



# Moveable Transactions (Scotland) Act 2023

2023 asp 3

## PART 2

### SECURITY OVER MOVEABLE PROPERTY

#### CHAPTER 2

##### REGISTER OF STATUTORY PLEDGES

###### *Searches and extracts*

PROSPECTIVE

#### **104 Searching the statutory pledges record**

- (1) The Keeper must provide a facility by which the statutory pledges record may be searched.
- (2) That search facility must allow the statutory pledges record to be searched by reference to, and only by reference to—
  - (a) any of the following information in the entries contained in that record—
    - (i) the names of providers, which must be capable of being searched with and without the months and years of birth of providers who are individuals,
    - (ii) the identifying numbers of providers required by RSP Rules to be identified in the statutory pledges record by such a number,
    - (iii) if RSP Rules require the encumbered property to be identified (whether by an identifying number or in some other way), by reference to such identification,
  - (b) registration numbers allocated, under [section 87\(1\)\(b\)](#), to entries in that record, or

---

*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 104. (See end of Document for details)*

---

- (c) any other factor, or characteristic, specified for the purposes of [this paragraph](#) by RSP Rules.
- (3) Subject to any restrictions imposed under RSP Rules, a person may search the statutory pledges record using the search facility provided under [subsection \(1\)](#) provided that either—
  - (a) such fee as is payable for the search is paid, or
  - (b) arrangements satisfactory to the Keeper are made for payment of that fee.
- (4) But no fee is payable for a search of the statutory pledges record which is carried out on behalf of an individual by a not-for-profit money adviser (being an adviser who does not charge individuals for the adviser’s services).
- (5) The Scottish Ministers may, by regulations, make further provision about the meaning of “not-for-profit money adviser” for the purposes of subsection (4).

---

**Commencement Information**

**II** S. 104 not in force at Royal Assent, see [s. 121\(2\)](#)

**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 104.