



# Conveyancing (Scotland) Act 1924

1924 CHAPTER 27 14 and 15 Geo 5

## 46 Extract decree of reduction to be recorded.

[<sup>F1</sup>(1)] In the case of the reduction of a deed, decree or instrument recorded in the Register of Sasines or forming a midcouple or link of title in a title recorded in the said register there shall be recorded in the said register either an extract of the decree of reduction of such deed, decree or instrument, or a title in which such extract decree forms a midcouple or link of title, and such decree of reduction shall not be pleadable against a third party who shall in bona fide onerously acquire right to the land, lease or heritable security contained in the deed, decree, or instrument reduced by such decree of reduction prior to an extract of such decree of reduction, or a title, in which it forms a midcouple or link of title, being recorded in the Register of Sasines.

[<sup>F2</sup>(2) [<sup>F3</sup>Subsection (1)] shall apply to the rectification of a document by an order under section 8 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 as it applies to the reduction of a deed but with the substitution of any reference to the decree of reduction of the deed with a reference to the order rectifying the document.]

[<sup>F4</sup>(3) Where—

- (a) an arbitral award orders the reduction of a deed or other document recorded in the Register of Sasines (or forming a midcouple or link of title in a title recorded in that Register), and
- (b) the court orders that the award may be enforced in accordance with section 12 of the Arbitration (Scotland) Act 2010 (asp 1),

subsection (1) applies to the arbitral award as it applies to a decree of reduction of a deed recorded in the Register of Sasines.]

### Textual Amendments

- F1** S. 46 is renumbered as s. 46(1) by Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73, SIF 61:1), s. 59, Sch. 2 para. 7
- F2** S. 46(2) inserted by Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73, 61:1), s. 59, Sch. 2 para. 7
- F3** Words in s. 46(2) substituted (7.6.2010 for specified purposes) by Arbitration (Scotland) Act 2010 (asp 1), ss. 27(a), 35(2) (with ss. 30, 34, 36); S.S.I. 2010/195, art. 2 (with art. 3)

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**Changes to legislation:** Conveyancing (Scotland) Act 1924, Section 46 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**F4** S. 46(3) inserted (7.6.2010 for specified purposes) by [Arbitration \(Scotland\) Act 2010 \(asp 1\)](#), **ss. 27(b), 35(2)** (with [ss. 30, 34, 36](#)); [S.S.I. 2010/195](#), **art. 2** (with [art. 3](#))

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**Modifications etc. (not altering text)**

**C1** S. 46 amended by [Conveyancing and Feudal Reform Act 1970 \(c. 35\)](#), **s. 41(2)**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 46(2) words substituted by [2007 asp 3 s. 48\(2\)\(a\)](#)
- s. 46(3) inserted by [2007 asp 3 s. 48\(2\)\(b\)](#)