Draft Order laid before the Scottish Parliament under section 116(3)(k) and (l) of the Land Registration etc. (Scotland) Act 2012, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2025 No.

REGISTERS AND RECORDS

MOVEABLE TRANSACTIONS

The Registers of Scotland (Fees and Plain Copies) Miscellaneous Amendments Order 2025

Made - - - -	*2025*
Coming into force - -	*1st April 2025*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 107(1) and 110(1) and (2), of the Land Registration etc. (Scotland) Act 2012(**a**) and all other powers enabling them to do so.

In accordance with section 110(3) of that Act, the Scottish Ministers have consulted the Keeper of the Registers of Scotland about (among other things), the expenses incurred by the Keeper in relation to the matters specified in section 110(3)(a) of that Act, and the desirability of encouraging registering, recording and entering in any register under the management and control of the Keeper.

In accordance with section 116(3)(k) and (l) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Registers of Scotland (Fees and Plain Copies) Miscellaneous Amendments Order 2025 and comes into force on 1 April 2025.

Amendment of the Registers of Scotland (Fees) Order 2014

2.—(1) The Registers of Scotland (Fees) Order 2014(**b**) is amended as follows.

(2) In article 2(1) (interpretation), after the definition of "the 2003 Act", insert—

""the 2023 Act" means the Moveable Transactions (Scotland) Act 2023(**c**);".

(3) In article 3 (fees)—

(a) at the end of sub-paragraph (e) omit "and",

(**a**) 2012 asp 5.
(**b**) S.S.I. 2014/188, amended by S.S.I. 2014/346, S.S.I. 2015/265 and S.S.I. 2021/139.
(**c**) 2023 asp 3.

(b) after sub-paragraph (f), insert—

"(g) registering an assignation document in the Register of Assignations(**a**) is specified in Part 8 of Schedule 1;

(h) registering a constitutive document or an amendment document in the Register of Statutory Pledges(**b**) is specified in Part 9 of Schedule 1; and

(i) correcting an entry in the Register of Statutory Pledges statutory pledges record is specified in Part 9 of Schedule 1.".

(4) Schedule 1 is amended in accordance with paragraphs (5) and (6).

(5) In the table of fees in Part 7 (fees for access to a register under the management and control of the Keeper and information made available by the Keeper)(**c**)—

(a) in the entry for the Land Register and Register of Sasines, for "postage" substitute "postcode",

(b) in the entry for the Register of Inhibitions, Register of Judgements, Register of Deeds and Register of Protests, for "£35" substitute "£25",

(c) after the last entry for the Register of Community Interests in Land, insert—

"Register of Assignations	Extract of— Entry in the Register of Assignations assignations record Part of entry in the Register of Assignations assignations record Entry in the Register of Assignations archive record Part of entry in the Register of Assignations archive record Document in the Register of Assignations archive record Part of document in the Register of Assignations archive record	£35 plus VAT	-
Register of Assignations	Plain copy of—	£25 plus VAT	-

(**a**) The Register of Assignations was established by section 19 of the Moveable Transactions (Scotland) Act 2023 ("the 2023 Act") and is comprised of the assignations record and the archive record in terms of section 20 of that Act. "Assignation document" has the meaning given by section 1(1) of the 2023 Act.

(**b**) The Register of Statutory Pledges was established by section 81 of the 2023 Act and is comprised of the statutory pledges record and the archive record in terms of section 82 of that Act. "Constitutive document" and "amendment document" are to be construed in accordance with sections 45 and 113(1) of the 2023 Act respectively.

(**c**) The table was substituted by S.S.I. 2021/139.

