



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.

Modifications etc. (not altering text)

- C1** Pt. 4 applied (with modifications) (8.12.2014) by [The Land Registration etc. \(Scotland\) Act 2012 \(Incidental, Consequential and Transitional\) Order 2014 \(S.S.I. 2014/190\)](#), arts. 1(2), 4

Commencement Information

- II** S. 61 in force at 8.12.2014 by [S.S.I. 2014/127](#), art. 2

Status:

Point in time view as at 08/12/2014.

Changes to legislation:

Land Registration etc. (Scotland) Act 2012, Section 61 is up to date with all changes known to be in force on or before 21 June 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.