



Contract (Third Party Rights) (Scotland) Act 2017

2017 asp 5

8 Defences available against third party

- (1) This section applies where a person has a third-party right to enforce or otherwise invoke an undertaking contained in a contract.
- (2) A contracting party has available, as a defence against a claim by the person that the undertaking has been breached, any defence which is both—
 - (a) a defence that a contracting party would have against any other contracting party, and
 - (b) relevant to the undertaking.
- (3) Subsection (2) is subject to any contrary provision made in the contract.

Commencement Information

II S. 8 in force at 26.2.2018 by S.S.I. 2018/8, reg. 2

Changes to legislation:

There are currently no known outstanding effects for the Contract (Third Party Rights) (Scotland) Act 2017, Section 8.