



Conveyancing (Scotland) Act 1924

1924 CHAPTER 27

2 Interpretation clause

The words and expressions after mentioned or referred to shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say)

- (1) The words and expressions used in this Act and in the schedules annexed to this Act which are interpreted in the Titles to Land Consolidation (Scotland) Act, 1868, and the Conveyancing (Scotland) Act, 1874, shall have the meaning assigned thereto respectively by these Acts, subject to the following qualifications :—
 - (a) " Land " or " lands " shall not include " securities ";
 - (b) " Heritable securities " and " securities " shall include real burdens and securities by way of ground annual, which either appear in the appropriate Register of Sasines as a burden on the land out of which they are payable or are contained in a deed the recording of which in such Register on behalf of the original creditor would infest him therein and in the land out of which the same are payable, or either of them, and securities over a lease, but shall not include securities constituted by ex facie absolute disposition; and
 - (c) " Conveyance " and " deed " and " instrument " shall include all deeds, notices of title, decrees, petitions and writings specified in this Act; and these words and the words " writing," " writ " and " decree " occurring in the said Acts and in this Act shall each mean and include an extract or office copy of such " conveyance," " deed," " instrument," " writing," " writ " or " decree " :
- (2) " Extract " and " office copy " shall each mean and include a duly authenticated extract of any act, decree or warrant of the Lords of Council and Session, or any inferior court, or a duly authenticated extract or office copy from the Register of the Great Seal, or from the Books of Council and Session, or of any sheriff court, or of any other public authentic register of probative writs, or from the appropriate Register of Sasines, of any conveyance, deed, instrument, writing, writ or decree, and shall also mean and include a probate of the will or testamentary settlement of a person deceased issued by any court of probate in England or Northern Ireland, or in any part of His Majesty's Dominions, or an exemplification of such probate :

- (3) " Deduction of title " shall mean the specification in a deed, decree or instrument of the writ or series of writs (without narration of the contents thereof) by which the person granting such deed or in whose favour such decree is conceived or by whom such instrument is expedite, has acquired right from the person from whom such title is deduced, and such specification shall be a compliance with an instruction to " deduce " a title in terms of this Act:
- (4) "Adjudication" shall include adjudication whether for debt or in implement, and constitution and adjudication whether for debt or in implement, and declarator and adjudication :
- (5) " Lease " shall mean a lease which has been registered or is registrable in the Register of Sasines in virtue of the Registration of Leases (Scotland) Act, 1857, and Acts amending the same:
- (6) " Law agent " shall mean and include writers to the signet, solicitors in the supreme courts, procurators in any sheriff court, and every person entitled to practise as an agent in a court of law in Scotland :
- (7) " Agent " in the Schedules hereto shall mean law agent or notary public :
- (8) " Register of Sasines " shall mean and include the General Register of Sasines, the Particular Registers of Sasines now discontinued, the Register of Sasines kept for any royal or other burgh and the Register of Booking in the burgh of Paisley.