

CRWIA Stage 1

[Screening - key questions](#)

(Hyperlink will only work within SG)

1. Name the policy, and describe its overall aims.

THE REGISTERS OF SCOTLAND (DIGITAL REGISTRATION, ETC.) REGULATIONS 2022

Policy Aim

Following closure of her offices on 24th March 2020, the Keeper of the Registers of Scotland (RoS) introduced a digital submission service in collaboration with customers to enable applications to the Land Register, Register of Sasines and Register of Inhibitions to be submitted electronically, allowing these registers (and the property market and court processes which they support) to remain operational during the period of public health restrictions. These applications comprised electronic copies of traditional (i.e. paper) documents.

Measures to place digital submission on a permanent statutory footing will be taken forward as part of a wider bill related to recovery from the Covid pandemic. These regulations are intended to complement those provisions and to make digital submission the default method of submission to RoS for the Land Register and Register of Sasines applications, subject to limited exceptions. In addition, they will enable the registration of full electronic documents in the Register of Deeds and Probative Writs in the Books of Council and Session as well as a number of technical amendments aimed at clarifying issues in relation to electronic documents that have been identified as a result of the increased use of electronic documents and signatures during the ongoing period of public health guidance.

Who will it affect?

This will affect all existing customers who submit applications to the three affected registers, in particular, the conveyancing profession. All of RoS's existing customers have successfully transitioned to the digital submission service, and its popularity is evidenced by the strong support received through the public consultation.

Whilst the digital submission service will become the default method of submission to RoS, processes will be in place to support the small number of applications that still require to be submitted on paper. Such applications may be required because the applicant has no access to RoS online services (for example, because they are a citizen carrying out their own conveyancing), or where the applicant is unable to use online services for accessibility reasons.

2. What aspects of the policy/measure will affect children and young people up to the age of 18?

The Articles of the UN Convention on the Rights of the Child and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014 apply to all children and young people up to the age of 18, including non-citizen and undocumented children and young people.

To determine whether these provisions will have an impact on different age groups, Registers of Scotland has undertaken an Equality Impact Assessment on behalf of the Scottish Government. As part of the assessment, it was identified that the proposals are unlikely to affect different age groups.

Furthermore, the policy proposals were further reviewed against the Articles of the UNCRC and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014. Based on that, it was concluded that no specific aspects of the proposals are expected to affect children and young people up to the age of 18. More specifically the proposals will not have any direct impact on children and young people as the digital submission systems are open only to solicitors and conveyancing professionals, with the very small number of individuals who wish to carry out their own conveyancing on behalf of children still able to do so, with those individuals submitting paper deeds.

3. What likely impact – direct or indirect – will the policy/measure have on children and young people?

The proposals will not have any direct impact on children and young people as the digital submission systems are open only to solicitors who are adults, with the very small number of individuals who wish to carry out their own conveyancing on behalf of children still able to do so, with those individuals submitting paper deeds. There is likely to be no or limited indirect impact on children or young people and therefore the duty under Article 27 is not considered to be considerably adversely impacted.

4. Which groups of children and young people will be affected?

No specific groups of children are expected to be affected by the proposals. The parents or caregivers of children living in poverty may be less likely to purchase property and therefore incur the costs of paying registration fees.

5. Will this require a CRWIA?

Explain your reasons.

No. The proposals do not contain any measures which will have a direct impact on children and young people under the age of 18.

CRWIA Declaration

Tick relevant section, and complete the form.

CRWIA required

CRWIA not required

X

Authorisation

Policy lead

Harry Murray
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Harry Murray
Registers of Scotland

Date 13 December 2021

Deputy Director or equivalent

Jennifer Henderson
Keeper and Chief Executive of the Registers
of Scotland

Jennifer Henderson
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Date 13 December 2021