

SCHEDULE 1

Regulations 2, 7, 15 and 16

APPLICATION FORMS TO BE USED IN CONNECTION WITH LAND REGISTRATION

List of forms

<i>Form</i>	<i>Purpose</i>	<i>Relevant provisions of the Rules</i>
PART 1	Application for an Advance Notice relating to Whole of a Registered Plot	Regulation 2(a)(i)
PART 2	Application for an Advance Notice relating to Part of Registered Plot	Regulation 2(a)(ii)
PART 3	Application to Discharge an Advance Notice	Regulation 2(b)
PART 4	Application for Registration	Regulation 7
PART 5	Application relating to a Caveat	Regulation 15
PART 6	Application to Vary Warranty	Regulation 16

Regulation 2(a)(i)

PART 1

Land Registration etc. (Scotland) Act 2012

Application for an Advance Notice relating to Whole of a Registered Plot

In accordance with section 56(1) of the Land Registration etc. (Scotland) Act 2012 an advance notice is a notice stating that a person (the ‘Granter’) intends to grant a deed (‘Intended Deed Type’) to another person (the ‘Grantee’).

Agent Details

Agent’s reference

Agent’s telephone number

Agent’s email address

Agent’s name and address

Payment Details

FAS Number

Payment method

Intended Deed Type

Status: This is the original version (as it was originally made).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

Subjects

Title number(s) of registered plot of land or lease affected by this advance notice

Property name

Property number

Street name

Town

Postcode

Description of plot of land with no postal address

Grantor Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street name

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

Country

Grantee Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street name

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

Country

Applicant Statement and Declarations

I/We apply for an advance notice in terms of section 57 of the Land Registration etc. (Scotland) Act 2012 in respect of a registrable deed which I/we intend to grant. By making such application I/we confirm that (i) I/we may validly grant such a deed (or) (ii) I/we have the consent of a person who may validly do so, in accordance with section 57(2)(a) or (b) respectively, of the Land Registration etc. (Scotland) Act 2012.

I/We certify that the information supplied on this Form is complete and correct to the best of my/our knowledge and belief.

Signature(s)

Date

Regulation 2(a)(ii)

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PART 2

Land Registration etc. (Scotland) Act 2012

Application for an Advance Notice relating to Part of Registered Plot

In accordance with section 56(1) of the Land Registration etc. (Scotland) Act 2012 an advance notice is a notice stating that a person (the ‘Granter’) intends to grant a deed (‘Intended Deed Type’) to another person (the ‘Grantee’).

Agent Details

Agent’s reference

Agent’s telephone number

Agent’s email address

Agent’s name and address

Payment Details

FAS Number

Payment method

Intended Deed Type

Subjects

Title number(s) of registered plot of land or lease affected by this advance notice

Are the subjects a flatted building capable of being represented as a single cadastral unit in accordance with section 56(2) of the Land Registration etc. (Scotland) Act 2012?

Property name

Property number

Street name

Town

Postcode

Description of plot of land with no postal address

Related Plan

Where application is accepted by the Keeper on paper:—

Submit a paper plan

Where application is accepted electronically by the Keeper:—

Development Plan Approval Number and Development Plan Approval Plot Number

or

Provide co-ordinates

or

Upload shape file

Granter Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street name

Town

Postcode

Country

Non-natural person

Prefix

Name

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

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

Country

Grantee Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street name

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

Country

Applicant Statement and Declarations

I/We apply for an advance notice in terms of section 57 of the Land Registration etc. (Scotland) Act 2012 in respect of a registrable deed which I/we intend to grant. By making such application I/we confirm that (i) I/we may validly grant such a deed (or) (ii) I/we have the consent of a person who may validly do so, in accordance with section 57(2)(a) or (b) respectively, of the Land Registration etc. (Scotland) Act 2012.

I/We certify that the information supplied on this Form is complete and correct to the best of my/our knowledge and belief.

