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

**Registers of Scotland (Digital
Registration, etc.) Regulations 2018
[draft]**



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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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Registers of Scotland (Digital Registration, etc.) Regulations 2018 [draft]

1. The [Registers of Scotland \(Digital Registration, etc.\) Regulations 2018 \[draft\]](#) was laid on 20 December and aims to 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.
2. The Regulations facilitate the introduction of new digital registration services that may be provided by Registers of Scotland, and extend the range of deeds currently “digitally registrable” electronically in the Land Register of Scotland to include all deeds registrable under any enactment currently existing created in the future and to all categories of land for which applications are received.
3. The Regulations also provide for a presumption in favour of the use of new digital registration services, after an appropriate notice period and consultation, except in certain defined circumstances.
4. The Regulations additionally provide for Registers of Scotland to offer a full range of digital Advance Notice products, which cover the risk buyers of land take before registering title, including Sasine Register Advance Notices.
5. The Regulations provide for the partial digital enablement of the Sasine Register to allow the recording of digital deeds in that Register where required for the purposes of ‘dual-registration’ and provide for a limited relaxation of the “One-Shot Rule” to assist with digital First Registration applications.
6. The Regulations remove the existing registration application form from the rules regulating land registration in Scotland.
7. The Delegated Powers and Law Reform Committee considered the Regulations at its meeting on [16 January](#) and had no issues to report.
8. The Committee previously considered the Registers of Scotland (Digital Registration, etc.) Regulations 2017 [draft] at its meeting on [21 November 2017](#).
9. 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). After the debate, motion [S5M-08844](#) was disagreed to (by division: For 4, Against 5, Abstentions 0) and the Committee recommended that 2017 Regulations not be approved. The Committee reported on [29 November 2017](#). The 2018 Regulations leave out regulation 8.
10. The Committee took evidence on the instrument from Keith Brown, Cabinet Secretary for Economy, Jobs and Fair Work at its meeting on 30 January 2018. The Official Report is available on the [Committee's website](#).
11. Following evidence the Cabinet Secretary moved motion S5M-10101—

That the Economy, Jobs and Fair Work Committee recommends that the Registers of Scotland (Digital Registration, etc.) Regulations 2018 [draft] be approved.

12. The motion was agreed to without division.

The Economy, Jobs and Fair Work Committee recommends that the Registers of Scotland (Digital Registration, etc.) Regulations 2018 [draft] be approved.

