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Economy, Jobs and Fair Work Committee Comataidh Eaconomaidh, Dreuchdan is Obair Chothromach

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Contents

| | | |
|---|-------|---|
| Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017 [draft] | _____ | 1 |
| Registers of Scotland (Digital Registration, etc.) Regulations 2017 [draft] | _____ | 2 |

Economy, Jobs and Fair Work Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Economy, Jobs and Fair Work.



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Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017 [draft]

1. The Committee took evidence on the Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017 [draft] from Keith Brown, Cabinet Secretary for Economy, Jobs and Fair Work its meeting on 21 November 2017. The Official Report is available on the [Committee's website](#).
2. The Regulations were laid on 26 October and amends the rules for notification by prescriptive claimants and the Act is amended so there is no need to wait 60 days after the Keeper of the Registers of Scotland notifies such a person who has already told the Keeper they do not object. The person is given 7 days to change their mind.
3. The Regulations use the ancillary power in the Act to create a minor exception from the requirement in the registration of a deed that it narrates the title number of each title sheet to which it relates where the title number could not have been known to the granter.
4. The Delegated Powers and Law Reform Committee considered the Regulations at its meeting on 8 November and had no issues to report.
5. The Convener wrote to the Cabinet Secretary for Economy, Jobs and Fair Work on 8 November for additional background information. This letter is available [online](#). The Cabinet Secretary responded on [10 November](#).
6. Following evidence the Minister moved motion S5M-08842—

That the Economy, Jobs and Fair Work Committee recommends that the Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017 [draft] be approved.
7. During the debate concern was expressed that there was no consultation on the prescriptive claimants provisions and there may be unforeseen consequences. There were also concerns about changing the time frame based on a small number of cases.
8. After debate, the motion was disagreed to (by division: For 4, Against 5, Abstentions 0).

The Economy, Jobs and Fair Work Committee recommends that the Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017 [draft] not be approved.

Registers of Scotland (Digital Registration, etc.) Regulations 2017 [draft]

9. The Committee took evidence on the Registers of Scotland (Digital Registration, etc.) Regulations 2017 [draft] from Keith Brown, Cabinet Secretary for Economy, Jobs and Fair Work at its meeting on 21 November 2017. The Official Report is available on the [Committee's website](#).
10. The Regulations were laid on 26 October and alter the arrangements for registering documents in the Land Register of Scotland (and Register of Sasines) in connection with the registration of electronic documents and other miscellaneous matters concerning land registration.
11. The Delegated Powers and Law Reform Committee considered the Regulations at its meeting on 8 November and had no issues to report.
12. The Convener wrote to the Cabinet Secretary for Economy, Jobs and Fair Work on 8 November for additional background information. This letter is available [online](#). The Cabinet Secretary responded on [10 November](#).
13. Following evidence the Minister moved motion S5M-08844—

That the Economy, Jobs and Fair Work Committee recommends that the Registers of Scotland (Digital Registration, etc.) Regulations 2017 [draft] be approved.
14. During the debate concern was expressed that a sufficient case had not been made to change the law with regard to regulation 8 (Prescriptive claimants – notification by claimant).
15. After debate, the motion was disagreed to (by division: For 4, Against 5, Abstentions 0).

The Economy, Jobs and Fair Work Committee recommends that Registers of Scotland (Digital Registration, etc.) Regulations 2017 [draft] not be approved.

