

Consultation on Digital Transformation – Next steps

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

1. McJerrrow & Stevenson 2. A M Simpson & Son	3. Henderson & Mackay 4. Stevenson & Johnstone
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Phone number 1. 01576 202123
 2. 01683 221162
 3. 01576 202137
Address 4. 013873 80428

1. 55 High Street, Lockerbie 2. 14 Well Street, Moffat 3. Victoria Square, Lockerbie 4. 38 High Street, Langholm

Postcode

1. DG11 2JJ 2. DG10 9DP	3. DG11 2JP 4. DG13 0JH
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Email

1. dg.mcjerrows@btconnect.com 2. ams@am-simpson.co.uk	3. info@lockerbielaw.co.uk 4. office@sandjlangholm.co.uk
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Registers of Scotland (RoS) would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (anonymous) – Individuals only
 Do not publish response

We will share your response internally with other RoS 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 Registers of Scotland to contact you again in relation to this consultation exercise?

- Yes
 No

Meeting held at the offices of McJarrow and Stevenson on the 16th February, 2017, among members of staff of McJarrow & Stevenson, 55 High Street, Lockerbie, DG11 2JJ, A.M. Simpson & Son, 14 Well Street, Moffat, DG10 9DP, Henderson and Mackay, Victoria Square, Lockerbie, DG11 2JP and Stevenson & Johnstone, 38 High Street, Langholm, DG13 OJH, to discuss and respond to Registers of Scotland on “Digital Transformation – Next Steps”.

Comments on the proposals set out in the consultation paper are as follows:-

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

The general consensus was “no in principle” but was accepted that it will happen anyway.

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

Yes.

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

Prefer 1 year minimum.

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. However, please give consideration to a very important concern that if solicitors are to sign Standard Securities on behalf of clients then it can only be done on an irrevocable mandate from client. Consideration will also be required as to how the Standard Security will stand up to any challenge through the Courts in a repossession case. What if the borrower disputes that the standard security was signed on his behalf – what evidence would be required to prove that the solicitor acted on his behalf – would irrevocable mandate be sufficient to prove this?

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

Deed of Variation/Deed of Restriction/Deed of Servitudes etc.

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?

Yes. It is your process as to how this happens. Can the dual registration form be changed?

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?**

30 days from submission.

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

Yes – the view is that the deeds are either already recorded in the Sasine Register or registered in the Land Register and therefore readily accessible to Registers of Scotland.

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

Yes.

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

Application forms populate wrong/incomplete addresses, postcodes whole of the UK (English mainly)

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?**

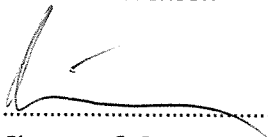
Yes.

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.



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McJerrrow & Stevenson



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A.M. Simpson & Son

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Henderson & Mackay

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Stevenson & Johnstone

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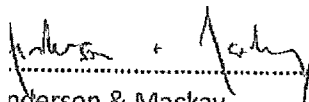
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Jarrow & Stevenson

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A. Simpson & Son


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Anderson & Mackay

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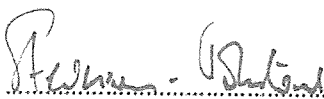
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