



Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 4

ADVANCE NOTICES

58 Period of effect of advance notice

- (1) An advance notice has effect for the period of 35 days beginning with the day after the notice is entered in the application record or, as the case may be, recorded in the Register of Sasines.
- [^{F1}(1A) If the application record is closed for the making of all entries as a result of coronavirus, an advance notice which has effect on the day the application record is closed is to have effect until the later of—
- (a) the end of the period specified in section 58(1),
 - (b) the end of the period ending 10 days after the day on which the Keeper declares the application record fully open for the making of entries.
- (1B) If the Register of Sasines is closed for the making of all entries as a result of coronavirus, an advance notice which has effect on the day the Register of Sasines is closed is to have effect until the later of—
- (a) the end of the period specified in section 58(1),
 - (b) the end of the period ending 10 days after the day on which the Keeper declares the application record fully open for the recording of entries.
- (1C) If the application record is closed for the making of some entries as a result of coronavirus, an advance notice which is entered in the application record during the period that the application record is closed in part is to have effect until the later of—
- (a) the end of the period specified in section 58(1),
 - (b) the end of the period ending 10 days after the day on which the Keeper declares the application record fully open for the making of entries.
- (1D) If the Register of Sasines is closed for the recording of some entries as a result of coronavirus, an advance notice which is recorded during the period that the Register of Sasines is closed in part is to have effect until the later of—
- (a) the end of the period specified in section 58(1),

Status: Point in time view as at 30/03/2021. This version of this provision has been superseded.

Changes to legislation: Land Registration etc. (Scotland) Act 2012, Section 58 is up to date with all changes known to be in force on or before 14 September 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. (See end of Document for details)

- (b) the end of the period ending 10 days after the day on which the Keeper declares the Register of Sasines fully open for the making of entries.]
- (2) [F2Subsection (1) is][F2Subsections (1), (1A), (1B), (1C) and (1D) are] subject to section 63.
- (3) The period during which an advance notice has effect is referred to in this Act as the “protected period”.
- (4) Subsection (5) applies where two advance notices in relation to the same plot of land or lease are entered into the application record or recorded in the Register of Sasines on the same date.
- (5) The protected period in relation to the advance notice which is first to be entered in the application record, or as the case may be recorded in the Register of Sasines, is deemed to begin before the protected period in relation to the other advance notice.
- (6) The Scottish Ministers may, by order amend subsection (1) so as to substitute for the period for the time being mentioned there a different period.
- (7) Before making such an order, the Scottish Ministers must consult the Keeper.
- [F3(8) In this section, “coronavirus” has the meaning given by section 1 of the Coronavirus (Scotland) Act 2020.]

Textual Amendments

- F1** S. 58(1A)-(1D) inserted (temp.) (7.4.2020) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. 17(1), [sch. 7 para. 19\(a\)](#) (with ss. 11-13) (which affecting provision expires (30.3.2021) by virtue of [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021 \(S.S.I. 2021/93\)](#), regs. 1, [2\(a\)](#) (with reg. 5))
- F2** Words in s. 58(2) substituted (temp.) (7.4.2020) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. 17(1), [sch. 7 para. 19\(b\)](#) (with ss. 11-13) (which affecting provision expires (30.3.2021) by virtue of [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021 \(S.S.I. 2021/93\)](#), regs. 1, [2\(a\)](#) (with reg. 5))
- F3** S. 58(8) inserted (temp.) (7.4.2020) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. 17(1), [sch. 7 para. 19\(c\)](#) (with ss. 11-13) (which affecting provision expires (30.3.2021) by virtue of [The Coronavirus \(Scotland\) Acts \(Early Expiry and Suspension of Provisions\) Regulations 2021 \(S.S.I. 2021/93\)](#), regs. 1, [2\(a\)](#) (with reg. 5))

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

- I1** S. 58 in force at 8.12.2014 by [S.S.I. 2014/127](#), [art. 2](#)

Status:

Point in time view as at 30/03/2021. This version of this provision has been superseded.

Changes to legislation:

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