



# Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

## PART 5

### INHIBITION

#### *Breach*

#### 162 Registration of notice of litigiousity and discharge of notice

After section 159 of the 1868 Act insert—

##### **“159A Registration of notice of summons of action of reduction**

- (1) This section applies where a pursuer raises an action of reduction of a conveyance or deed of or relating to lands granted in breach of an inhibition.
- (2) The pursuer shall, as soon as is reasonably practicable after the summons in the action is signeted—
  - (a) register a notice of that signeted summons in accordance with section 159 of this Act; and
  - (b) register in the Land Register of Scotland or, as the case may be, record in the Register of Sasines a copy of that notice.
- (3) Where a decree of reduction is not obtained in the action to which the notice relates, the pursuer shall, as soon as is reasonably practicable—
  - (a) register in the Register of Inhibitions; and
  - (b) register in the Land Register of Scotland or, as the case may be, record in the Register of Sasines,a discharge of that notice in (or as nearly as may be in) the form prescribed.”.