

**2009 No. 171**

**REGISTERS AND RECORDS**

**The Fees in the Registers of Scotland Amendment Order 2009**

*Made* - - - - *29th April 2009*

*Coming into force* - - *31st May 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 25 of the Land Registers (Scotland) Act 1868(a) and all other powers enabling them to do so.

**Citation and commencement**

1. This Order may be cited as the Fees in the Registers of Scotland Amendment Order 2009 and comes into force on 31st May 2009.

**Amendment of the Fees in the Register of Scotland Order 1995**

2. The Fees in the Registers of Scotland Order 1995(b) is amended in accordance with articles 3 to 5.

**Amendment of Part I of the Schedule**

3. In Part I of the Schedule (Land Register of Scotland)–

(a) for section 2 (reports) substitute–

**“2. REPORTS**

When application is made–

- |     |   |        |
|-----|---|--------|
| (a) | on Form 10 for a report prior to first registration                               | £28.50 |
| (b) | on Form 11 for continuation of a report prior to first registration               | £16.50 |
| (c) | on Form 12 for a report over registered subjects                                  | £28.50 |
| (d) | on Form 13 for continuation of a report over registered subjects                  | £16.50 |
| (e) | on Form 14 for a report to ascertain whether or not subjects have been registered | £28.50 |

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(a) 1868 c.64; section 25 was substituted by section 23 of the Land Registration (Scotland) Act 1979 (c.33) and amended by the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820), article 4 and Schedule 2, paragraph 3. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1995/1945, amended by S.I. 1999/1085, S.S.I. 2001/163, S.S.I. 2004/507, S.S.I. 2005/580 and S.S.I. 2006/600.

- |     |  |          |
|-----|--|----------|
| (f) | on Form P16 for comparison of a bounding description with the Ordnance Map separately from item (a) above  | £28.50   |
| (g) | on Form P17 for comparison of the boundaries of the Certificate Plan with the Ordnance Map separately from item (c) above                        | £28.50   |
| (h) | on Form P16 for comparison of a bounding description with the Ordnance Map in conjunction with item (a) above, a combined fee of                 | £41.00   |
| (i) | 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 | £41.00”; |

(b) for Part A (applications made)(a) of section 3 (miscellaneous services) substitute–

“A. Applications made

Where application is made–

- |     |   |   |
|-----|---|---|
| (a) | on Form 5 for noting of an overriding interest etc.   | £30.00<br>for each<br>title sheet<br>affected |
| (b) | on Form 9 for rectification of the register   | £30.00  |
| (c) | for checking the boundaries of adjoining properties   | £20.00  |
| (d) | for withdrawal of an application under rule 11 of the Land Registration (Scotland) Rules 2006                         | £30.00  |
| (e) | for the provision of information from a deed or document in the Land Register archive, for each such deed or document | £8.00   |

Where the application is to register a Tree Preservation Order or a Compulsory Purchase Order, £30 for each title sheet affected.”.

#### **Amendment of Part XII of the Schedule**

**4.** In Part XII of the Schedule (fees applicable to all registers)–

(a) for the section headed “fees for the provision of information” substitute–

“FEES FOR THE PROVISION OF INFORMATION

**A.**

#### **General Register of Sasines**

##### **1. Presentment Book**

- |     |                                    |       |
|-----|------------------------------------|-------|
| (a) | Per search against a name          | £1.80 |
| (b) | Per search against an address      | £1.80 |
| (c) | Per search against a minute number | £1.80 |

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(a) Substituted by S.S.I. 2006/600.

## 2. Minute Book

(a)	Per search against a name	£1.80
(b)	Per search against an address	£1.80
(c)	Per search against a minute number	£1.80

## 3. Search Sheet

(a)	Per search against a name	Nil
(b)	Per search against an address	Nil
(c)	Per search by search sheet number	£1.80
(d)	Per view of any individual search sheet	£1.80
(e)	The provision of information from any other index, volume, document or process	£1.80

**Note:** No fee will be charged for a search under number 1, 2 or 3 above which produces a nil return.

## B.

### Land Register of Scotland

#### 1. Application Record

(a)	Per search against a name	£1.80
(b)	Per search against an address	£1.80
(c)	Per search against an application number	£1.80
(d)	Per search against a title number	£1.80

#### 2. Title Sheet

(a)	Per search against a name	£1.80
(b)	Per search against an address	£1.80
(c)	Per search against a title number	£1.80
(d)	Per view of the title sheet affecting one interest in land	£1.80

**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.

#### 3. Index Map

(a)	Per search by navigation	Nil
(b)	Per search by address	Nil
(c)	Per search by title number	Nil
(d)	Per search by grid reference	Nil
(e)	Per seed rectangle search	£1.80
(f)	Per seed point search	£1.80

**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 3(e) and (f), no fee is payable in respect of the initial search.

