
STATUTORY INSTRUMENTS

1999 No. 1085 (S. 87)

REGISTERS AND RECORDS, SCOTLAND

The Fees in the Registers of Scotland Amendment Order 1999

Made - - - - - *30th March 1999*

Coming into force - - - - - *21st April 1999*

The Secretary of State, in exercise of the powers conferred on him by section 25 of the Land Registers (Scotland) Act 1868(1) and of all other powers enabling him in that behalf and with the consent of the Treasury, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Fees in the Registers of Scotland Amendment Order 1999 and shall come into force on 21st April 1999.

(2) In this Order, “the principal Order” means the Fees in the Registers of Scotland Order 1995(2)

Amendment of the principal Order

2. In article 2 of the principal Order (interpretation)—

(a) in paragraph (b) after “dealing” insert—

““Registers Direct service””;

(b) after paragraph (c) insert—

“(ca) any reference to a search includes a search by computer using the Registers Direct service;

(cb) any reference to an application includes an application by telephone, facsimile, electronic mail or any other means.”.

3. In Part I of the Schedule (Land Register of Scotland) to the principal Order—

(a) in paragraph A (interests in land other than heritable securities) of section I (registration fees) in sub-paragraph (ff) after the words “local authority” insert—

“police authority, fire authority, valuation authority or the Scottish Childrens Reporter Authority,”;

(b) for section 2 (reports) substitute—

(1) 1868 c. 64; section 25 was substituted by section 23 of the Land Registration (Scotland) Act 1979 (c. 33).

(2) S.I. 1995/1945.

“REPORTS

2. When application is made–

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- (a) On Form 10 for a report prior to first registration £ 22.70
 - (b) On Form 11 for continuation of report prior to first registration 13.60
 - (c) On Form 12 for a report over registered sub jects 22.70
 - (d) On Form 13 for continuation of report over registered subjects £ 13.60
 - (e) On Form 14 for a report to ascertain whether or not subjects have been registered 22.70
 - (f) On Form P16 for comparison of a bounding description with the Ordnance Map in conjunction with item (a) above, a combined fee of: 34.00
 - (g) On Form P17 for comparison of the boundaries on the Certificate Plan with the ordnance map in conjunction with item (c) above, a combined fee of: 34.00”;

Note:

The fees for items (a) to (g) above include the provision of a hard copy report. If a duplicate hard copy report is required there is an additional fee of £7 for each report.

(c) For entry (d) of section 3 (miscellaneous services) substitute–

“(d) On Form P16 for comparison of a bounding description with the ordnance map separately from item (a) in Part I, 2 above 22.70”

(d) for entry (e) of section 3 (miscellaneous services) substitute–

“(e) On Form P17 for comparison of the bound aries on the Certificate Plan with the Ordnance Map separately from item (c) in Part I, 2 above 22.70”

4. In Part II of the Schedule (General Register of Sasines) to the principal Order in paragraph A (conveyances) of section I (recording fees), in subparagraph (iv) after the words “local authority” insert–

“police authority, fire authority, valuation authority or the Scottish Children’s Reporter authority,”.

5. In Part XII of the Schedule (fees applicable to all registers) to the principal Order there is substituted for the section headed “Inspection Fees”–

“FEES FOR THE PROVISION OF INFORMATION

A. General Register of Sasines

1. Presentment Book

| | | |
|-----|------------------------------------|--------|
| (a) | Per search against a name | £ 2.00 |
| (b) | Per search against an address | 2.00 |
| (c) | Per search against a minute number | 2.00 |

2. Minute Book

| | | |
|-----|------------------------------------|--------|
| (a) | Per search against a name | £ 2.00 |
| (b) | Per search against an address | 2.00 |
| (c) | Per search against a minute number | 2.00 |

3. Search Sheet

| | | |
|-----|--|-------|
| (a) | Per search against a name | £ Nil |
| (b) | Per search against an address | Nil |
| (c) | Per search by search sheet number | 2.00 |
| (d) | Per view of any individual search sheet | 2.00 |
| (e) | The provision of information from any other index, volume, document or process | 2.00 |

B. Land Register of Scotland

1. Application Record

| | | |
|-----|--|--------|
| (a) | Per search against a name | £ 4.00 |
| (b) | Per search against an address | 4.00 |
| (c) | Per search against an application number | £ 4.00 |
| (d) | Per search against a title number | 4.00 |

2. Title Sheet

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- | | | |
|-----------|--|--------|
| (a) | Per search against a name | £ 4.00 |
| (b) | Per search against an address | 4.00 |
| (c) | Per search against a title number | 4.00 |
| (d) | Per view of the title sheet affecting one interest in land | 4.00 |
| 3. | Per Index Map Search | £ 2.00 |
| 4. | The provision of information from any other index, volume, document or process | £ 2.00 |
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Note: Where on the same occasion a view of the title sheet is made against an entry identified in the course of an initial search as per 2(a) and (b), no fee is payable in respect of the initial search.

C. Books of Council and Session

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- | | |
|---|--------|
| For each search in the Register of Deeds or Register of Judgements Index against: | £ 2.00 |
| 1. a name | |
| 2. a pursuer/petitioner | 2.00 |
| 3. a defender/respondent | 2.00 |
| 4. a judgement number | 2.00 |
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D. Register of Inhibitions and Adjudications

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- | | |
|--|--------|
| 1. For each group of 6 names or fewer searched against | £ 3.50 |
| 2. For provision of a paper copy of the daily minutes (per day) | 96.00 |
| 3. Per search of a specified minute number | 1.00". |
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Note: A search includes a print disclosing relevant entries if requested within 7 working days of the date of the original search.

St Andrew's House,
Edinburgh
26th March 1999

Henry B McLeish
Minister of State, Scottish Office

We consent,

30th March 1999

David Jamieson
Bob Ainsworth
Two of the Lords Commissioners of Her
Majesty's Treasury

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends, with effect from 21st April 1999, the Fees in the Registers of Scotland Order 1995 (“the 1995 Order”), so as to:

(1) Make additional provision for Police Authorities, Fire Authorities, Valuation Authorities and the Scottish Children’s Reporters Authority to qualify for abated fees in respect of registering notices of title following local government reorganisation (Articles 3(a) and 4).

(2) Increase the fees for certain forms by an average of approximately 13.5% in respect of the provision of Land Registration reports as follows:–

- (a) Forms 10, 12, 14, P16 and P17 increased from £20 to £22.70;
- (b) Forms 11 and 13 increased from £12 to £13.60;
- (c) Form P16/10 and P17/12 increased from £30 to £34. (Article 3).

(3) Revise the fee structure in respect of the payment of fees for the provision of information as follows:–

- (a) a search against a name, address, minute number or search sheet number in the General Register of Sasines is decreased from £7 to £2.00;
- (b) a search against a name, address, application number or title number in the Land Register is decreased from £7 to £4;
- (c) a search by the Index Map is a new fee of £2.00;
- (d) a search against a name, pursuer, defender or judgement number in the Register of Deeds is decreased from £7 (as previously provided under Part XII “Inspection Fees” of the 1995 Order) to £2.00;
- (e) a search against 6 names or fewer in the Register of Inhibitions and Adjudications is reduced from £7 to £3.50;
- (f) for a paper copy of the daily minutes of the Register of Inhibitions and Adjudications £96. (Article 5).