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[Requirements of Writing \(Scotland\) Act 1995](#)

" +Note 5—Subscription of the document by the grantor of it will be sufficient for the document to be formally valid, but witnessing of it may be necessary or desirable for other purposes (see the Requirements of Writing (Scotland) Act 1995).

[Requirements of Writing \(Scotland\) Act 1995](#)

The Requirements of Writing (Scotland) Act 1995 ("the Act") provides that formal writing is required only in the following instances: the making of any will, testamentary trust disposition and settlement or codicil; the creation, transfer, variation or extinction of an interest in land, otherwise ...

[Execution of documents under Scots Law – The In-House Lawyer](#)

Requirements of Writing(Scotland) Act 1995 1995 CHAPTER 7. An Act to reform the law of Scotland with regard to the requirement of writing for certain matters and the formal validity of contractual and other documents and presumptions relating thereto; to abolish any rule of law restricting the proof of any matter to writ or oath and to abolish the procedure of reference to oath; and for ...

[Requirements of Writing \(Scotland\) Act 1995 - UK Non-...](#)

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[Requirements of Writing \(Scotland\) Act 1995 | Practical Law](#)

This note provides an overview of the law and practice relating to the execution of contracts under Scots law and the rules set out in the Requirements of Writing (Scotland) Act 1995.

[Execution of documents: overview \(Scotland\) | Practical Law](#)

The position in Scotland The law is contained in the Requirements of Writing (Scotland) Act 1995. Technically, the execution requirements set out in this Act are only mandatory for certain special categories of contract. But in practice we advise companies to follow them for all written contracts.

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However, after the introduction of the Requirements of Writing (Scotland) Act 1995, a promise need only be evidenced in writing for: the creation, transfer, variation or extinction of a real right in land (s 1 (2) (a) (i) of Requirements of Writing (Scotland) Act 1995); and

[Scots contract law - Wikipedia](#)

The Requirements of Writing (Scotland) Act 1995 provides that certain agreements must be made in writing and signed in a formal manner. These include wills, trusts and contracts relating to the sale and purchase of land and heritable property.

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Aside from the statutory requirement under ROWA (as described above) to execute certain categories of contract in writing and where electronic, by applying an advanced electronic signature, there is no legal requirement in Scotland in most cases to put contracts in writing at all. Parties choose to do this for practical evidential reasons.

[Goodbye pen and paper ... the rise of the electronic ...](#)

In addition to the Scots law requirement for you to be 12 years old or over and have legal capacity, under the Requirements of Writing (Scotland) Act 1995, Wills must be in writing and must be made in accordance with the legal rules which prescribe the required form for all Wills in Scotland.

[Wills & Executives Solicitors Glasgow | Make a Will Scotland](#)

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In Scotland, the general rule is that writing is not required to create a contract or a unilateral obligation or a trust. Writing is required for the following exceptions to that general rule: