Land Registration in Scotland
- Changing from a Deeds to a Title Registration System

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Registers of Scotland

• Land & property registration organisation for Scotland
• Self-financing Government Agency
• 1500 staff
• Offices in Edinburgh and Glasgow
• Responsible for 16 public registers
Key Registers

- Register of Sasines (Deeds Register)
- Land Register
Key Differences between the Register of Sasines and the Land Register

Register of Sasines
- A register of deeds
- Not map-based
- Title established through examination of prior deeds
- Not guaranteed

Land Register
- A register of interests in land
- Map-based
- Title derives from the register; simpler, faster conveyancing
- Guaranteed
Development of the Land Register
Reasons for Change

• Inaccuracy and inefficiency of existing narrative descriptions/deed plans
• Deeds registration did not guarantee validity
• Time-consuming and complex title checks
• Title registration would provide definitive title, with reference to a map and with a State guarantee
The Land Registration (Scotland) Act 1979

- First county introduced on 6 April 1981
- First Registration applications validated by Registers of Scotland
- Title Sheet created
- Land and Charge Certificates issued
Land Certificate

- 4 sections:
  1. description & Title Plan
  2. proprietor(s)
  3. charges (mortgages)
  4. burdens
- Unique Title Number, e.g., GLA 98667
Sporadic versus Systematic Change

• Main Reasons for sporadic approach:
  – Cost
  – No urgent property market pressures
  – Staffing and training issues
  – Impact on legal community and customers
  – Ordnance Survey mapping

• Systematic registration can be adopted at later date
The Costs of Change

• Key costs: staff, training and IT

• Over 150% increase in staffing levels

• Full cost recovery still achieved

• Unit cost reducing with ongoing efficiency improvements
The Benefits of the Title Registration System
Customer Service

• A more comprehensive and efficient registration service for the citizens of Scotland
• Key benefits:
  – indemnity
  – accessibility
  – still public and open to all
  – more compact data provision, storage and archiving
  – security
• Conveyancing process simplified
Information Provision and e-Services

- Better property market statistics and services
- Benefits to creditors, valuation experts, investors and to business
- Supports e-Government initiatives
- Computerised registers allowed development of more comprehensive services, including mapping element
Examples of Services

- **REGISTERS DIRECT**
- Recent localised house prices via www.scotlandshouseprices.gov.uk
- Individual Property Prices
- Average Property Prices
- Volumes of Sales
- Land Values - Bulk Data
- Customised Reports
- Spatial Data from Digital Mapping System
Income

- Registration fees the same
- Development of information services has boosted income
  - Registers Direct provides income of over £400,000 per month
Looking to the Future

- Automated Registration of Title to Land
- Registration fee review
Potential Benefits in the Indian Context

- Less land disputes
- Security for credit, business growth and investment
- Greater control, e.g. illegal building
- Service development
- Monitoring of land markets
- Tools to support planning and development
- More cost effective services
Questions?