Signature(s)

Date

Document Generated: 2023-07-14

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Regulation 2(b)

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

PART 3

Land Registration etc. (Scotland) Act 2012

Application to Discharge an Advance Notice

Agent Details

Agent's reference
Agent's telephone number
Agent's email address
Agent's Name and Address

Payment Details

FAS Number
Payment method
Advance Notice Number to be discharged

Intended Deed Type

Subjects

Title number(s) of registered plot of land or lease affected by this advance notice
Property name
Property number
Street name
Town
Postcode
Description of plot of land with no postal address

Granter Details

Individual

Prefix
Forename
Surname
Property name
Property number
Street name
Town
Postcode
Country

Non-natural person

Prefix
Name
Allocated number (if any, e.g. company number)

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

Property name

Property number

Street name

Town

Postcode

Country

Grantee Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street name

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

Country

Applicant Statement and Declarations

I/We hereby certify that the person to whom the intended deed would be granted consents to this application to discharge the advance notice relating to that deed in accordance with section 63(3)(a) of the Land Registration etc. (Scotland) Act 2012.

I/We certify that the information supplied on this Form is complete and correct to the best of my/our knowledge and belief.

Signature(s)

Date

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PART 4

Land Registration etc. (Scotland) Act 2012 Application for Registration

Unless the context otherwise indicates, any reference in this form to a section of an Act is a reference to a section of the Land Registration etc. (Scotland) Act 2012

PART A

Agent Details

Agent's reference
Agent's telephone number
Agent's email address
Agent's name and address

Notification Details

Email address for applicant's notification
Email address for granter's notification

Payment Details

FAS Number
Monetary consideration
Non-Monetary consideration
Value
Annual rent
Fee
Payment method

Application Details

Application type
Type of deed
County
Title number

Mark X in the box if more than one title number and insert details in the additional information sheet.

Search Sheet number(s) (if known)
Development Plan Approval number
Date of entry
Property name
Property number

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

Street name

Town

Postcode

Description of plot of land with no postal address

Mark X in the box if more than one property and insert details in the additional information sheet.

Applicant Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street

Town

Postcode

Country

Mark X in the box if more than one applicant and insert details in the additional information sheet.

Granter Details

Individual

Prefix

Forename

Surname

Property name

Property number

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

Street

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

County

Mark X in the box if more than one grantor and insert details in the additional information sheet.

PART B

Plans Questions - Guidance - This question is not applicable where the deed being registered affects the whole of a registered plot.

If a plans pre-registration report has been issued by the Keeper in connection with this application, please quote the report number.

Has all or part of the plot of ground been delineated on the cadastral map?

Yes or No

If yes, please provide the cadastral unit number or title number of which it forms part.

If the extent of the plot has been delineated on the cadastral map as part of an advance notice please provide the advance notice number.

Do the deeds submitted in support of this application include a plan or full bounding description identifying the extent of the plot to be registered?

Yes or No

If yes, please provide the details of the deed or deed inventory number

Common Areas – Guidance - This question is only applicable where the deed being registered either affects an unregistered plot or transfers part of a registered plot.

Does the deed being registered transfer any area of ground that is owned in common with another person or other persons?

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Yes or No

If yes, has the area of ground been included in any registered title(s)?

Yes or No

Please ensure the deed narrates the title number(s) for the area(s) of ground and the title number(s) are included in Part A of this form.

ROI Question

Is the validity of the deed to which this application relates capable of being affected by an entry in the Register of Inhibitions and Adjudications ("RoI")?

Yes or No

If yes, has a search of the RoI been carried out on the granter of the deed and any party whose right has vested in the granter by virtue of any unregistered mid-couple or link in title?

Yes or No

If yes, please provide the date to which the search was certified.

Did the search disclose an entry in the RoI which might affect the validity of the deed to which this application relates?

Yes or No

If yes, please provide details.

Land and Buildings Transaction Tax

Is the transaction to which this application relates a notifiable transaction in terms of section 30 of the Land and Buildings Transaction Tax (Scotland) Act 2013?

Yes or No

If yes, has a land transaction return been made, and have arrangements satisfactory to the tax authority been made for the payment of any tax payable in respect of the transaction?

Yes or No

Title examination

Has there been any limitation or restriction on the examination of title?

Yes or No

If yes, please provide details in the further information field.

Certification in relation to links in title

Is the granter of the deed the last recorded/registered proprietor?

