



# Moveable Transactions (Scotland) Act 2023

2023 asp 3

## PART 3

### MISCELLANEOUS AND GENERAL

#### *General*

PROSPECTIVE

#### **120 Interpretation of Act**

- (1) In this Act (except where the context requires otherwise)—
- “court” means Court of Session or sheriff,
  - “electronic document” has the meaning given by section 9A of the Requirements of Writing (Scotland) Act 1995,
  - “electronic signature” has the meaning given by section 12(1) of the Requirements of Writing (Scotland) Act 1995,
  - “the Keeper” means the Keeper of the Registers of Scotland,
  - “prescribed” means prescribed by regulations made by the Scottish Ministers,
  - “registration number” means a unique identifier consisting of numerals or of letters and numerals, and
  - “traditional document” has the meaning given by section 1A of the Requirements of Writing (Scotland) Act 1995.
- (2) In this Act, a reference (however expressed) to—
- (a) the authentication of a document by a person is a reference to the electronic signature of that person—
    - (i) being incorporated into, or logically associated with, the electronic document, and
    - (ii) having been created by that person,

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

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- (b) the execution of a document is a reference to the document's being subscribed as a traditional document in compliance with section 2(1) of the Requirements of Writing (Scotland) Act 1995.
- (3) The Scottish Ministers may by regulations modify (either or both) paragraph (a) or paragraph (b) of subsection (2).
- (4) Where, under or by virtue of a provision of this Act, however expressed, a person ("P") is required or permitted to proceed in some way, the provision is to be construed as if any reference in it to P includes a reference to any person authorised by P to proceed in such a way on P's behalf.

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**Commencement Information**

- II** S. 120 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 120.