

*Draft Order laid before the Scottish Parliament under sections 116(4)(b) of the Land Registration etc. (Scotland) Act 2012, for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2017 No.**

**LAND REGISTRATION**

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

*Made* - - - - *December 2017*  
*Coming into force* - - *1st January 2018*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 45(7), 116(1) and 117 of the Land Registration etc. (Scotland) Act 2012<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 45(8) of that Act, they have consulted the Keeper of the Registers of Scotland.

In accordance with section 116(4)(b) of the Act, a draft of the Order has been laid before and approved by resolution of the Scottish Parliament<sup>(2)</sup>.

**Citation and commencement**

1. This Order may be cited as the Land Registration etc. (Scotland) Act 2012 (Amendment) Order 2017 and comes into force on 1st January 2018.

**Prescriptive claimants – notification by Keeper of the Registers of Scotland**

2. In section 45(5) of the Land Registration etc. (Scotland) Act 2012 (notification of prescriptive applications), for “within 60 days of the notice” substitute—

- “(a) in a case where the person, before the notice was given, informed the Keeper in writing that the person did not object to the application, within 7 days of the notice,
- (b) in any other case, within 60 days of the notice.”

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(1) 2012 asp 5, amended by S.S.I. 2015/265, S.I. 2013/1575, the Co-operative and Community Benefit Societies Act 2014 (c.14), section 151(4) and schedule 7, paragraph 1, S.S.I. 2014/190 and S.S.I. 2014/346.

(2) The powers in this Order are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). This Order is subject to the affirmative procedure by virtue of section 33(3) of that Act.