

Dear Colleague

HERITABLE ASSET REGISTRATION PROGRAMME TRANSFER FROM THE SASINE REGISTER TO THE LAND REGISTER

It is a policy requirement of Scottish Ministers for the Land Register of Scotland to be completed by 2024 including registering all public land by 2019. The Land Register of Scotland is a digital, map-based public register of land and property ownership. The information held will be secure, reliable, and accessible and will reduce the costs of transacting in property.

All of Scotland's land will be registered for the first time which will provide a clear understanding of who owns our land. An efficient, effective and indemnified land registration system is recognised by the World Bank as one of the most important factors in achieving economic development and business growth.

Scottish Ministers have set a target for all property to be transferred from the existing General Register of Sasines (an old system based on Feudal Law) to the Land Register by 2024. To assist in creating momentum in this process, the Scottish Ministers have further decided that all public sector land in Scotland must be registered in the Land Register by 31 May 2019.

In relation to NHS owned property, this will be effected by Health Boards working in conjunction with the NHS Central Legal Office (CLO) in order to complete a voluntary registration of those titles transferring from the existing General Register of Sasines into the Land Register.

The processes by which this matter should be taken forward are as follows:

1. This programme requires to be implemented by May 2019.
2. Health Boards should address these requirements as part of their normal business and fund from existing resources.
3. All Health Boards are to instruct CLO to commence work on their behalf and identify the principal contact point within the Board for the programme. These instructions should be issued within four weeks of the date of this CEL.
4. CLO have prepared asset lists for each Health Board and will contact each Board to have the asset lists vetted and agreed. Health Boards should decide the priority ordering for the voluntary registration of assets within their Board area.

**DL (2016) 9
22 April 2016**

Addresses

For action

NHS Board Chief
Executives;
NHS Directors of Strategic
Planning
NHS Directors of Estates
NHS Heads of Property
Assets

For information

NHS Directors of Finance

Enquiries to:

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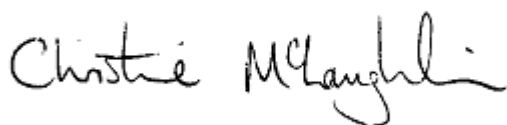
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5. CLO will examine the title to the individual properties and report to Health Boards on the relevant terms. Health Boards are required to provide to CLO assistance in identifying relevant boundaries and issues affecting the titles.
6. It is recognised that the voluntary registration process may require resolution of third party interests prior to any application being submitted to the Keeper of the Land Register. Any titles so affected will be identified and exempted from the May 2019 deadline; however the expectation is that such issues will be resolved and the voluntary registration will proceed as soon as possible thereafter.
7. While Endowments are outwith the scope of the policy, the Board's Endowment Trustees should consider the merits of preparing heritable asset lists with a view to assessing the merits of a voluntary registration exercise of their own.
8. The Keeper of the Land Register has agreed to appoint a specific contact with whom CLO and Health Boards may liaise as appropriate.
9. The CLO will initiate communication with the Keeper on voluntary registration fees.
10. CLO and the Health Boards will be required to report their progress on the implementation of the programme to the Scottish Government quarterly. The exact form which this report will take will be discussed and agreed through the NHS Strategic Facilities Group.
11. The previously established Project Board will be disbanded.

The CLO have prepared initial Asset Lists for all territorial Boards plus the Scottish Ambulance Service and they indicate that approximately 1,000 assets would be open to the Asset Registration Programme, therefore it is important that Boards take appropriate action quickly to ensure that we deliver against Government policy.

The Registers of Scotland has prepared a helpful [Frequently Asked Questionnaire](#) which provides more details on the scheme.

Yours sincerely



Christine McLaughlin
Director of Health Finance