



Requirements of Writing (Scotland) Act 1995

1995 CHAPTER 7

[^{F1}PART 2

TRADITIONAL DOCUMENTS]

8 Annexations to [^{F1}traditional documents].

- (1) Subject to subsection (2) below and except where an enactment expressly otherwise provides, any annexation to a [^{F2}traditional document] shall be regarded as incorporated in the document if it is—
 - (a) referred to in the document; and
 - (b) identified on its face as being the annexation referred to in the document, without the annexation having to be signed or subscribed.
- (2) Where a document relates to land and an annexation to it describes or shows all or any part of the land to which the document relates, the annexation shall be regarded as incorporated in the document if and only if—
 - (a) it is referred to in the document; and
 - (b) it is identified on its face as being the annexation referred to in the document; and
 - (c) it is signed on—
 - (i) each page, where it is a plan, drawing, photograph or other representation; or
 - (ii) the last page, where it is an inventory, appendix, schedule or other writing.
- (3) Any annexation referred to in subsection (2) above which bears to have been signed by a grantor of the document shall be presumed to have been signed by the person who subscribed the document as that grantor.

Changes to legislation: Requirements of Writing (Scotland) Act 1995, Section 8 is up to date with all changes known to be in force on or before 08 August 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) Section 7(2) of this Act shall apply in relation to any annexation referred to in subsection (2) above as it applies in relation to a [^{F3}traditional document] as if for any reference to a document (except the reference in paragraph (a)) there were substituted a reference to an annexation.
- (5) It shall be competent to sign any annexation to a [^{F4}traditional document] at any time before the document is—
- (a) founded on in legal proceedings;
 - (b) registered for preservation in the Books of Council and Session or in sheriff court books;
 - (c) recorded in the Register of Sasines;
 - (d) registered in the Land Register of Scotland.
- (6) Where there is more than one granter, the requirement under subsection (2)(c)(ii) above of signing on the last page shall be regarded as complied with (provided that at least one granter signs at the end of the last page) if any other granter signs on an additional page.

Textual Amendments

- F1** Words in s. 8 heading substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 16** (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. 8(1) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 15(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)
- F3** Words in s. 8(4) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 15(b)** (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. 8(5) substituted (8.12.2014 for specified purposes) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **Sch. 3 para. 15(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)

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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\(2\)](#)