



The Scottish Parliament
Pàrlamaid na h-Alba

Economy, Jobs and Fair Work Committee

Keith Brown
Cabinet Secretary for Economy,
Jobs and Fair Work

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Sent by email only

7 November 2017

Dear Cabinet Secretary,

The Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017 The Registers of Scotland (Digital Registration etc.) Regulations 2017

At its meeting on 7 November the Economy, Jobs and Fair Work Committee discussed the instruments set out above and agreed to seek your views on the following points.

The Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017

- As there was no consultation carried out on this Order, could you provide the Committee with information on how this policy was developed and the rationale for bringing it forward?
- Are you satisfied that the proposed Order strikes the right balance between the policy benefits of prescription and the rights of the existing owner and people other than the applicant who are interested in the land. If you are of the view that more work on prescriptive claimants is required at some future date, the Committee would welcome further details on this.

The Registers of Scotland (Digital Registration etc.) Regulations 2017

- The Committee would welcome an update on how the rollout of the digital discharge service is going and, in particular, whether there has been any formal evaluation of its progress.

- The Committee would like you to clarify the likely timescales for the extension of the digital registration service to dispositions and standard securities.
- The Committee would like your response to the suggestions made by some respondents to the consultation that i) the digital registration service is not suited to complex cases; and ii) the service should not be extended to dispositions and standard securities until the digital discharge service is a proven success.
- The Committee would like you to clarify whether voluntary registrations would be within the potential scope of the digital registration service as a result of the Regulation and if not, what the policy reasoning was for this?
- In relation to the exception for situations where the applicant has no access to a computer or the internet, how will applicants demonstrate to the Keeper their eligibility for this exception in practice?
- Why was a six month notice period opted for given the mixed response to this particular proposal on consultation?

I would be grateful if you could respond by close of business on Friday 10 November to allow the Committee to consider your response at its meeting on Tuesday 14 November.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gordon Lindhurst". The signature is written in a cursive style with a large, stylized flourish at the end.

Gordon Lindhurst MSP
Convener