Na področju civilnega pravosodja se bodo postopki, ki še potekajo, in postopki, ki so se začeli pred koncem prehodnega obdobja, nadaljevali po pravu EU. Evropski portal e-pravosodje bo na podlagi vzajemnega priznavanja ohranil informacije, povezane z Združenim kraljestvom, do konca leta 2024.

Land registers in EU countries

Škotska

This section provides you with an overview of the land register of Scotland.

What does the Land Register of Scotland offer?

The Land Register of Scotland is one of 20 public registers held and maintained by the Registers of Scotland (RoS). The primary aim of RoS is to ensure the integrity of the registers under its control and provide public access to them. The Keeper of the Registers of Scotland is responsible for leading the organisation and delivering the strategic objectives agreed by the Board. The strategic objectives are aligned to the Scottish Government's purpose, national outcomes, programme for government, and economic and digital strategies.

The Land Register of Scotland is a digital, map-based public register of rights in land, backed by a state guarantee. It provides a once and for all examination of title deeds to a plot of land, consolidating various pieces of information and resulting in the production of a title sheet.

A title sheet contains the following information:

a description of the right in land by reference to the cadastral map (the map showing the totality of registered geospatial data in Scotland);

the name and designation of the proprietor of the property;

charges over the property; and

real burdens or conditions that affect the property.

The Land Register is gradually replacing the General Register of Sasines (the Sasine Register), another register maintained by RoS. The Sasine Register was established in the early 17th century, and is a chronological register of deeds relating to property.

To date, 68% of land and property titles in Scotland have been registered in the Land Register. This represents approximately 39% of Scottish land. RoS is working towards completing the Land Register by 2024. Completion of the Land Register is being achieved via three mechanisms:

voluntary registration;

new registration triggers (such as closure of the Sasine Register to standard securities (mortgages); and

Keeper-induced registration (KIR).

KIR was introduced by the Land Registration etc (Scotland) Act 2012 (the 2012 Act) and provides RoS with the power to move titles from the Sasine Register to the Land Register without an application being made by the owner. The completion of the Land Register will allow for easier, faster and cheaper property transactions.

RoS also administers three smaller registers relating to specific types of interest in land: the Crofting Register, the Register of Community Interests in Land (RCIL), and the Register of Applications by Community Bodies to Buy Land (RoACBL).

Crofting is a form of agricultural land tenure particular to Scotland, governed by specific statute and, since November 2012, capable of registration in the Crofting Register.

The Register of Community Interests in Land was established by statute in 2003, and contains statutory pre-emptive rights to buy land.

The Register of Applications by Community Bodies to Buy Land is a register in two parts, which contains applications by community bodies to buy (1) abandoned, neglected or detrimental land and (2) land to further sustainable development, in order to bring it back into productive use for the benefit of the local community. It was established by statute in 2016 and brought into force in June 2018 and April 2020.

Is access to the Land Register of Scotland free of charge?

Free online access is available for a certain amount of information held on the Land Register, including a snapshot of the cadastral map. A fee is applied to purchase property documents, the title sheet and title plan. Copies of title sheets or deeds from these registers may also be obtained for a fee.

How to search the land register of Scotland

Regardless of the format of the request, searches of the Land Register may be conducted through:

the name of the proprietor;

the address of the subjects of search;

the title number of the property; or

the cadastral map.

Searches of the Sasine Register, Crofting Register, RCIL and RoACBL may also be conducted against a number of searchable fields.

ScotLIS

Scotland's Land and Information Service (ScotLIS) is provided by RoS and allows everyone to access publically available data about land and property directly from the Land Register. ScotLIS offers information about:

when a property was last sold;

how much a property sold for;

whether a property is registered in the Land Register;

what the title number of a property is;

the boundaries of a property on an Ordnance Survey map;

ScotLIS continues to evolve, including a search by map feature introduced in 2019 enabling members of the public to find property information without the need for an address or title number.

History of the Registers of Scotland

Scotland has maintained public registers for approximately seven hundred years, with registers relating to land being kept in Edinburgh Castle from the 13th century onwards. The Sasine Register is the world's first national public register of property ownership rights, established by an Act of the (old) Parliament of Scotland in 1617, and has provided a public record of rights in property since that time.

The shift from a register of deeds to a register of titles began some eighty years before the Land Register itself was established by statute in 1979. The Land Register was introduced gradually, starting in 1981, and encompassed the whole of Scotland by 2003. The introduction of the Land Register along with a system of state guaranteed title to land removed significant risks and uncertainties inherent to property transactions prior to establishment of this register.

The 2012 Act commenced in December 2014. The main purpose of the Act was to reform and restate the law on the registration of rights to land in Scotland, realigning registration law with property law.

Related Links

Registers of Scotland

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