



Public Appointments and Public Bodies etc. (Scotland) Act 2003

2003 asp 4

PART 2

PROVISION AS TO CERTAIN PUBLIC BODIES ETC.

Law Society functions etc. as to certain legal services

14 Exercise by certain practitioners of notarial and other functions

- (1) The functions of a notary public specified in subsection (2) may be exercised in any case by an independent conveyancing practitioner instead of a notary public provided that the exercise of any such function by the practitioner is in connection with other conveyancing services being provided by the practitioner in the case.
- (2) The functions are the functions of a notary public exercisable in pursuance of—
 - (a) sections 1(5) and (6), 6(3)(e), 8(2) and (2A) (which concern administering oaths and receiving affirmations in relation to certain matters) of the Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c. 59); and
 - (b) section 18(4) (administering oaths and receiving affirmations in relation to reallocation of real burdens) of the Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5).
- (3) The functions exercisable in pursuance of section 9 (subscription of documents on behalf of grantor who is blind or unable to write) of the Requirements of Writing (Scotland) Act 1995 (c. 7) by a relevant person (within the meaning of subsection (6) of that section) may be exercised in any case, instead of by a relevant person—
 - (a) in so far as relating to the execution of dispositions or standard securities, by a conveyancing practitioner; or
 - (b) in so far as relating to testamentary documents, by an executry practitioner.
- (4) In this section, the expressions “conveyancing practitioner”, “conveyancing services”, “executry practitioner” and “independent conveyancing practitioner” are to be construed in accordance with section 23 (interpretation of sections 16 to 22) of the Law

Status: This is the original version (as it was originally enacted).

Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40) (in this Act referred to as “the 1990 Act”).

- (5) The Scottish Ministers may by order amend the specification of provisions in subsection (2).