	Entry in the Register of Assignations assignations record Part of entry in the Register of Assignations assignations record Entry in the Register of Assignations archive record Part of entry in the Register of Assignations archive record Document in the Register of Assignations archive record Part of document in the Register of Assignations archive record		
Register of Statutory Pledges	Extract of— Entry in the Register of Statutory Pledges statutory pledges record Part of entry in the Register of Statutory Pledges statutory pledges record Entry in the Register of Statutory Pledges archive record Part of entry in the Register of Statutory Pledges archive record Document in the Register of Statutory Pledges archive record Part of document in the Register of Statutory Pledges archive record	£35 plus VAT	-
Register of Statutory Pledges	Plain copy of— Entry in the Register of Statutory Pledges statutory pledges record Part of entry in the Register of Statutory Pledges statutory pledges record Entry in the Register of Statutory Pledges archive record Part of entry in the Register of Statutory Pledges archive record Document in the Register of Statutory Pledges archive record	£25 plus VAT	-

Part document in the
Register of Statutory
Pledges archive record".

(6) After Part 7, insert—

"PART 8

Article 3(g)

Register of Assignations

Registration Fees

11.—(1) Where an application for registration of an assignation document is made under section 23(1) (application for registration) of the 2023 Act, the fee is £30.

(2) Where an assignation document mentioned in sub-paragraph (1) assigns different claims to different assignees, the fee is £30 for each claim for which registration is applied.

PART 9

Article 3(h) and (i)

Register of Statutory Pledges

Registration Fees

12.—(1) Where an application for registration of a constitutive document is made under section 86(1) (application for registration of statutory pledge) of the 2023 Act, the fee is £30.

(2) Where a constitutive document mentioned in sub-paragraph (1) creates more than one statutory pledge, the fee is £5 for each additional statutory pledge for which registration is applied.

(3) Where an application for registration of an amendment document is made under section 88(1) (application for registration of amendment) of the 2023 Act, the fee is £30 for each statutory pledge record entry amended.

Correction Fees

13.—(1) Where an application for correction of an entry in the statutory pledges record is made under section 96(1) (application by secured creditor for correction of statutory pledges record) of the 2023 Act, the fee is £10 for each entry corrected.

(2) Where an application for correction of an entry in the statutory pledges record is made under section 98(6) (demand that application for correction be made under section 96), the fee is £10 for each entry corrected.

(3) Where an application for registration of an amendment document as mentioned in paragraph 12(3) is made that also corrects the statutory pledges record in terms of section 96(1) of the 2023 Act, no additional correction fee is payable.".

Amendment of the Registers of Scotland (Information and Access) Order 2014

3.—(1) The Registers of Scotland (Information and Access) Order 2014(**a**) is amended as follows.

(**a**) S.S.I. 2014/189, to which there are amendments not relevant to this Order.

(2) In article 2(1) (information made available by the Keeper), after sub-paragraph (i) insert—

"(j) of, or any part of, an entry or document in the Register of Assignations;

(k) of, or any part of, an entry or document in the Register of Statutory Pledges.".

Name
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends both the Registers of Scotland (Fees) Order 2014 ("the Fees Order") and the Registers of Scotland (Information and Access) Order 2014 ("the Information Order") to provide for:

- the fees payable in relation to registration, correction, providing access to and information from the Register of Assignations and the Register of Statutory Pledges, both created by the Moveable Transactions (Scotland) Act 2023; and
- information to be made available by the Keeper of the Registers of Scotland ("the Keeper") in relation to the Register of Assignations and the Register of Statutory Pledges.

Article 2 amends the Fees Order by:

- extending the list in article 3 to provide for the fees payable in relation to registration in the Register of Assignations & registration and correction in the Register of Statutory Pledges;
- extending the table of fees in Part 7 of schedule 1 to provide for the fees payable for plain copies and extracts of information in either the Register of Assignations or the Register of Statutory Pledges and also to correct two minor typographical errors in S.S.I. 2021/139;
- amending schedule 1 by inserting two new Parts. Part 8 details the fees payable in relation to registration in the Register of Assignations. Part 9 details the fees payable in relation to registration and correction in the Register of Statutory Pledges.

Article 3 amends the Information Order to provide for the application and issue by the Keeper of plain copies of information in the Register of Assignations or the Register of Statutory Pledges.

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