- |   |       |
|---|-------|
| 4. The provision of information from any other index, volume, document or process | £1.80 |
| 5. Per property price search  | Nil   |

*Note:* No fee will be charged for a search under number 1, 2, 3 or 4 above which produces a nil return.

**C.**

**Books of Council and Session**

For each search in the Register of Deeds or Register of Judgments Index against:

- |                          |       |
|--------------------------|-------|
| 1. a name                | £1.80 |
| 2. a pursuer/petitioner  | £1.80 |
| 3. a defender/respondent | £1.80 |
| 4. a judgment number     | £1.80 |

**D.**

**Register of Inhibitions and Adjudications**

- |  |        |
|--|--------|
| 1. For each group of 6 names or fewer searched against     | £1.80  |
| 2. For provisions of a copy of the daily minutes (per day) | £19.50 |
| 3. Per search of a specified minute number                 | £1.80  |

*Note:* A search includes a print disclosing relevant entries if requested within 7 working days of the date of the original search.”; and

(b) for the section headed “extracting and copying fees” substitute–

**“EXTRACTING AND COPYING FEES**

- |  |                       |
|--|-----------------------|
| 1. For a plain copy or duplicate   | £8.00                 |
| 2. For an official extract or certified copy   | £15.00                |
| 3. For an official extract obtained from the National Archives of Scotland   | £5.00<br>plus NAS fee |
| 4. For an office copy  | £15.00                |
| 5. For each additional extract of any deed or document requested at the same time as registration in the General Register of Sasines or Books of Council and Session of that document. | £8.00<br>”.           |

5. In Part XII of the Schedule after the section headed “other services” insert–

“ **DATA EXTRACTIONS**

1. For information on Sales for Consideration comprising reports in a spreadsheet format containing a data extraction of residential sales	A fee of £450 per month for the whole of Scotland *
2. For information on Land Values comprising reports in a spreadsheet of sales from the Land Register of Scotland, per Land Values script	A fee of £622 per month for the whole of Scotland *

3. For information on a particular Creditor or Legal Agent Comprising a spreadsheet list of deeds submitted to LRS by Creditor or Legal Agent	A fee of £100 per month or £100 per quarter*
4. For a Data Set of Registration County Boundaries	A fee of £100
5. For information on General Register of Sasines minutes.	A fee of £252 per month for the whole of Scotland

\* Data Extraction Fee per County is based on the table below

#### Breakdown of Data Extraction Costs by Registration County(a)

	<i>Land Values</i>	<i>Sales for Consideration</i>
Aberdeen	£42.00	£29.00
Angus	£23.00	£17.00
Argyll	£9.00	£7.00
Ayr	£38.00	£27.00
Banff	£10.00	£7.00
Berwick	£5.00	£4.00
Bute	£5.00	£4.00
Caithness	£8.00	£6.00
Clackmannan	£5.00	£4.00
Dumbarton	£23.00	£17.00
Dumfries	£10.00	£7.00
East Lothian	£9.00	£7.00
Fife	£39.00	£27.00
Glasgow	£68.00	£48.00
Inverness	£14.00	£10.00
Kincardine	£8.00	£6.00
Kinross	£5.00	£4.00
Kirkcudbright	£5.00	£4.00
Lanark	£56.00	£40.00
Midlothian	£80.00	£57.00
Moray	£16.00	£12.00
Nairn	£5.00	£4.00
Orkney & Zetland	£8.00	£6.00
Peebles	£5.00	£4.00
Perth	£15.00	£11.00
Renfrew	£35.00	£24.00
Ross & Cromarty	£18.00	£13.00
Roxburgh	£5.00	£4.00
Selkirk	£5.00	£4.00
Stirling	£23.00	£17.00
Sutherland	£5.00	£4.00
West Lothian	£15.00	£11.00
Wigtown	£5.00	£4.00

(a) A leaflet entitled "Land Register Counties" is available through RoS Customer Service Centres or online at [www.ros.gov.uk](http://www.ros.gov.uk)

	<i>Land Values</i>	<i>Sales for Consideration</i>
Scotland	£622.00	£450.00

### REPORTS

1. For a report on Post Code Sectors or District comprising the average price and volume of sales. A fee of £105 per month or £105 per quarter

*Note:*

The information for each stated time period aims to cover all sales of properties, where applications are received for registration with Registers of Scotland in that period.

