



# Land Registration etc. (Scotland) Act 2012

## 2012 asp 5

### PART 3

#### COMPETENCE AND EFFECT OF REGISTRATION

##### *Specific provisions on competence and effect of registration*

#### **55 Registration of order for rectification of document etc.**

- (1) The Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73) is amended as follows.
- (2) In section 8 (rectification of defectively expressed documents)—
  - (a) in subsection (3), after “made to it” insert “ and in either case after calling all parties who appear to it to have an interest ”,
  - (b) after that subsection insert—

“(3A) If a document is registered in the Land Register of Scotland in favour of a person acting in good faith then, unless the person consents to rectification of the document, it is not competent to order its rectification under subsection (3) above.”,
  - (c) in subsection (4), for “section 9(4)” substitute “ sections 8A and 9(4) ”.
- (3) After section 8 insert—

#### **“8A Registration of order for rectification**

An order for rectification made under section 8 of this Act in respect of a document which has been registered in the Land Register of Scotland—

- (a) may be registered in that register, and
  - (b) does not have real effect until so registered.”.
- (4) In section 9 (provisions supplementary to section 8: protection of other interest)—
    - (a) in subsection (2)—
      - (i) for “subsection (3)” substitute “ subsections (2A) and (3) ”,

---

**Changes to legislation:** Land Registration etc. (Scotland) Act 2012, Section 55 is up to date with all changes known to be in force on or before 20 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](#)

---

- (ii) repeal “or on the title sheet of an interest in land registered in the Land Register of Scotland being an interest to which the document relates”,
- (b) after that subsection insert—
  - “(2A) This section does not apply where the document to be rectified is a deed registered in the Land Register of Scotland.”,
- (c) in subsection (3)—
  - (i) in paragraph (a), repeal “or (as the case may be) the title sheet”,
  - (ii) in paragraph (b), repeal “or on the title sheet”,
- (d) subsection (6) is repealed.

---

#### **Commencement Information**

**II** [S. 55](#) in force at 8.12.2014 by [S.S.I. 2014/127](#), [art. 2](#)

**Changes to legislation:**

Land Registration etc. (Scotland) Act 2012, Section 55 is up to date with all changes known to be in force on or before 20 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.

[View outstanding changes](#)

**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\(3\)](#)