

*These notes relate to the Mortgage Rights (Scotland) Act
2001 (asp 11) which received Royal Assent on 25 July 2001*

MORTGAGE RIGHTS (SCOTLAND) ACT 2001

EXPLANATORY NOTES

THE ACT

Outline of the Act

Section 4 and the schedule Notices to debtors, proprietors and occupiers

19. *Section 4* amends the forms used in connection with a calling-up notice or notice of default and provides for notices to be given to the debtor and proprietor where a creditor applies to the court for a warrant under section 24 of the 1970 Act or commences proceedings under section 5 of the 1894 Act. The section also provides for a notice to be sent in each case to the occupier of the property. The latter notices contain wording designed to bring matters to the attention of spouses and partners. The notices, which will be sent by recorded delivery, inform each party of their rights and advise them to consult a solicitor. They also inform them that advice, including advice about managing debt, is also available from Citizens Advice Bureau or other advice agencies. The wording of the notices is given in the *schedule* to the Act.