

## **ISLANDS COMMUNITIES IMPACT ASSESSMENT**

Please ensure this template is completed in conjunction with the ICIA Guidance on the [Scot Gov Website](#)

Name of Policy, Strategy or Service	The Registers of Scotland (Information and Access, etc.) Miscellaneous Amendment Order 2022
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### **STEP ONE – DEVELOP A CLEAR UNDERSTANDING OF YOUR OBJECTIVES**

<ul style="list-style-type: none"><li>• What are the objectives of the policy, strategy or service?</li><li>• What are the intended impacts / outcomes and how do these potentially differ in the islands?</li></ul>	<p>This Order complements the Registers of Scotland (Digital Registration, etc.) Regulations 2022, which will open up the Books of Council and Session (BCS) to electronic documents from 1<sup>st</sup> October 2022. It sets out the basis on which the Keeper must issue BCS extracts, and the default form these extracts should take. Where an electronic document is registered, the default form of extract issued will be an electronic document. Where a paper document is registered, the default form of extract will be a paper document. In both cases, paper/electronic extracts will also be available on request.</p> <p>In addition, this Order also clarifies that extracts of deeds registered in the Register of Sasines can be issued as electronic documents where the applicant requests. This brings the Register of Sasines into line with the Land Register provision at section 104(7) of the Land Registration etc. (Scotland) Act 2012.</p> <p>Finally, this Order makes a number of clarificatory amendments to the Writs Execution (Scotland) Act 1877 to reflect that BCS and Register of Sasine extracts issued by Registers of Scotland, and BCS extracts issued by National Records of Scotland, can be issued in electronic form, and to remove reference to legislation which is no longer in force.</p>
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	<p>The Keeper of the Registers of Scotland is named as one of the relevant authorities subject to the duties at s. 7 of the Islands (Scotland) Act 2018.</p> <p>As the Order simply sets out the default form of extract to be issued, as opposed to mandating the use of digital or paper extracts, no impact on any customer group is foreseen. Customers will be free to choose the form of extract they receive. The provision of digital extracts is likely to be popular with islands customers, including the conveyancing provision, as the reliance on a postal service is removed from the request process, enabling RoS to provide a faster, more reliable service.</p>
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## STEP TWO – GATHER YOUR DATA AND IDENTIFY YOUR STAKEHOLDERS

<ul style="list-style-type: none"><li>• What data is available about the current situation in the islands?</li><li>• Who are your Key Stakeholders?</li><li>• How does any existing data differ between islands?</li><li>• Are there any existing design features or mitigations in place?</li></ul>	<p>The requirement to request extracts of documents registered in the Books of Council and Session or Register of Sasines is the same for those who either reside on the Scottish mainland as it is for those who reside on the Islands. Having publicly consulted on these proposals, we are not in possession of any such data that indicates that those living in Island communities are adversely affected by the proposals.</p> <p>Our key stakeholders comprise members of the conveyancing profession, including solicitors and institutional lenders.</p> <p>No evidence has been presented as part of the consultation to indicate differing island circumstances that required to be taken into account.</p> <p>None required. No evidence has been presented as part of the consultation that indicate any island circumstances that required to be taken into account. The Order does not mandate a particular form of extract to be issued – parties are free to request whichever form of extract they wish.</p>
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### STEP THREE - CONSULTATION

<ul style="list-style-type: none"><li>• Is there are information already gathered through previous engagements?</li><li>• How will you carry out your consultation and in what timescales? Public meetings/ Local Authorities / Key Stakeholders</li><li>• What questions will you ask when considering how to address island realities?</li><li>• Separate consultation events for Island communities / Local Authorities?</li></ul>	<p>Registers of Scotland carried out a public consultation on behalf of Ministers between 22 December 2020 and 1 February 2021 on these proposals. This included the issuing of digital extracts across a number of registers under the control of the Keeper of the Registers of Scotland.</p> <p>The consultation and analysis is published on the Registers of Scotland website, and was advertised through social media and certain stakeholders were emailed directly to invite them to respond.</p> <p>Respondents were overwhelmingly positive in supporting the provision of digital extracts where requested by customers. No evidence has been presented as part of the consultation that indicated any island circumstances or realities that require to be taken into account.</p> <p>No evidence has been presented as part of the consultation that indicated any unique island impacts, accordingly no separate consultation activity was deemed necessary.</p> <p>In addition, impact assessments for the Registers of Scotland (Digital Registration, etc.) Regulations 2022, which this Order complements, were carried out and were published on the Registers of Scotland website.</p>
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## STEP FOUR - ASSESSMENT

<ul style="list-style-type: none"><li>• Does your assessment identify any unique impacts on island communities? (Further detail in the Guidance)<ul style="list-style-type: none"><li>○ Demographic</li><li>○ Economic</li><li>○ Gaelic</li><li>○ Social</li></ul></li><li>• Does your assessment identify any potential barriers or wider impacts?</li><li>• Are there mitigations already in place for these impacts raised?</li></ul>	<p>No evidence has been presented as part of the consultation or subsequent stakeholder feedback that indicated any unique island impacts that require to be taken into account.</p> <p>No potential barrier or wider impacts identifier other than some potential benefits to island communities through a reduced reliance on physical transmission of documents.</p> <p>As explained above, customers will be free to choose the form or extract they wish.</p>
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## Is a full Islands Communities Impact assessment Required?

<p>You must now determine whether, in your opinion, your policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities).</p> <p>To form your opinion, the following questions should be considered:</p>	<p><b>A full impact assessment is not required as the proposal is not likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities).</b></p> <p><b>As explained above, customers will be free to choose the form or extract they wish.</b></p>
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<ul style="list-style-type: none"> <li>• Are there mitigations in place for the impacts identified and noted above from stakeholders and community consultations? (further ICIA action not required, complete section below and publish)</li> <li>• Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?</li> <li>• Are these different effects likely?</li> <li>• Are these effects significantly different?</li> <li>• Could the effect amount to a disadvantage for an island community compared to the mainland or between island groups?</li> </ul> <p>If your answer is No to the above questions, please complete the box below.</p> <p>If the answer is Yes, an ICIA must be prepared and you should proceed to Step 5.</p>	<p><b>No evidence has been presented as part of the consultation that indicated any unique island impacts that require to be taken into account.</b></p>
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**A Full Islands Community Impact Assessment is NOT required**


In preparing the ICIA, I have formed an opinion that our policy, strategy or service is NOT likely to have an effect on an island community which is NOT significantly different from its effect on other communities (including other island communities). The reason for this is detailed below.

Reason for not completing a full Islands Communities Impact Assessment:

A full impact assessment is not required as the proposal is unlikely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities).

As explained above, mitigations will continue to be provided to facilitate the use of paper submission, for example in situations where applicants have no or insufficient broadband access for a defined period (48 hours or more).

No evidence has been presented as part of the consultation that indicated any unique island impacts that require to be taken into account.

Screening ICIA Completed by	<b><u>Harry Murray/Jonathan Hodge</u></b>
Position	<b><u>Policy Lead, Registers of Scotland</u></b>
Signature and Date	<b><u>Jonathan Hodge, 20<sup>th</sup> May 2022</u></b>
ICIA Authorised by	<b><u>Dr Janet Egdell</u></b>
Position	<b><u>Accountable Officer</u></b>
Signature and Date	 <b><u>20 May 2022</u></b>

