

---

**Changes to legislation:** Requirements of Writing (Scotland) Act 1995, Paragraph 7 is up to date with all changes known to be in force on or before 13 March 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 3

#### MODIFICATIONS OF THIS ACT IN RELATION TO SUBSCRIPTION OR SIGNING BY RELEVANT PERSON UNDER SECTION 9

7 For section 4(1) there shall be substituted the following subsection—

“(1) Where—

- (a) a [<sup>F1</sup>traditional document] bears to have been subscribed by a relevant person under section 9(1) of this Act on behalf of a granter of it; but
- (b) there is no presumption under section 3 of this Act (as modified by paragraph 2 of Schedule 3 to this Act) that the document has been subscribed by that person or that the procedure referred to section 3(1)(b) of this Act as so modified was followed,

then, if the court, on an application being made to it by any person who has an interest in the document, is satisfied that the document was so subscribed by the relevant person with the authority of the granter and that the relevant person read the document to the granter before subscription or did not so read it because the granter declared that he did not wish him to do so, it shall—

- (i) cause the document to be endorsed with a certificate to that effect; or
- (ii) where the document has already been registered in the Books of Council and Session or in sheriff court books, grant decree to that effect.”.

---

#### Textual Amendments

- F1** Words in Sch. 3 para. 7 substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, [Sch. 3 para. 26\(c\)](#) (with s. 121, Sch. 4 paras. 13, 16); S.S.I. 2014/41, art. 2(1)(c)(2), Sch. Pt. 3 (with arts. 3, 4) (see S.S.I. 2014/127, art. 2)

**Changes to legislation:**

Requirements of Writing (Scotland) Act 1995, Paragraph 7 is up to date with all changes known to be in force on or before 13 March 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.

[View outstanding changes](#)

**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. 6(1)(aa) inserted by [2007 asp 3 s. 48\(1\)](#)
- Sch. 2 para. 2A and cross-heading inserted by [2024 asp 2 s. 79\(2\)](#)