

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in relation to the form in which extracts of deeds registered in the Books of Council and Session and in the Register of Sasines are to be issued.

Article 2 amends the Registers of Scotland (Information and Access) Order 2014.

- New article 5 provides that, upon payment of the appropriate fee or appropriate arrangements for payment of such fee, an extract of a deed registered in the Books of Council and Session must be issued by the Keeper of the Registers of Scotland (“the Keeper”) as a paper document. This is unless the deed was an electronic document registered in accordance with regulation 8 of the Electronic Documents (Scotland) Regulations 2014, in which case the extract must be issued by the Keeper as an electronic document. The Keeper may issue the extract in a different form (as an electronic document instead of a paper document or a paper document instead of an electronic document) if this is requested by the person applying for the extract.
- New article 6 provides that the Keeper may issue an extract of a deed registered in the Register of Sasines as an electronic document if this is requested by the person applying for the extract.

Article 3 makes clarificatory and consequential amendments to update sections 5 and 7 of the Writs Execution (Scotland) Act 1877.