



# Land Registration etc. (Scotland) Act 2012

## 2012 asp 5

### LAND REGISTRATION ETC. (SCOTLAND) ACT 2012

#### PART 1

#### THE LAND REGISTER

##### *The Land Register of Scotland*

- 1 The Land Register of Scotland

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- 2 The parts of the register

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- 3 Title sheets and the title sheet record
- 4 Title and lease title numbers
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- 7 The proprietorship section of the title sheet
- 8 The securities section of the title sheet
- 9 The burdens section of the title sheet
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- 11 The cadastral map
- 12 Cadastral units
- 13 The cadastral map: further provision

##### *The archive record*

- 14 The archive record

*The application record*

- 15 The application record

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- 16 Tenements and other flatted buildings

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- 17 Shared plots  
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19 Conversion of shared plot title sheet to ordinary title sheet  
20 Shared plot title sheets in relation to registered leases

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- 21 Application for registration of deed  
22 General application conditions  
23 Conditions of registration: transfer of unregistered plot  
24 Circumstances in which section 25 applies  
25 Conditions of registration: certain deeds relating to unregistered plots  
26 Conditions of registration: deeds relating to registered plots

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- 27 Application for voluntary registration  
28 Conditions of registration: voluntary registration  
29 Keeper-induced registration

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- 30 Completion of registration of plot  
31 Completion of registration of deed  
32 References to certain entries in Register of Inhibitions

*General provision about applications*

- 33 Recording in application record  
34 Withdrawal and amendments etc. of application  
35 Period within which decision must be made

*Date of application and registration etc.*

- 36 Date of application  
37 Date and time of registration  
38 Power to amend section 6 of the Land Registers (Scotland) Act 1868

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- 41 Notification to proprietor
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- 43 Prescriptive claimants
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- 48 Closure of Register of Sasines etc.

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- 49 Registrable deeds

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- 55 Registration of order for rectification of document etc.

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107 Information and access

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110 Fees

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111 Duties of certain persons

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114 References to "registering" etc. in the Land Register of Scotland

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118 Transitional provisions

119 Minor and consequential modifications

120 Saving provisions

121 Crown application

122 The designated day

123 Commencement

124 Short title

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**SCHEDULE 1 — Registered leases tenanted in common**

1 Shared leases

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...

6 Shared lease and sharing lease title sheets

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...

11 Conversion of shared lease title sheet to ordinary lease title sheet

12 Where the Keeper revokes a designation, the Keeper must make...

**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 “traditional”....
- 5 Sections 2A, 2B and 2C are repealed.
- 6 In section 3 (presumption as to granter’s subscription or date...
- 7 Section 3A is repealed.
- 8 In section 4 (presumption as to granter’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 “traditional...
- 11 In section 6 (registration of documents)— (a) in subsection (1),...
- 12 In the title of section 6, for “documents” substitute “traditional...
- 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 “traditional...
- 17 In section 9 (subscription on behalf of blind granter 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 “traditional...
- 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

- 1 Existing title sheets
- 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...
- 7 Common areas: general
- 8 Where a title sheet is created by virtue of paragraph...
- 9 Common areas: developments begun before designated day
- 10 Where the respective shares of the proprietors were not entered...
- 11 The Keeper may at any time create a separate title...
- 12 Archive record
- 13 Pending applications
- 14 An application by virtue of section 9(1) of the 1979...
- 15 Claims under the 1979 Act
- 16 Nothing in this Act affects any entitlement to reimbursement under...
- 17 Bijural inaccuracies
- 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...
- 25 Depiction of tenement etc.

#### SCHEDULE 5 — Minor and consequential modifications

- 1 Lands Clauses Consolidation (Scotland) Act 1845 (c.19)
- 2 Commissioners Clauses Act 1847 (c.16)
- 3 Ordnance Board Transfer Act 1855 (c.117)
- 4 Transmission of Moveable Property (Scotland) Act 1862 (c.85)
- 5 Land Registers (Scotland) Act 1868 (c.64)
- 6 Titles to Land Consolidation (Scotland) Act 1868 (c.101)
- 7 Conveyancing (Scotland) Act 1874 (c.94)
- 8 Trusts (Scotland) Act 1921 (c.58)
- 9 Conveyancing (Scotland) Act 1924 (c.27)
- 10 Burgh Registers (Scotland) Act 1926 (c.50)
- 11 Public Registers and Records (Scotland) Act 1948 (c.57)
- 12 Land Drainage (Scotland) Act 1958 (c.24)
- 13 Harbours Act 1964 (c.40)
- 14 Succession (Scotland) Act 1964 (c.41)
- 15 Industrial and Provident Societies Act 1965 (c.12)
- 16 Gas Act 1965 (c.36)
- 17 Conveyancing and Feudal Reform (Scotland) Act 1970 (c.35)
- 18 Prescription and Limitation (Scotland) Act 1973 (c.52)
- 19 Land Registration (Scotland) Act 1979 (c.33)
- 20 Education (Scotland) Act 1980 (c.44)
- 21 Water (Scotland) Act 1980 (c.45)
- 22 Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)



- 23 Civil Aviation Act 1982 (c.16)
- 24 Litter Act 1983 (c.35)
- 25 Health and Social Services and Social Security Adjudications Act 1983 (c.41)
- 26 Telecommunications Act 1984 (c.12)
- 27 Matrimonial and Family Proceedings Act 1984 (c.42)
- 28 Bankruptcy (Scotland) Act 1985 (c.66)
- 29 Housing Associations Act 1985 (c.69)
- 30 Law Reform (Miscellaneous Provisions)(Scotland) Act 1985 (c.73)
- 31 Electricity Act 1989 (c.29)
- 32 Property Misdescriptions Act 1991 (c.29)
- 33 Agricultural Holdings (Scotland) Act 1991 (c.55)
- 34 Coal Industry Act 1994 (c.21)
- 35 Land Registers (Scotland) Act 1995 (c.14)
- 36 Petroleum Act 1998 (c.17)
- 37 Public Finance and Accountability (Scotland) Act 2000 (asp 1)
- 38 Adults with Incapacity (Scotland) Act 2000 (asp 4)
- 39 Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5)
- 40 Standards in Scotland's Schools etc. Act 2000 (asp 6)
- 41 National Parks (Scotland) Act 2000 (asp 10)
- 42 Housing (Scotland) Act 2001 (asp 10)
- 43 Title Conditions (Scotland) Act 2003 (asp 9)
- 44 Civil Partnership Act 2004 (c.33)
- 45 Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004 (asp 10)
- 46 Tenements (Scotland) Act 2004 (asp 11)
- 47 Edinburgh Tram (Line Two) Act 2006 (asp 6)
- 48 Edinburgh Tram (Line One) Act 2006 (asp 7)
- 49 Waverley Railway (Scotland) Act 2006 (asp 13)
- 50 Companies Act 2006 (c.46)
- 51 Glasgow Airport Rail Link Act 2007 (asp 1)
- 52 Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3)
- 53 Edinburgh Airport Rail Link Act 2007 (asp 16)
- 54 Airdrie-Bathgate Railway and Linked Improvements Act 2007 (asp 19)
- 55 Energy Act 2008 (c.32)