



Moveable Transactions (Scotland) Act 2023 2023 asp 3

PART 2

SECURITY OVER MOVEABLE PROPERTY

CHAPTER 2

REGISTER OF STATUTORY PLEDGES

Requests for information

PROSPECTIVE

108 Acquisition of property confirmed by creditor not to be encumbered property

- (1) Subsection (2) applies where a person who is an entitled person for the purposes of [section 107](#)—
- (a) makes a request under [subsection \(1\)](#) of that section,
 - (b) receives a response from the person of whom the request was made, in the form of a statement of the type mentioned in [paragraph \(a\)](#) of that subsection, advising that the property specified under that subsection by the entitled person is neither the encumbered property nor part of that property, and
 - (c) within 3 months beginning with the date of being so advised acquires in good faith—
 - (i) the property so specified (or any part of it), or
 - (ii) a right in that property (or part).
- (2) On that acquisition, the statutory pledge is extinguished in relation to the property (or part).

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 108. (See end of Document for details)

Commencement Information

II S. 108 not in force at Royal Assent, see [s. 121\(2\)](#)

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