



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 17

GENERAL AND MISCELLANEOUS

Execution of diligence: electronic standard securities

222 Registration and execution of electronic standard securities

- (1) The Requirements of Writing (Scotland) Act 1995 (c. 7) is amended as follows.
- (2) In section 6(1) of that Act (recording and registration of documents), after “subsection (3) below” insert “and section 6A of this Act”.
- (3) After section 6 of that Act insert—

“6A Registration for preservation and execution of electronic standard securities

- (1) This section applies where an electronic document, which creates a standard security over a real right in land, is presumed under section 3A of this Act to have been authenticated by the granter.
- (2) An office copy of the electronic document may be registered for preservation and execution in the Books of Council and Session or in the sheriff court books.
- (3) An office copy so registered is to be treated for the purposes of executing any diligence (including, for the avoidance of doubt, for the purposes of sections 1 and 2 of the Writs Execution (Scotland) Act 1877 (c. 40)) as if—
 - (a) the standard security were created by a document to which section 6(2) of this Act applies; and
 - (b) the office copy were that document.”.