



Moveable Transactions (Scotland) Act 2023

2023 asp 3

PART 1 **S**

ASSIGNATION

CHAPTER 2 **S**

REGISTER OF ASSIGNATIONS

PROSPECTIVE

Registration process

23 Application for registration **S**

- (1) An assignee may apply to the Keeper for registration of an assignment document.
- (2) The Keeper must deal with applications in the order in which they are received.
- (3) The Keeper must accept the application if—
 - (a) it is submitted with a copy of the assignment document,
 - (b) it contains all the information the Keeper requires in accordance with [section 21](#) to be able to make up an entry for the assignment document under [section 25\(1\)](#),
 - (c) it conforms to such RoA Rules as relate to the application, and
 - (d) either—
 - (i) such fee as is payable for the registration is paid, or
 - (ii) arrangements satisfactory to the Keeper are made for payment of that fee.
- (4) If the requirements of [subsection \(3\)](#) are not satisfied, the Keeper must reject the application and inform the applicant accordingly.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Moveable Transactions (Scotland) Act 2023, Cross Heading: Registration process. (See end of Document for details)

Commencement Information

I1 S. 23 not in force at Royal Assent, see [s. 121\(2\)](#)

24 Application for registration where claims assigned to different assignees **S**

- (1) Where an assignation document assigns different claims to different assignees, each assignee may apply to the Keeper for registration of the document only in so far as it assigns a claim to that assignee (“the applicant”).
- (2) A reference in this Part, in relation to an assignation document in respect of which such an application has been accepted by the Keeper, to—
 - (a) the registration of the document is a reference to the registration of the document in so far as it assigns a claim to the applicant,
 - (b) the assignee under the document is a reference to the applicant,
 - (c) a claim assigned by the document is a reference to a claim assigned by the document to the applicant.

Commencement Information

I2 S. 24 not in force at Royal Assent, see [s. 121\(2\)](#)

25 Registration **S**

- (1) On accepting an application made under [section 23](#), the Keeper must—
 - (a) make up an entry for the assignation document (from the assignation document, the information provided in the application and the circumstances of registration),
 - (b) allocate a registration number to the entry (based on the order in which applications are dealt with), and
 - (c) maintain the entry in the assignations record.
- (2) An assignation document is taken to be registered on the date and at the time entered for it for the purpose of [section 21\(1\)\(j\)](#).

Commencement Information

I3 S. 25 not in force at Royal Assent, see [s. 121\(2\)](#)

26 Verification statement **S**

- (1) After the registration of an assignation document under [section 25](#), the Keeper must issue a written statement verifying the registration to—
 - (a) the assignor, and
 - (b) the assignee,
 but only if and to the extent that the application made under [section 23](#) contains an email address for those persons.
- (2) That statement must—

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- (a) include—
 - (i) the date and time of the registration, and
 - (ii) the registration number allocated to the entry made up for the assignment document, and
 - (b) conform to such RoA Rules as relate to the statement.
- (3) Where a statement is issued under [subsection \(1\)](#) and is received by the assignee but not the assignor, the assignor may request a copy of it from the assignee.
- (4) Within 21 days beginning with the day a request is made under [subsection \(3\)](#), the assignee must supply the assignor with the copy requested.

Commencement Information

I4 S. 26 not in force at Royal Assent, see [s. 121\(2\)](#)

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

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