

SCHEDULE 1

Regulation 6(3)

Appeals

1. A person who wishes to appeal to the Scottish Ministers under regulation 6 must give to the Scottish Ministers written notice of the appeal together with the documents specified in paragraph 2 and must at the same time send to the Keeper a copy of that notice together with a copy of the document specified in paragraph 2(a).

2. The documents mentioned in paragraph 1 are—

- (a) a statement of the grounds of appeal;
- (b) a copy of any relevant application;
- (c) a copy of any relevant authorisation;
- (d) a copy of any relevant correspondence between the appellant and the Keeper; and
- (e) a copy of any decision which is the subject matter of the appeal.

3. An appellant may withdraw an appeal by notifying the Scottish Ministers in writing and must send a copy of that notification to the Keeper.

4. Subject to paragraph 5, notice of appeal in accordance with paragraph 1 is to be given, in the case of an appeal against a decision to—

- (a) refuse an authorisation, before the expiry of 3 months beginning with the date of the decision; or
- (b) suspend or revoke an authorisation—
 - (i) where a period of notice is given in the notice, before the date on which the suspension or revocation takes effect; or
 - (ii) where immediate, before the expiry of 3 months beginning with the date of the suspension or revocation.

5. The Scottish Ministers may where there is a good reason to do so allow notice of appeal to be given after the expiry of the period mentioned in paragraph 4(a) or (b)(ii).

Procedure for appeals

6. The Keeper must submit written representations to the Scottish Ministers not later than 28 days after the date of receiving a copy of the document mentioned in paragraph 1.

7. The appellant must make any further written representations by way of reply to representations from the Keeper not later than 28 days after the date of submission of those representations by the Keeper under paragraph 6.

8. Any written representations made by the appellant or the Keeper must bear the date on which they are submitted to the Scottish Ministers.

9. When the Keeper or the appellant submits any written representations to the Scottish Ministers the Keeper or the appellant must at the same time send a copy to the other party.

10. The Scottish Ministers may in a particular case (either or both)—

- (a) dispose of the case on the basis of written representations;
- (b) where there is a good reason to do so, permit the appeal to be disposed of by a hearing before a person appointed by the Scottish Ministers; or
- (c) (either or both)—
 - (i) where appropriate, set later time limits than;

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- (ii) require exchanges of representations between the parties in addition to,
- (d) those mentioned in paragraphs 6, 7 and 9.

Determination of appeal

11. The Scottish Ministers must give notice to the parties of their determination of the appeal and their reasons for that determination.

12. The Scottish Ministers may include in the determination such order as to the expenses of the appeal as they consider reasonable.

SCHEDULE 2

Regulation 7

ARTL document Application Form

Part A

Application Details

Type of deed

Title number

Date of entry

User reference

Lender reference

Payment Details

FAS Number

Monetary consideration

Annual rent

Details of Grantee of electronic document

Type of applicant

Individual

Prefix

Forename

Surname

Flat number/name

Building number

Building name

Street Locality

Town

Postcode

County

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Flat number/name

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Building number

Building name

Street

Locality

Town

Postcode

County

Country

Details of granter of electronic document

Flat number/name

Building number

Building name

Street

Locality

Town

Postcode

County

Country

Identification of other ARTL users involved in transaction

Destination

Warrandice

Identification of signatories of electronic document

Document template

Notification Details

Email address for applicant's notification

Email address for granter's notification

PART B

Register of Inhibitions

Certification in relation to links in title

Is the validity of the deed to which this application relates capable of being affected by an entry in the Register of Inhibitions ("RoI")?

Yes or No

If yes, has a search of the RoI been carried out on the granter of the deed?

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Yes or No

If yes, please provide the date to which the search was certified.

Did the search disclose an entry in the RoI which might affect the validity of the deed to which this application relates?

Yes or No

Land and Buildings Transaction Tax

Is the transaction to which this application relates a notifiable transaction in terms of section 30 of the Land and Buildings Transaction Tax (Scotland) Act 2013?

Yes or no

If yes, has a land transaction return been made, and have arrangements satisfactory to the tax authority been made for the payment of any tax payable in respect of the transaction?

Yes or no

Authority to authenticate

Has each granter of the electronic document inducing registration authorised that it be authenticated on their behalf?

Yes or no

Certification in relation to links in title

Is the granter of the deed the last registered proprietor?

Yes or No

Additional information

Is there any other information material to the application to register the deed which has not been disclosed in the application?

Yes or no

Declaration

Application to register deeds

I apply for registration of the deed to which this transaction relates and certify that this application complies with the general application conditions in section 22 of the Land Registration etc. (Scotland) Act 2012, and the particular conditions mentioned in section 21(2)(c) of that Act.

I certify that the information given in this application and the answers to the questions are complete and correct to the best of my knowledge and belief.

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In submitting this application you must take reasonable care to ensure that the Keeper does not inadvertently make the register inaccurate as a result of a change made in consequence of it. If you fail to do so you may be liable to pay compensation to the Keeper for any loss suffered as a result (see section 111 of the Act).

It is an offence to knowingly or recklessly make a materially false or misleading statement, or to intentionally or recklessly fail to disclose material information, in relation to this application (see section 112 of the Act).