



Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 4

ADVANCE NOTICES

61 Effect of advance notice: further provision

- (1) A deed to which an advance notice relates, if registered on a date which falls within the protected period, is not subject to—
 - (a) an inhibition registered in the Register of Inhibitions against the granter and taking effect before that date but during that period, or
 - (b) anything registered or recorded in that register and taking effect, before that date but during that period, as if an inhibition registered against the granter.
- (2) Sections 59 and 60 apply irrespective of whether a deed is voluntary or involuntary.
- (3) Sections 59 and 60 do not apply in relation to—
 - (a) a notice registered, or intended or sought to be registered, under—
 - (i) section 10(2A) of the Title Conditions (Scotland) Act 2003 ([asp 9](#)), or
 - (ii) section 12(3) of the Tenements (Scotland) Act 2004 ([asp 11](#)), and
 - (b) such other deeds as the Scottish Ministers may by order specify.
- (4) Before making an order under subsection (3)(b), the Scottish Ministers must consult the Keeper.