Yes or No

By signing this application form you are certifying to the Keeper that appropriate links in title are in place and that the granter has the legal right to grant the deed.

If no, and the deed is a disposition, is the disposition to be treated as valid by virtue of section 43(1)(prescriptive claimants)?

Yes or No

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Servitudes - Guidance - *This question is only applicable where the deed being registered affects an unregistered plot.*

Is the plot of ground to which this application relates the benefited subjects in relation to any servitude?

Yes or No

If yes, how was the servitude right created? - in a deed or by prescription

Where the plot of ground is the benefited subjects in relation to a servitude right(s) created in a deed(s) please specify the deed(s) (or provide the number of the deed on the inventory of deeds attached to this form) in which the right was constituted.

Where the servitude right has been constituted by prescription under the Prescription and Limitation (Scotland) Act 1973 the application must include the particulars of the servitude and include a plan or a description sufficient to enable the Keeper to delineate the extent of the servitude on the cadastral map.

Heritable Securities - Guidance - *This question is only applicable where the deed being registered affects an unregistered plot.*

Has a search been carried out in the General Register of Sasines to determine if there are any outstanding heritable securities affecting the plot of land?

Yes or No

Is this search certified to the same date as the search of the RoI?

Yes or No

If no, please provide the date to which the last search was certified.

Where the plot of ground is affected by an outstanding heritable security please specify the details of the security or the deed inventory number.

Burdens - Guidance - *This question is only applicable where the deed being registered affects an unregistered plot.*

Is the plot of ground to which this application relates subject to any encumbrance within the meaning of section 9 (e.g. a long lease, long sub-lease, public right of way, path order, tree preservation order or any other encumbrance the inclusion of which in the register is permitted or required, expressly or impliedly, by an enactment)?

Yes or No

If yes, please provide details.

Extension of warranty

Are you applying for an extension of warranty under section 75(1)?

Yes or No

If yes, please indicate the relevant subsection of section 73(2) in respect of which you are applying.

Evidence in line with the Keeper's published guidance must be included with the application or the application will be rejected.

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Further Information

If there is any other information material to this application that has not already been disclosed in this application or its accompanying documents, please provide details.

Declaration

Application to register deeds

I/We apply for registration of the deed identified in Part A of this form and certify that this application complies with the general application conditions in section 22, and the particular applicable conditions mentioned in section 21(2).

Where the certification above is made in relation to an application to register a deed, the validity of which is dependent on the registration of a related deed, please provide details of the related deed.

Application for voluntary registration

I /We apply for the registration of an unregistered plot of land.

I/We certify that this application complies with the requirements of sections 27 and 28.

I/We certify that the information given in this form and the answers to the above questions are complete and correct to the best of my/our knowledge and belief.

Name

Signature(s)

Date of Signing

Warning: In submitting this application you must take reasonable care to ensure that the Keeper does not inadvertently make the register inaccurate as a result of a change made in consequence of it. If you fail to do so you may be liable to pay compensation to the Keeper for any loss suffered as a result (see section 111).

Warning: It is an offence to knowingly or recklessly make a materially false or misleading statement, or to intentionally or recklessly fail to disclose material information, in relation to this application (see section 112).

Supplementary Information

Land Use Question

Please indicate the primary use of the plot of land:

- Residential
- Commercial
- Land Only
- Agricultural
- Forestry
- Other

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Inventory of Deeds

Item No.	Deed	Grantee	Date of Recording
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Additional Information Sheet(s) – Please use this sheet to provide details of any additional title numbers affected by the registration of the deed to which this application relates and any additional properties, applicants or granters referred to in the deed.

