



# Moveable Transactions (Scotland) Act 2023

2023 asp 3

## PART 1

### ASSIGNATION

#### CHAPTER 2

##### REGISTER OF ASSIGNATIONS

###### *Registration process*

### 23 Application for registration

- (1) An assignee may apply to the Keeper for registration of an assignment document.
- (2) The Keeper must deal with applications in the order in which they are received.
- (3) The Keeper must accept the application if—
  - (a) it is submitted with a copy of the assignment document,
  - (b) it contains all the information the Keeper requires in accordance with [section 21](#) to be able to make up an entry for the assignment document under [section 25\(1\)](#),
  - (c) it conforms to such RoA Rules as relate to the application, and
  - (d) either—
    - (i) such fee as is payable for the registration is paid, or
    - (ii) arrangements satisfactory to the Keeper are made for payment of that fee.
- (4) If the requirements of [subsection \(3\)](#) are not satisfied, the Keeper must reject the application and inform the applicant accordingly.

## 24 Application for registration where claims assigned to different assignees

- (1) Where an assignment document assigns different claims to different assignees, each assignee may apply to the Keeper for registration of the document only in so far as it assigns a claim to that assignee (“the applicant”).
- (2) A reference in this Part, in relation to an assignment document in respect of which such an application has been accepted by the Keeper, to—
  - (a) the registration of the document is a reference to the registration of the document in so far as it assigns a claim to the applicant,
  - (b) the assignee under the document is a reference to the applicant,
  - (c) a claim assigned by the document is a reference to a claim assigned by the document to the applicant.

## 25 Registration

- (1) On accepting an application made under [section 23](#), the Keeper must—
  - (a) make up an entry for the assignment document (from the assignment document, the information provided in the application and the circumstances of registration),
  - (b) allocate a registration number to the entry (based on the order in which applications are dealt with), and
  - (c) maintain the entry in the assignations record.
- (2) An assignment document is taken to be registered on the date and at the time entered for it for the purpose of [section 21\(1\)\(j\)](#).

## 26 Verification statement

- (1) After the registration of an assignment document under [section 25](#), the Keeper must issue a written statement verifying the registration to—
  - (a) the assignor, and
  - (b) the assignee,but only if and to the extent that the application made under [section 23](#) contains an email address for those persons.
- (2) That statement must—
  - (a) include—
    - (i) the date and time of the registration, and
    - (ii) the registration number allocated to the entry made up for the assignment document, and
  - (b) conform to such RoA Rules as relate to the statement.
- (3) Where a statement is issued under [subsection \(1\)](#) and is received by the assignee but not the assignor, the assignor may request a copy of it from the assignee.
- (4) Within 21 days beginning with the day a request is made under [subsection \(3\)](#), the assignee must supply the assignor with the copy requested.