The reports includes both cash sales and properties bought with a mortgage, and right to buy sales of council houses to sitting tenants. The analysis aims to exclude single sales of blocks of properties.

Calculations in standard reports are based on transactions between £20,000 and £1,000,000. Bespoke Reports can be for sales from £5,000 upwards.”.

*JIM MATHER*

Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
29th April 2009

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Fees in the Registers of Scotland Order 1995 (“the 1995 Order”) and in particular the Schedule to the 1995 Order (“the Schedule”):

Article 3(a) increases the fees for certain forms in respect of the provision of Land Registration reports as follows:–

- (a) Forms 10, 12, 14, P16 and P17 increased from £27.00 to £28.50;
- (b) Forms 11 and 13 increased from £15.00 to £16.50; and
- (c) Form P16/10 and P17/12 increased from £40 to £41.

Article 3(b) replaces section 3 (miscellaneous services) of Part 1 of the Schedule with the only change being a reduction of the fee for the provision of information from the Land Register archive from £14.20 to £8.00.

Articles 4, 5 and 6 amend Part XII of the Schedule (fees applicable to all registers).

Article 4(a) amends the section headed “fees for the provision of information” as follows:–

In relation to the General Register of Sasines (Part A) to–

- (a) increase the fees in Part A from £1.65 to £1.80; and
- (b) introduce no charge for a search against section 1, 2 or 3 which produces a nil return;

In relation to the Land Register of Scotland (Part B) to–

- (a) decrease the fees in sections 1 and 2 of part B from £3.30 to £1.80;
- (b) introduce a no fee basis for an initial search against section 2(a) Per search against a name or 2(b) Per search against an address where a view of the title sheet is made against an entry under 2(a) or (b);
- (c) introduce new nil-rated bands for index-map searches and new charges of £1.80 for seed rectangle and seed point searches;
- (d) introduce a no fee basis for an initial search against section 3(e) Per search against a seed rectangle or 3(f) Per search against a seed point where a view of the title sheet is made against an entry under 3(e) or (f);
- (e) increase the fee for the provision of information from any other index, volume, document or process from £1.65 to £1.80;
- (f) reduce the per property price search form £3.30 to nil; and
- (g) introduce a no fee basis for searches under sections 1, 2, 3 and 4 of Part B which produce a nil return;

In relation to the Books of Council and Session (Part C) to increase the search fees from £1.65 to £1.80.

In relation to the Register of Inhibitions and Adjudications (Part D) to–

- (a) increase the fee for each group of 6 names or fewer searched against from £1.65 to £1.80;
- (b) reduce the provision of a copy of the daily minutes (per day) from £21.00 to £19.50; and
- (c) to increase the fee per search of a specified minute number from £1.00 to £1.80.

Article 4(b) amends the section headed “extracting and copying fees” to–

- (a) reduce the fee for a plain copy or duplicate from £16.50 to £8.00;
- (b) reduce the fee for an official extract or certified copy form £20.70 to £15.00;
- (c) introduce a new fee for an official extract from the National Archives of Scotland at £5.00 plus the NAS fee;

- (d) reduce the fee for an office copy from £25.00 to £15.00; and
- (e) introduce a fee of £8.00 for each additional extract of any deed or document requested at the same time as registration in the General Register of Sasines of Books of Council and Session of that document.

Article 5 introduces a new table of fees for Data Extractions based on a breakdown of Data Extraction Costs provided and introduces a fee of £105 per month or per quarter for a report on Post Code Sectors or Districts comprising the average price and volume of sales.

A Regulatory Impact Assessment has been prepared and is available at [www.ros.gov.uk](http://www.ros.gov.uk).

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