Additional Title Numbers

Additional Properties

Additional Applicants

Additional Granters

Regulation 15

PART 5

Land Registration etc. (Scotland) Act 2012

Application relating to a caveat

Agent Details

Agent's reference

Agent's telephone number

Agent's email address

Agent's name and address

Payment details

FAS number

Payment method

Subjects affected by caveat

Title number(s)

Property name

Property number

Street name

Town

Postcode

Description of plot of land with no postal address

Application type

- Noting of a caveat on a title sheet
- Renewal of a caveat
- Restriction of a caveat

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- Recall of a caveat
- Discharge of a caveat

Existing caveat application number (if affected by this application)

Applicant Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street name

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

Country

Registered Proprietor Details

Name

Designation

Signature

Date

Regulation 16

PART 6

Land Registration etc. (Scotland) Act 2012

Application to vary warranty

Agent Details

Agent's reference

Agent's telephone number

Agent's email address

Agent's name and address

Payment Details

FAS Number

Payment method

Subjects

Title number(s)

Property name

Property number

Street name

Town

Postcode

Description of plot of land with no postal address

Applicant Details

Individual

Prefix

Forename

Surname

Property name

Property number

Street name

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

Town

Postcode

Country

Non-natural person

Prefix

Name

Allocated number (if any, e.g. company number)

Property name

Property number

Street name

Town

Postcode

Variation of Warranty

In what respect is a variation of warranty sought?

Explain why it is appropriate for the Keeper to vary the warranty currently provided for.

To support this application, I/we enclose the documents/evidence listed below.

Signature

Date

SCHEDULE 2

Regulation 18(2)

Form of notification by prescriptive claimants

Name and address of prescriptive claimant
(See note 1 for completion)

Name and address of person notified
(See note 2 for completion)

Description of the land over which a prescriptive claim is sought
(See note 3 for completion)

Applicable paragraph of section 43(4) of the Act
(See note 4 for completion)

Evidence of links in title (required only where person notified under section 43(4)(b) of the Act)
(See note 5 for completion)

Service
(See note 6 for completion)

I swear or affirm that the information contained in this notice is, to the best of my knowledge and belief, true.

Signature of person sending notice

Date

Explanatory Note
(This explanation has no legal effect)

This notice is sent by a person who is seeking to become a prescriptive claimant under section 43 of the Land Registration etc. (Scotland) Act 2012 (“the Act”) in respect of the land detailed in the notice. This means that the person is seeking to register a disposition in their favour in the Land Register of Scotland which, on certain other criteria relating to possession being met, will result in them becoming the owner of the land in question. You have been notified as a person who (a) appears to be the proprietor of the land or (b) appears to be a person who may be able to become proprietor of the land or (c) as a representative of the Crown. The notice will specify which of the three categories you have been notified under. If you have been notified as a person who may become owner the links between the last known owner and you will be detailed in the notice.

This notice does not require you to take any action. However, if you consider that you do own or are capable of becoming owner of the land in question and you wish to challenge the prescriptive claim or to negotiate a sale you are advised to contact your solicitor or other adviser.

Please note if the prescriptive claim proceeds to registration you may be notified again by the Keeper of the Registers of Scotland. The Keeper’s notification will contain guidance on how to respond to that notification.

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*Notes for completion of the notification
(These notes have no legal effect)*

- 1 Insert the name and address of the person or persons seeking to take a disposition of the area of land. If there is an additional address for correspondence (such as a solicitor) you may also insert this here and specify it as the address for correspondence.
- 2 Insert the name and address of the person being notified.
- 3 Describe the land in a way that is sufficient to identify it. Where the land has been registered in the Land Register the description should refer to the title number(s) of the title sheets for the plot of land or the larger plot of land of which the land forms part. Otherwise it should normally refer to and identify a deed (or deeds) recorded in a specified division of the General Register of Sasines.
- 4 Insert whether the person is being notified under section 43(4)(a), (b) or (c) of the Act. Where notification is to the Crown in respect of land which has or may have passed to the Crown as bona vacantia or ultimis haeres then notification is to the Queen's and Lord Treasurer's Remembrancer. Where notification is to the Crown in respect of land which is or may be held by the Crown by virtue of the regalia majora, then notification is to the Crown Estate.
- 5 Where notification is by virtue of s 43(4)(b) list the midcouples or links between the person with the last recorded or registered title and the person being notified.
- 6 Service – Do not complete until a copy of the notice has been sent to the person being notified. Then insert "XXX has been sent a copy of this notice by (specify the method of delivery used in compliance with regulation 18(1)(b) of the Land Register Rules etc. (Scotland) Regulations 2014 on (date of posting) at (address in notice)".