



Moveable Transactions (Scotland) Act 2023 2023 asp 3

PART 2

SECURITY OVER MOVEABLE PROPERTY

CHAPTER 2

REGISTER OF STATUTORY PLEDGES

Searches and extracts

104 Searching the statutory pledges record

- (1) The Keeper must provide a facility by which the statutory pledges record may be searched.
- (2) That search facility must allow the statutory pledges record to be searched by reference to, and only by reference to—
 - (a) any of the following information in the entries contained in that record—
 - (i) the names of providers, which must be capable of being searched with and without the months and years of birth of providers who are individuals,
 - (ii) the identifying numbers of providers required by RSP Rules to be identified in the statutory pledges record by such a number,
 - (iii) if RSP Rules require the encumbered property to be identified (whether by an identifying number or in some other way), by reference to such identification,
 - (b) registration numbers allocated, under [section 87\(1\)\(b\)](#), to entries in that record, or
 - (c) any other factor, or characteristic, specified for the purposes of [this paragraph](#) by RSP Rules.

Status: This is the original version (as it was originally enacted).

- (3) Subject to any restrictions imposed under RSP Rules, a person may search the statutory pledges record using the search facility provided under [subsection \(1\)](#) provided that either—
 - (a) such fee as is payable for the search is paid, or
 - (b) arrangements satisfactory to the Keeper are made for payment of that fee.
- (4) But no fee is payable for a search of the statutory pledges record which is carried out on behalf of an individual by a not-for-profit money adviser (being an adviser who does not charge individuals for the adviser’s services).
- (5) The Scottish Ministers may, by regulations, make further provision about the meaning of “not-for-profit money adviser” for the purposes of subsection (4).