

Minister for Enterprise, Energy and Tourism

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The Hon Lord Drummond Young
Chairman
Scottish Law Commission
140 Causewayside
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10⁵ June 2010

Dear Lord Drummond Young,

Scottish Law Commission Report on Land Registration (Scot Law Com 222)
Registers of Scotland

On behalf of the Scottish Government, I write to convey the Scottish Government's thanks for your Report on Land Registration, published in February. We are keenly aware of the importance of an effective land registration system, and of the certainty as to and security of land rights which that brings. This is vital to Scotland's overall economic well-being and also to individual citizens and businesses the length and breadth of the country. We agree with Commissioners that we are fortunate to already have very effective property registration but that there is scope for further improvement. Although necessarily a long term goal, the strategic importance of putting measures in place to complete the ongoing transition from the historic Register of Sasines to a complete national Land Register of mapped and guaranteed titles is absolutely clear. Likewise the many features of your recommendations that would put existing, valuable features of the Land Registration system onto a sound statutory footing would undoubtedly increase certainty and aid the Keeper of the Registers of Scotland in her task of maintaining the Land Register.

As you know, the subject matter of your Report falls within devolved competence. Other legislative priorities and lack of Parliamentary time are such that it would be unlikely that so large a Bill as your draft Bill on Land Registration could be introduced to the Scottish Parliament within what remains of the current session. In any event, before reaching a concluded view on some aspects of your recommendations, we wish to await the outcome of a further consultation which the Keeper intends to carry out over the summer. Given that some significant recommendations in your Report, such as those relating to shared plot title sheets, advance notices and electronic conveyancing, were not trailed in your earlier Discussion Papers, and also the great importance of getting the details of the scheme of title guarantee right, further engagement with stakeholders appears necessary and appropriate in advance of introduction of any Bill. The consultation will begin very shortly and officials at

Registers of Scotland will contact Professor Gretton when this has been cleared for publication. In the meantime, I again thank the Commission for your comprehensive, detailed and carefully considered Report on this important topic.

Yours sincerely
Jim Mather

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