
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 85

The Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) Regulations 2021

PART 4

Miscellaneous

Other

Notification of Keeper on event of death, winding up or dissolution

23.—(1) In the event of the death of an individual who is a recorded person, the executor of the individual must, as soon as reasonably practicable—

- (a) notify the Keeper of the individual’s death, and
- (b) provide the Keeper with the information mentioned in the second entry of column 3 of the table in regulation 12.

(2) Where paragraph (1) applies, the executor must also provide such further information in relation to the individual or the land as the Keeper may reasonably request.

(3) In the event of the death of an individual who is an associate, the executor of the individual must, as soon as reasonably practicable, notify the recorded person of the individual’s death.

(4) In the event of the winding-up or dissolution of a non-natural person (“the entity”) who is a recorded person, the person responsible for dealing with the assets or liabilities of the entity must, as soon as reasonably practicable,

- (a) notify the Keeper of the winding-up or dissolution, and
- (b) provide the Keeper with the information mentioned in the second entry of column 3 of the table in regulation 12.

(5) Where paragraph (4) applies, the person must also provide such further information in relation to the entity or the land as the Keeper may reasonably request.

(6) In the event of the winding up or dissolution of a non-natural person (“the entity”) who is an associate, the person responsible for dealing with the assets or liabilities of the entity must, as soon as reasonably practicable, notify the recorded person of the winding up or dissolution.

Commencement Information

II [Reg. 23](#) in force at 1.4.2022, see [reg. 1](#)

[^{F1}Provision where titles refer to former owner or tenant: trusts and unincorporated associations

23A.—(1) This regulation applies where—

- (a) land is owned or tenanted by a person as (as the case may be)—
 - (i) a trustee of, or otherwise on behalf of, a trust, or
 - (ii) a trustee of, or otherwise on behalf of, the members of an unincorporated body of persons,
 - (b) the person who is registered or recorded as being the owner or tenant (as such trustee or, as the case may be, person holding on behalf of the members of an unincorporated body) has ceased to be a trustee or person holding on behalf of the members of an unincorporated body (for whatever reason), and
 - (c) no other trustee or person holding otherwise on behalf of the trust or, as the case may be, unincorporated body is registered or recorded as being the owner or tenant of the land.
- (2) Where this regulation applies—
- (a) for the purpose of regulation 3(2)(a), each trustee, or person who holds otherwise on behalf of, the trust or, as the case may be, unincorporated body is to be treated as an owner or tenant of land,
 - (b) regulation 5(1)(b) does not apply if the reason for there being no associates of the recorded person is the application of this regulation,
 - (c) the provisions of regulations 16, 17 and 18 are to apply to the person’s registration as a recorded person as they apply to the person’s registration as an associate.
- (3) Where a person is a recorded person by virtue of this regulation (and not by virtue of being the owner or tenant of land within the meaning of regulation 2), the provisions applicable to that person as an associate will continue to apply, notwithstanding that the person is also recorded as a recorded person.
- (4) Where there is a duty under regulation 12 to notify the Keeper of an event mentioned in column 1 of the table, a person who is registered as a recorded person under the provisions of this regulation will comply with their duty if one form is submitted to cover the person ceasing to be both a recorded person and an associate.]

F1 [Reg. 23A](#) inserted (1.4.2022) by [The Land Reform \(Scotland\) Act 2016 \(Register of Persons Holding a Controlled Interest in Land\) Amendment Regulations 2021 \(S.S.I. 2021/495\)](#), regs. [1](#), [2\(2\)](#)

Commencement Information

I2 [Reg. 23A](#) in force at 1.4.2022, see [reg. 1](#)

Specified forms

24.—(1) This regulation applies if these Regulations require or authorise something to be in the specified form.

- (2) To be in the “specified form”, the thing must—
 - (a) be in a form specified by the Keeper for the purposes of the provision in which the expression occurs,
 - (b) be given in accordance with any requirements specified by the Keeper for the purpose.
- (3) The Keeper may specify a form for the purposes of paragraph (2)(a).
- (4) A form of notice specified by the Keeper under paragraph (3) may provide for—
 - (a) a single form to be used to give notice by more than one person, or
 - (b) a single form to be used by a person to give notice relating to more than one other person or event.

(5) The Keeper must publish each form specified under paragraph (3) in such manner as the Keeper considers appropriate.

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Commencement Information

I3 [Reg. 24](#) in force at 1.4.2022, see [reg. 1](#)

Provision of information by the Keeper to Scottish Ministers

25. The Keeper must provide to the Scottish Ministers any information that Scottish Ministers may require for the purposes of monitoring the operation and effectiveness of the RCI.

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Commencement Information

I4 [Reg. 25](#) in force at 1.4.2022, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) Regulations 2021, Cross Heading: Other.