



# Requirements of Writing (Scotland) Act 1995

## 1995 CHAPTER 7

### [<sup>F1</sup>PART 2

#### TRADITIONAL DOCUMENTS]

#### 7 Subscription and signing.

- (1) Except where an enactment expressly provides otherwise, a [<sup>F1</sup>traditional document] is subscribed by a granter of it if it is signed by him at the end of the last page (excluding any annexation, whether or not incorporated in the document as provided for in section 8 of this Act).
- (2) Subject to paragraph 2(2) of Schedule 2 to this Act, a [<sup>F2</sup>traditional document], or an alteration to [<sup>F3</sup>such a document], is signed by an individual natural person as a granter or on behalf of a granter of it if it is signed by him—
  - (a) with the full name by which he is identified in the document or in any testing clause or its equivalent; or
  - (b) with his surname, preceded by at least one forename (or an initial or abbreviation or familiar form of a forename); or
  - (c) except for the purposes of section 3(1) to (7) of this Act, with a name (not in accordance with paragraph (a) or (b) above) or description or an initial or mark if it is established that the name, description, initial or mark—
    - (i) was his usual method of signing, or his usual method of signing documents or alterations of the type in question; or
    - (ii) was intended by him as his signature of the document or alteration.
- (3) Where there is more than one granter, the requirement under subsection (1) above of signing at the end of the last page of a document shall be regarded as complied with if at least one granter signs at the end of the last page and any other granter signs on an additional page.

**Changes to legislation:** Requirements of Writing (Scotland) Act 1995, Section 7 is up to date with all changes known to be in force on or before 20 February 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

- (4) Where a person grants a [<sup>F4</sup>traditional document] in more than one capacity, one subscription of the document by him shall be sufficient to bind him in all such capacities.
- (5) A [<sup>F5</sup>traditional document], or an alteration to [<sup>F6</sup>such a document], is signed by a witness if it is signed by him—
- (a) with the full name by which he is identified in the document or in any testing clause or its equivalent; or
  - (b) with his surname, preceded by at least one forename (or an initial or abbreviation or familiar form of a forename),
- and if the witness is witnessing the signature of more than one granter, it shall be unnecessary for him to sign the document or alteration more than once.
- (6) This section is without prejudice to any rule of law relating to the subscription or signing of documents by members of the Royal Family, by peers or by the wives or the eldest sons of peers.
- (7) Schedule 2 to this Act (special rules relating to subscription and signing of [<sup>F7</sup>traditional documents]etc by partnerships, companies, [<sup>F8</sup>limited liability partnership,] local authorities, other bodies corporate and Ministers) shall have effect.

#### Textual Amendments

- F1** Words in s. 7(1) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 14(a)** (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)
- F2** Words in s. 7(2) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 14(b)(i)** (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)
- F3** Words in s. 7(2) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 14(b)(ii)** (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)
- F4** Words in s. 7(4) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 14(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)
- F5** Words in s. 7(5) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 14(d)(i)** (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)
- F6** Words in s. 7(5) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 14(d)(ii)** (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)
- F7** Words in s. 7(7) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 14(e)** (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)
- F8** Words in s. 7(7) inserted (6.4.2001) by S.S.I. 2001/128, reg. 5, **Sch. 4 para. 4**

#### Modifications etc. (not altering text)

- C1** S. 7 applied (with modifications) (temp.) (11.5.2014) by [The Land Registration etc. \(Scotland\) Act 2012 \(Commencement No. 2 and Transitional Provisions\) Order 2014 \(S.S.I. 2014/41\)](#), **art. 4** (see S.S.I. 2014/127, art. 2)

**Changes to legislation:**

Requirements of Writing (Scotland) Act 1995, Section 7 is up to date with all changes known to be in force on or before 20 February 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.

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**Changes and effects yet to be applied to :**

- s. 7(7) words inserted by [2024 asp 2 s. 79\(1\)](#)

**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\(2\)](#)