

Changes to legislation: Conveyancing and Feudal Reform (Scotland) Act 1970, FORM D is up to date with all changes known to be in force on or before 06 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 5

PROCEDURES AS TO REDEMPTION

FORM D

No. 1

CERTIFICATE OF CONSIGNATION ON REDEMPTION OF STANDARD SECURITY WHERE DISCHARGE CANNOT BE OBTAINED

I, A.B. (*designation*) (solicitor) certify that consignation of the whole amount due under the standard security aftermentioned was made as after stated and was necessitated by reason of a discharge being unobtainable after due notice of redemption had been given.

STANDARD SECURITY for £ (*or a maximum of £; in other cases describe as indicated in Note 2 to Schedule 4 to this Act*) by C.D. in favour of E.F. [^{F1}registered in the Land Register of Scotland on.....over title number.....(*or recorded in the Register for.....on.....*)]

Textual Amendments

- F1** Words in Sch. 5 Form D Nos. 1 and 2 substituted by virtue of (8.12.2014) by Land Registration etc. (Scotland) Act 2012 (asp 5), ss. 122, 123, sch. 5 para. 17(23)(b) (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2

AMOUNT CONSIGNED £, being £ of principal, £ of interest and £ in respect of ascertained expenses.

BANK IN WHICH CONSIGNED (*specify bank or branch of bank with address, in which above amount consigned*) conform to deposit receipt dated in name of the person appearing to have the best right thereto (*specifying his name and designation if known*) (*or if he is only a partial creditor say to the extent of £*).

[^{F2}Testing clause+]

Textual Amendments

- F2** Words in Sch. 5 Form D No. 1 substituted (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), Sch. 4, para. 46(a) (with ss. 9(3)(5)(7), 13, 14(3))

[^{F3}+Note— [^{F4}In the case of a traditional document, subscription of it by the grantor] will be sufficient for the document to be formally valid, but witnessing of it may be necessary or desirable for other purposes (see the Requirements of Writing (Scotland) Act 1995 [^{F5}, which also makes provision as regards the authentication of an electronic document].]

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Textual Amendments

- F3** Note for Sch. 5 Form D Nos. 1 and 2 added (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), **Sch. 4**, para. 46(b) (with ss. 9(3)(5)(7), 13, 14(3))
- F4** Words in Sch. 5 Form D Nos. 1 and 2 Notes substituted (8.12.2014) by Land Registration etc. (Scotland) Act 2012 (asp 5), ss. 122, 123, **sch. 5 para. 17(23)(c)(i)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F5** Words in Sch. 5 Form D Nos. 1 and 2 Notes inserted (8.12.2014) by Land Registration etc. (Scotland) Act 2012 (asp 5), ss. 122, 123, **sch. 5 para. 17(23)(c)(ii)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2

No. 2

CERTIFICATE OF DECLARATOR OF PERFORMANCE OF DEBTOR'S OBLIGATIONS UNDER STANDARD SECURITY WHERE DISCHARGE CANNOT BE OBTAINED

I, A.B. (*designation*) (solicitor) certify that a decree of declarator of performance of the obligations of the debtor under the standard security aftermentioned was pronounced as after stated and was necessitated by reason of a discharge being unobtainable after due notice of redemption had been given.

STANDARD SECURITY by C.D. in favour of E.F. [^{F1}registered in the Land Register of Scotland on.....over title number.....(or recorded in the Register for.....on.....)]

DECREE OF DECLARATOR by the Sheriff of at in the application of the said C.D. (or J.K. (*designation*), who is now the debtor (or the proprietor of the interest in land contained) in the said standard security.)

[^{F6}Testing clause+]

Textual Amendments

- F6** Words in Sch. 5 Form D No. 2 substituted (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), **Sch. 4 para. 46(a)** (with ss. 9(3)(5)(7), 13, 14(3))

[^{F7}+Note— [^{F4}In the case of a traditional document, subscription of it by the granter] will be sufficient for the document to be formally valid, but witnessing of it may be necessary or desirable for other purposes (see the Requirements of Writing (Scotland) Act 1995 [^{F5}, which also makes provision as regards the authentication of an electronic document]).]

Textual Amendments

- F7** Note for Sch. 5 Form D Nos. 1 and 2 added (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), **Sch. 4 para. 46(b)** (with ss. 9(3)(5)(7), 13, 14(3))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2)(b)(c) inserted by [2000 asp 5 Sch. 12 para. 30\(2\)\(a\)\(iv\)](#) (This amendment has not been applied to legislation.gov.uk. Sch. 12 para. 30(2) repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121))
- s. 1(7) added by [2000 asp 5 Sch. 12 para. 30\(2\)\(c\)](#) (This amendment has not been applied to legislation.gov.uk. Sch. 12 para. 30(2) repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121))
- s. 9(2A) inserted by [2000 asp 5 s. 32](#) (This amendment has not been applied to legislation.gov.uk. S. 32 repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121) and word "32" in s. 77(2)(a) omitted (22.10.2003) by virtue of S.S.I. 2003/503, art. 5)
- s. 13A amendment to earlier affecting provision 2007 asp 3 s. 85 by [2012 asp 5 sch. 5 para. 52\(2\)](#)
- s. 24(1E) inserted by [2014 asp 18 sch. 5 para. 22](#)