

CHAPTER 105
LAND REGISTRATION ETC.

Interpretation of this Chapter

105.1 In this Chapter –

- “the 2012 Act” means the Land Registration etc. (Scotland) Act 2012;
- “plot of land” has the meaning given by section 3(4) and (5) of the 2012 Act;
- “proprietor” has the meaning given by section 113(1) of the 2012 Act.

Applications under Part 6 of the 2012 Act

105.2 – (1) An application under section 67(2) (warrant to place a caveat) of the 2012 Act shall be made by motion.

(2) The motion shall –

- (a) identify, by reference to section 67(1) of the 2012 Act, the type of civil proceedings constituted by the cause;
- (b) in respect of each plot of land, contain –
 - (i) a description of the registered plot of land;
 - (ii) the title number; and
 - (iii) the name and address of the proprietor;
- (c) where the caveat is to apply only to part of a plot of land, be accompanied by a plan indicating the part so affected.

(3) An application under the following provisions of the 2012 Act shall be made by motion –

- (a) section 69(1) (renewal of caveat);
- (b) section 70(1) (restriction of caveat);
- (c) section 71(1) (recall of caveat).

Form of orders under Part 6 of the 2012 Act

105.3. – (1) An order under section 67(3) or 69(2) of the 2012 Act shall be in Form 105.3-A.

(2) An order under section 70(2) of the 2012 Act shall be in Form 105.3-B.

(3) An order under section 71(2) of the 2012 Act shall be in Form 105.3-C.

Effect of warrant to place or renew caveat

105.4. A certified copy of the order in Form 105.3-A may be registered in the Registers of Inhibitions and Adjudications.

Form of decree of reduction

105.5. Where a deed mentioned in section 46A(2) of the Conveyancing (Scotland) Act 1924 is reduced, the decree of reduction shall be in Form 105.5.

Form of order for rectification of a document

105.6. An order for rectification under section 8 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 in respect of a document which has been registered in the Land Register of Scotland shall be in Form 105.6.