



Contract (Third Party Rights) (Scotland) Act 2017

2017 asp 5

4 Protection of third party's entitlement from retroactive change

- (1) No account is to be taken of the cancellation or modification of an undertaking contained in a contract where and in so far as the undertaking is being enforced or otherwise invoked—
- (a) by virtue of a person's third-party right to do so, and
 - (b) in consequence of something happening or not happening prior to the undertaking being cancelled or (as the case may be) the modification being made.
- (2) Subsection (1) does not apply in relation to a cancellation or modification if the contract provided that it may be made with retroactive effect.

Commencement Information

II [S. 4](#) 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 4.