

ARTL COMPATIBILITY GUIDELINES

1. COMPATIBLE APPLICATION TYPES

ARTL can **ONLY** be used to register **Dealings with Whole** over subjects which are already registered in the **Land Register**.

First Registrations, Transfers of Part and Sasine applications **CANNOT** be submitted using ARTL.

2. COMPATIBLE DEED TYPES

ONLY the following deed types can currently be created on ARTL:

Disposition (of the whole of the registered subjects, by all the registered proprietors)

Assignment of Lease (over the whole of the leased subjects)

Standard Security (by all and only the registered proprietors)

Discharge of a (single) Standard Security

Assignment of a (single) Standard Security

Charging Order

Discharge of a Charging Order

Notice of Payment of Improvement or Repairs Grant

Notice of Cessor of Improvement or Repairs Grant

Repayment Charge

NO OTHER DEED TYPE CAN BE SUBMITTED USING ARTL

3. INCOMPATIBLE TITLES

A small minority of registered titles are not compatible with ARTL. As soon as a user attempts to create an application over such a title they will receive the message 'Title not suitable for ARTL processing'.

Such titles may include those where:

- The subjects are held in *pro indiviso* shares
- The title sheet contains an exclusion of indemnity
- The title sheet includes reference to an entry in the Register of Inhibitions
- There is an order in terms of section 2 of the Mortgage Rights (Scotland) Act 2001
- The title sheet includes a Notice of Advance Payment of Compensation (except security transactions)
- The title sheet refers to an *ex facie* absolute title
- The title sheet includes a note relating to a Bond and Floating Charge or a Debenture
- Standard Securities are affected by ranking in terms of the Crofters (Scotland) Act 1993
- The title sheet may be rectified as a result of Court Proceedings
- An update to the plan or the A or D section is required

Please note that some titles may be compatible for a certain application type (e.g. Discharge or Standard Security only) but incompatible for another application type (e.g. a Transfer of Title).

4. INCOMPATIBLE DEEDS

Even if they fall into the compatible deed types listed above, some particular deeds cannot be created using ARTL.

Possible reasons include:

- Additional evidence or information is required by the Keeper in order to register the deed
- The deed template on ARTL does not provide for the additional information required to be narrated in the deed

LIST OF INCOMPATIBLE DEEDS

Any deed granted by:

- **A guardian or authorised person (legal incapacity)**
- **The executor/s of the registered proprietor**
- **The beneficiaries of the registered proprietor**
- **Trustees under a Trust Deed granted by the registered proprietor**
- **A trustee for a limited company**
- **A trustee in sequestration of the registered proprietor**
- **A creditor in virtue of power of sale**
- **A company or a receiver of a company in liquidation**

Conveyances:

- By A and B to A or B (e.g. on separation or divorce)
- Of property acquired in terms of an intervention or guardianship order
- In favour of a club or association if the trustees are designed as holders of specific offices
- Statutory conveyance
- Disposition and assignation
- By the registered proprietor(s) in respect of his/her/their share and as survivor(s) in respect of the deceased's remaining share

Standard Securities:

- Over part only of the registered subjects
- In respect of a discount
- In favour of a statutory body (including Scottish Ministers)
- In respect of a syndicated loan in favour of more than one financial institution
- By a registered creditor in favour of another financial institution

Discharges:

- Of a standard security over more than one title number
- Deed of restriction
- Combined partial discharge and deed of restriction
- Under the Adults with Incapacity (Scotland) Act 2000
- Containing a description in terms of Note 2(2) to Schedule 4 of the 1970 Act
- Of a standard security over a standard security
- Discharge *confusione*
- Discharge endorsed on the standard security

If you have any further queries about compatibility with ARTL please contact eServices on 0800 028 9296 or email eservices@ros.gov.uk.