

Response ID ANON-CEQC-5N5Z-E

Submitted to **Digital Transformation: Next Steps**

Submitted on 2017-02-16 11:50:55

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:

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

No

Comments:

It would be preferable if the time scale could be brought forward; however, I do appreciate that there will be logistical and IT issues with bringing the proposal forward.

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

Yes

Comments:

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:

However, I believe it will be very difficult to implement a fully digital service until all properties are land registered.

Thereafter, it may still be difficult as when splitting off land from a registered title there would need to be provision for imposing title conditions/encumbrances. There is not a finite list of such matters and as such there would have to be provision for entering the specifics of the title conditions in question.

A box in which you can type in the wording would be useful; however, there would have to be provision for the wording to be amended as there is undoubtedly doing to be a period of negotiation between solicitors on bespoke title conditions.

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

Comments:

On the assumption that the Digital Discharge system will, through its iterative development evolve to include provision for Deeds of Restriction, the next deed types to be prioritised should be those imposing title conditions (Deeds of Real Burdens, Deeds of Servitude and Deeds of Conditions).

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:

Both.

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:

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

Yes

Comments:

Each case worker within ROS could have a separate mailbox set up in which they would be able to accept scanned copies of the supporting documentation.

Another option is for the use of upload services such as Dropbox or WeTransfer where by firms who have the capability, can set up a file sharing service and the link can be provided to the caseworker who can download the electronic copy of the prior writ.

Presumably this would save some work at Registers as unless in a research area I believe the prior writs may need to be scanned in to form part of the Archive Record. This could be a quicker more time efficient task if the supporting documentation (where possible) is provided in electronic form. Similar to providing underlying plans data.

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:

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

No

Comments:

The form is pretty straightforward as it is, tweaking the wording in the form to simplify may make the form more user friendly and reduce rejections.

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:

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:

One comment I have in relation to re-using information is that it is stated in page 15, Annexe B to the paper consultation, that it is proposed that information from an Advance Notice is used for the Disposition, one piece of information is the FAS number.

This will not work as it is the Seller who submits the Advance Notice (and as such their FAS account is debited) whereas it is the Purchaser who submits the Disposition (and should be their FAS account which is debited for the registration dues of the Disposition).

Minor point but worth noting I feel.

About You

What is your name?

Name:

██████████

What is your email address?

Email:

████████████████████

Are you responding as an individual or an organisation?

Individual

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.: