



Enterprise and New Towns (Scotland) Act 1990

1990 CHAPTER 35

PART I

SCOTTISH ENTERPRISE AND HIGHLANDS AND ISLANDS ENTERPRISE

General

32 Registration of agreements etc

- (1) Where a person having such interest in land as enables him to bind the land enters into any such agreement as is mentioned in section 8(6) of this Act, the agreement may be registered either—
 - (a) where the land affected by the agreement is registered in the Land Register of Scotland, in that register; or
 - (b) in any other case, in the appropriate Division of the General Register of Sasines.
- (2) Any agreement registered in terms of subsection (1) above shall be enforceable at the instance of Scottish Enterprise or Highlands and Islands Enterprise, as the case may be, against persons deriving title to the land from the person who entered into the agreement; but no such agreement shall be enforceable against a third party who in good faith and for value has acquired right (whether completed by infektment or not) to the land prior to the agreement being so registered, or against any person deriving title from that third party.
- (3) Notwithstanding the terms of any such agreement as is mentioned in section 8(6) of this Act, it shall be open at any time to the parties to the agreement, or to persons deriving title from the parties, as the case may be, to agree to terminate it; and where an agreement has been registered in terms of subsection (1) above, any subsequent agreement to terminate it shall be registered in the like manner.

Status: This is the original version (as it was originally enacted).

- (4) Without prejudice to section 22(1)(b) of this Act, any agreement which, but for this Act, would be enforceable at the instance of the Highlands and Islands Development Board under subsection (4) of section 5 of the Highlands and Islands Development (Scotland) Act 1965 (recording of agreements arranged under subsection (3) of that section) shall be enforceable under subsection (2) above at the instance of Highlands and Islands Enterprise as if it were an agreement arranged by Highlands and Islands Enterprise and registered in terms of subsection (1) above.