisions”.
- 23 In schedule 1 (alterations made to documents after subscription)—
- 24 In the title to schedule 1, for “document” substitute “...
- 25 In schedule 2 (subscription and signing: special cases)—
- 26 In schedule 3 (modifications of the Act in relation to...
- 27 In paragraph 1 of schedule 4 (minor and consequential amendments)
—...

SCHEDULE 4 — Transitional provisions

Existing title sheets

- 1 On the designated day an existing title sheet becomes part...
- 2 An existing title sheet which becomes, under paragraph 1, part...
- 3 An amendment under paragraph 2 may be made on the...
- 4 An existing title sheet as respects an interest of ownership...
- 5 An existing title sheet as respects an interest of tenancy...
- 6 Section 12(2) does not apply to a cadastral unit created...

Common areas: general

- 7 If, by reason of being owned in common, the selfsame...
- 8 Where a title sheet is created by virtue of paragraph...

Common areas: developments begun before designated day

- 9 If, by reason of being owned in common, the selfsame...
- 10 Where the respective shares of the proprietors were not entered...
- 11 The Keeper may at any time create a separate title...

Common areas: Sasine arrangements

- 11A For the period beginning with the designated day and ending...

Certain deeds relating to registered leases: Sasine arrangements

- 11B For the period beginning with the designated day and ending...

Archive record

- 12 The Keeper must include in the archive record—

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Pending applications

- 13 Nothing in this Act, other than provision made by or...
- 14 An application by virtue of section 9(1) of the 1979...

Claims under the 1979 Act

- 15 Where, immediately before the designated day, a person has an...
- 16 Nothing in this Act affects any entitlement to reimbursement under...

Bijural inaccuracies

- 17 If there is in the register, immediately before the designated...
- 18 For the purpose of determining whether the Keeper has the...
- 19 Where, by virtue of paragraph 17— (a) a right is...
- 20 Except that— (a) compensation is not so payable in so...
- 21 Section 77(4) and (5) applies in relation to a payment...
- 22 If there is in the register, immediately before the designated...
- 23 Where, by virtue of paragraph 22, a person suffers loss...
- 24 Sections 94(3) to (6) and 95 apply in respect of...

Depiction of tenement etc.

- 25 Section 16(3) does not apply if any of the flats...

SCHEDULE 5 — Minor and consequential modifications

Lands Clauses Consolidation (Scotland) Act 1845 (c.19)

- 1 In the Lands Clauses Consolidation (Scotland) Act 1845, in the...

Commissioners Clauses Act 1847 (c.16)

- 2 (1) The Commissioners Clauses Act 1847 is amended as follows....

Ordnance Board Transfer Act 1855 (c.117)

- 3 In section 5(2) of the Ordnance Board Transfer Act 1855...

Transmission of Moveable Property (Scotland) Act 1862 (c.85)

- 4 In the Transmission of Moveable Property (Scotland) Act 1862, in...

Land Registers (Scotland) Act 1868 (c.64)

- 5 (1) The Land Registers (Scotland) Act 1868 is amended as...

Titles to Land Consolidation (Scotland) Act 1868 (c.101)

- 6 (1) The Titles to Land Consolidation (Scotland) Act 1868 is...

Conveyancing (Scotland) Act 1874 (c.94)

- 7 (1) The Conveyancing (Scotland) Act 1874 is amended as follows....

Trusts (Scotland) Act 1921 (c.58)

- 8 (1) The Trusts (Scotland) Act 1921 is amended as follows....

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Conveyancing (Scotland) Act 1924 (c.27)

9 (1) The Conveyancing (Scotland) Act 1924 is amended as follows....

Burgh Registers (Scotland) Act 1926 (c.50)

10 The Burgh Registers (Scotland) Act 1926 is repealed.

Public Registers and Records (Scotland) Act 1948 (c.57)

11 Section 4 of the Public Registers and Records (Scotland) Act...

Land Drainage (Scotland) Act 1958 (c.24)

12 In section 18(1) of the Land Drainage (Scotland) Act 1958...

Harbours Act 1964 (c.40)

13 In section 57(1) of the Harbours Act 1964 (interpretation), in...

Succession (Scotland) Act 1964 (c.41)

14 In section 21A(a) of the Succession (Scotland) Act 1964 (evidence...

Industrial and Provident Societies Act 1965 (c.12)

15 (1) The Industrial and Provident Societies Act 1965 is amended...

Gas Act 1965 (c.36)

16 In section 28(1) of the Gas Act 1965 (interpretation of...

Conveyancing and Feudal Reform (Scotland) Act 1970 (c.35)

17 (1) The Conveyancing and Feudal Reform (Scotland) Act 1970 is...

Prescription and Limitation (Scotland) Act 1973 (c.52)

18 (1) The Prescription and Limitation (Scotland) Act 1973 is amended...

Land Registration (Scotland) Act 1979 (c.33)

19 (1) The Land Registration (Scotland) Act 1979 is amended as...

Education (Scotland) Act 1980 (c.44)

20 In section 16(2) of the Education (Scotland) Act 1980 (transference...

Water (Scotland) Act 1980 (c.45)

21 (1) The Water (Scotland) Act 1980 is amended as follows....

Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)

22 In section 13(8) of the Matrimonial Homes (Family Protection) (Scotland)...

Civil Aviation Act 1982 (c.16)

23 In section 55 of the Civil Aviation Act 1982 (c.16)...

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Litter Act 1983 (c.35)

24 In section 8 of the Litter Act 1983 (provisions supplementary...

Health and Social Services and Social Security Adjudications Act 1983 (c.41)

25 In section 23(1) of the Health and Social Services and...

Telecommunications Act 1984 (c.12)

26 In schedule 4 of the Telecommunications Act 1984 (minor and...

Matrimonial and Family Proceedings Act 1984 (c.42)

27 In schedule 1 of the Matrimonial and Family Proceedings Act...

Bankruptcy (Scotland) Act 1985 (c.66)

28 (1) The Bankruptcy (Scotland) Act 1985 is amended as follows....

Housing Associations Act 1985 (c.69)

29 In section 68(6) of the Housing Associations Act 1985 (loans...

Law Reform (Miscellaneous Provisions)(Scotland) Act 1985 (c.73)

30 In section 8 of the Law Reform (Miscellaneous Provisions)(Scotland) Act...

Electricity Act 1989 (c.29)

31 In schedule 16 to the Electricity Act 1989 (minor and...

Property Misdescriptions Act 1991 (c.29)

32 In section 1 of the Property Misdescriptions Act 1991 (offence...

Agricultural Holdings (Scotland) Act 1991 (c.55)

33 In section 75(1) of the Agricultural Holdings (Scotland) Act 1991...

Coal Industry Act 1994 (c.21)

34 In the Coal Industry Act 1994, in schedule 9 (minor...

Land Registers (Scotland) Act 1995 (c.14)

35 In section 1 of the Land Registers (Scotland) Act 1995...

Petroleum Act 1998 (c.17)

36 In section 5(9) of the Petroleum Act 1998 (existing licences),...

Public Finance and Accountability (Scotland) Act 2000 (asp 1)

37 In section 9(1) of the Public Finance and Accountability (Scotland)...

Adults with Incapacity (Scotland) Act 2000 (asp 4)

38 (1) The Adults with Incapacity (Scotland) Act 2000 is amended...

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Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5)

39 (1) The Abolition of Feudal Tenure etc. (Scotland) Act 2000...

Standards in Scotland's Schools etc. Act 2000 (asp 6)

40 In section 58(1) of the Standards in Scotland's Schools etc....

National Parks (Scotland) Act 2000 (asp 10)

41 In section 15 of the National Parks (Scotland) Act 2000...

Housing (Scotland) Act 2001 (asp 10)

42 In the Housing (Scotland) Act 2001— (a) in section 23(1)(b)...

Title Conditions (Scotland) Act 2003 (asp 9)

43 (1) The Title Conditions (Scotland) Act 2003 is amended as...

Civil Partnership Act 2004 (c.33)

44 In section 112(9) of the Civil Partnership Act 2004 (transfer...

Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004 (asp 10)

45 In section 16 of the Stirling-Alloa-Kincardine Railway and Linked Improvements...

Tenements (Scotland) Act 2004 (asp 11)

46 (1) The Tenements (Scotland) Act 2004 is amended as follows....

Edinburgh Tram (Line Two) Act 2006 (asp 6)

47 In section 25 of the Edinburgh Tram (Line Two) Act...

Edinburgh Tram (Line One) Act 2006 (asp 7)

48 In section 25 of the Edinburgh Tram (Line One) Act...

Waverley Railway (Scotland) Act 2006 (asp 13)

49 In section 16 of the Waverley Railway (Scotland) Act 2006...

Companies Act 2006 (c.46)

50 (1) The Companies Act 2006 is amended as follows.

Glasgow Airport Rail Link Act 2007 (asp 1)

51 In section 15 of the Glasgow Airport Rail Link Act...

Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3)

52 (1) The Bankruptcy and Diligence etc. (Scotland) Act 2007 is...

Edinburgh Airport Rail Link Act 2007 (asp 16)

53 (1) The Edinburgh Airport Rail Link Act 2007 is amended...

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Airdrie-Bathgate Railway and Linked Improvements Act 2007 (asp 19)

- 54 (1) The Airdrie-Bathgate Railway and Linked Improvements Act 2007 is...

Energy Act 2008 (c.32)

- 55 In section 77(7) of the Energy Act 2008 (model clauses...

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 121(1) words inserted by [2016 asp 18 s. 43\(4\)\(a\)](#)
- s. 121(3) words substituted by [2016 asp 18 s. 43\(4\)\(b\)\(i\)](#)
- s. 121(3) words substituted by [2016 asp 18 s. 43\(4\)\(b\)\(ii\)](#)
- Sch. 3 para. 27(a) word substituted by [S.S.I. 2014/346 art. 2\(2\)](#)
- sch. 5 para. 8 repealed by [2024 asp 2 Sch. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48A48B and cross-heading inserted by [2016 asp 18 s. 43\(2\)](#)
- s. 116(3)(ba)(bb) inserted by [2016 asp 18 s. 43\(3\)](#)