



Moveable Transactions (Scotland) Act 2023

2023 asp 3

PART 1

ASSIGNATION

CHAPTER 2

REGISTER OF ASSIGNATIONS

Rules

PROSPECTIVE

39 Rules

- (1) The Scottish Ministers may by regulations make rules (“RoA Rules”)—
- (a) about the making up and keeping of the register,
 - (b) about the procedure in relation to applications for registration under [section 23\(1\)](#),
 - (c) about searches in the register and the results of those searches,
 - (d) about the required form and content of any document or information to be used in relation to the register,
 - (e) requiring there to be entered in the assignments record or the archive record such information as is specified in the rules, or
 - (f) regarding other matters in relation to registration under [this Part](#), being matters for which the Scottish Ministers consider it necessary or expedient to provide in order to give full effect to the purposes of [this Part](#).
- (2) RoA Rules under [subsection \(1\)](#) may, in particular, include provision—
- (a) about the identification, in any application and in the register, of any person or claim, including—

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Moveable Transactions (Scotland) Act 2023, Section 39. (See end of Document for details)

- (i) how the proper form of a person’s name is to be determined, and
 - (ii) where the person has an identifying number (whether of numerals or of letters and numerals) allocated to the person, whether that number must be used in identifying the person,
- (b) about the nature of the address of the assignor or the assignee to be included in an entry in the register,
- (c) about the degree of precision with which time is to be recorded in the register,
- (d) about information which, though contained in an assignment document, need not be included in a copy of that document submitted with an application under [section 23\(1\)](#),
- (e) about whether a signature contained in an assignment document need be included in a copy of that document so submitted,
- (f) about information which, though contained in the register, is not to be—
- (i) available to persons searching it, or
 - (ii) included in any extract issued under [section 35](#),
- (g) about when the register is open for—
- (i) registration,
 - (ii) searches.
- (3) Before laying a draft of a Scottish statutory instrument containing regulations under [subsection \(1\)](#) before the Scottish Parliament, the Scottish Ministers must consult the Keeper.

Commencement Information

II S. 39 not in force at Royal Assent, see [s. 121\(2\)](#)

Status:

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