

Response ID ANON-CEQC-5NFT-S

Submitted to **Digital Transformation: Next Steps**

Submitted on 2017-02-16 11:17:24

Part 1 - New digital services in the Keeper's registers

1 Do you agree that transition to a digital first service should be the next step?

Yes

Comments:

With so much business now conducted digitally it makes sense to move towards a digital first service provided it is secure.

2 Do you agree with the proposed timescale of 1 April 2018 for prescribing that advance notices over part be fully digital?

Yes

Comments:

The sooner the better. Having to complete the form online and then print it off and send it to the Registers with a hard copy plan is counter-intuitive in this digital age.

3 Do you agree with a notice period of six months?

Yes

Comments:

This should provide sufficient time for firms to adjust their internal processes to suit the new systems introduced by the Registers.

4 Do you agree the initial focus for digital registration, following launch of the digital discharge service, should be provision of channels aimed at standard securities and dispositions?

Yes

Comments:

It makes sense to focus on the most widely used documents to maximise return on the investment in developing the digital service and to build familiarity for users with the digital service as quickly as possible.

5 What deed types do you consider we should prioritise for new services subsequent to securities and dispositions?

Comments:

We suggest that the next most frequently used documents are prioritised.

6 Do you consider that for the limited purpose of dual recording, it should be permissible to record an electronic deed in the sasine register or should be permissible to record a paper copy of the digital deed?

Comments:

Yes, the circumstances in which this is required will become fewer and fewer as more of the country becomes Land Registered so a temporary fix is all that is required.

7 Do you agree that ten working days from the date of digital submission is an appropriate period to allow the prior deeds to be submitted?

Yes

Comments:

That should be more than sufficient time as the deeds will be ready to send as soon as the digital submission is made.

8 Do you have a view on alternative ways you would like to present supporting documents accompanying a digital application?

Yes

Comments:

Could the supporting deeds be scanned in and attached to the digital application to ensure that the deeds do not get separated from the application?

Part 2 - Digital application form and submission process

9 Do you agree with the main changes that we propose to make to the application form?

Yes

Comments:

Simplifying the form and making it easier to complete correctly will be a huge boon to the conveyancing process. We would welcome the opportunity to review the proposed form before launch to see if there are other changes we can suggest.

10 Are there any other changes you suggest we should make with a view to simplifying it and making it easier to follow?

Yes

Comments:

Remove the title examination question- it's covered in the statutory duty of care. We need to limit the opportunity for inconsistency between the deed inducing registration and the application form by keeping the application form as simple as possible.

11 Do you agree that instead of prescribing the content of the application form in the Land Register Rules, the keeper should publish the land registration application form on an administrative basis so that it can be amended from time to time, following consultation and due notice, without the need for changes to be made to the rules?

Yes

Comments:

We think this is a good idea given that the conveyancing process will change rapidly over the next few years. The application form may need to be amended on a number of occasions as technology develops and it would be unworkable if subordinate legislation were required for each change.

12 Do you agree that this approach should be adopted for both applications submitted on paper and applications prepared through a digital service provided by the keeper?

Yes

Comments:

About You

What is your name?

Name:

██████████

What is your email address?

Email:

████████████████████

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

██████████████████

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name) - Individuals only

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Neither satisfied nor dissatisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Very satisfied

Please enter comments here.:

The platform is very easy to use and it is great that you can save and come back later.