



# Titles to Land Consolidation (Scotland) Act 1868

1868 CHAPTER 101 31 and 32 Vict

## 159 Litigiosity not to begin before date of registration of notice of summons.

[<sup>F1</sup>(1)] It shall be competent to register in the general register of inhibitions a notice of any signeted summons of reduction of any conveyance or deed of or relating to lands, and in the register of adjudications a notice of any signeted summons of adjudication or of constitution and adjudication combined for debt or in security or in implement, which notice shall [<sup>F2</sup>be in (or as nearly as may be in) the form prescribed]; and no summons of reduction, constitution, adjudication, or constitution and adjudication combined, shall have any effect in rendering litigious the lands to which such summons relates, except from and after the date of the registration of such notice.

[<sup>F3</sup>(2) A notice registered under subsection (1) on or after the date on which section 67 of the Land Registration etc. (Scotland) Act 2012 (asp 5) (warrant to place a caveat) comes into force shall not have any effect in rendering litigious any land a title sheet for which is comprised in the Land Register of Scotland or in placing in bad faith any person acquiring such land.]

### Textual Amendments

- F1** S. 159(1): s. 159 renumbered as s. 159(1) (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, [sch. 5 para. 6\(2\)\(a\)](#) (with s. 121, [sch. 4 paras. 13, 16](#)); S.S.I. 2014/127, art. 2
- F2** Words in s. 159 substituted (1.4.2008 for specified purposes, 22.4.2009 in so far as not already in force) by [Bankruptcy and Diligence etc. \(Scotland\) Act 2007 \(asp 3\)](#), [ss. 164\(1\), 227\(3\)](#) (with s. 223); S.S.I. 2008/115, art. 3(4), [sch. 3](#) (with arts. 4-6, 10, 15) (as amended: (23.2.2009) by S.S.I. 2009/67, art. 7; (31.1.2011) by S.S.I. 2011/31, art. 5(a); and (4.10.2014) by S.S.I. 2014/173, arts. 1(2), 3); S.S.I. 2009/67, art. 3(1)(a) (with arts. 4-6) (as amended (31.1.2011) by S.S.I. 2011/31, art. 5(b))
- F3** S. 159(2) inserted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, [sch. 5 para. 6\(2\)\(b\)](#) (with s. 121, [sch. 4 paras. 13, 16](#)); S.S.I. 2014/127, art. 2

### Modifications etc. (not altering text)

- C1** S. 159 amended by [Conveyancing \(Scotland\) Act 1924 \(c. 27\)](#), [s. 44\(6\)](#)

**Changes to legislation:**

Titles to Land Consolidation (Scotland) Act 1868, Section 159 is up to date with all changes known to be in force on or before 19 July 2023. 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 :**

- s. 159 words repealed by [2007 asp 3 Sch. 6 Pt. 1](#)