



# Moveable Transactions (Scotland) Act 2023

2023 asp 3

## PART 2

### SECURITY OVER MOVEABLE PROPERTY

## CHAPTER 2

### REGISTER OF STATUTORY PLEDGES

PROSPECTIVE

#### *Rules*

#### 111 Rules

- (1) The Scottish Ministers may by regulations make rules (“RSP Rules”)—
- (a) about the making up and keeping of the register,
  - (b) about the procedure in relation to—
    - (i) applications for registration under [section 86\(1\)](#) or [88\(1\)](#), or
    - (ii) applications for corrections under [section 96\(1\)](#) or [98\(6\)](#),
  - (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 statutory pledges 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) RSP Rules under [subsection \(1\)](#) may, in particular, include provision—

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*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: Rules. (See end of Document for details)

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- (a) about the identification, in any application and in the register, of any person or property, including—
    - (i) how the proper form of a person’s name is to be determined, and
    - (ii) where the person or property has an identifying number (whether of numerals or of letters and numerals) allocated to the person or property, whether that number must be used in identifying the person or property,
  - (b) about the nature of the address of the provider or the secured creditor 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 a constitutive document or amendment document, need not be included in a copy of that document submitted with an application under [section 86\(1\)](#) or [88\(1\)](#),
  - (e) about whether a signature contained in a constitutive document or amendment 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 106](#),
  - (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.

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#### **Commencement Information**

- II** S. 111 not in force at Royal Assent, see [s. 121\(2\)](#)

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