
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 419

HOUSING

**The Mortgage Rights (Scotland) Act
2001 (Prescribed Notice) Order 2001**

Made - - - - 8th November 2001
Laid before the Scottish
Parliament - - - - 12th November 2001
Coming into force - - 3rd December 2001

The Scottish Ministers, in exercise of the power conferred by section 3(2) of the Mortgage Rights (Scotland) Act 2001(1) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Mortgage Rights (Scotland) Act 2001 (Prescribed Notice) Order 2001 and shall come into force on 3rd December 2001.

Prescribed notice

2. The form of the notice contained in the Schedule to this Order, and the particulars contained in that notice, are hereby prescribed for the purposes of section 3(2) of the Mortgage Rights (Scotland) Act 2001.

St Andrew's House,
Edinburgh
8th November 2001

J M BAILLIE
A member of the Scottish Executive

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SCHEDULE

Article 2

NOTICE

SHERIFF COURT, *(insert place of sheriff court)*

Date of order, *(insert date)*

A.B. *(insert designation and address)*, **PURSUER(S)**

against

C.D. *(insert designation and address)*, **DEFENDER(S)**

The Sheriff of *(insert name of sheriffdom)* at *(insert place of sheriff court)* has made an order, *(insert date)* under section 2 of the Mortgage Rights (Scotland) Act 2001–

(to suspend) suspending for a period of *(insert period of suspension)* from *(give date on which suspension begins)* the exercise of the rights which the said C.D has or may acquire by virtue of the Conveyancing and Feudal Reform (Scotland) Act 1970 or the Heritable Securities (Scotland) Act 1894

(to continue) continuing proceedings under section 24 of the Conveyancing and Feudal Reform (Scotland) Act 1970 / section 5 of the Heritable Securities (Scotland) Act 1894 until *(insert date to which proceedings are continued)*

(to vary) varying the order *(insert details of previous order)* as follows *(insert details of variation)*

(to revoke) revoking the order *(insert details of previous order)*

(delete as appropriate)

in respect of Security Subjects *(enter address)* as referred to in Standard Security granted by *(insert name of Granter(s))* in favour of *(insert name of Grantee(s))*, *(insert date of recording, specifying the Division of the General Register of Sasines, or the date of registration in the Land Register, as the case may be)*,

a copy of which Order is annexed.

(insert name)
Sheriff Clerk Depute

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the notice that is to be sent to the Keeper of the Register of Inhibitions and Adjudications where an order is made by the court under section 2 of the Mortgage Rights (Scotland) Act 2001. The Schedule to this Order sets out the notice that is to be sent.