

Status: This is the original version (as it was originally enacted).

SCHEDULE 10

(introduced by section 83(1)(a))

FORM OF UNDERTAKING

“UNDERTAKING NOT TO EXERCISE RIGHT OF PRE-EMPTION

Property benefited by right of pre-emption:

(see note for completion 1)

Holder of right of pre-emption:

(see note for completion 2)

Property subject to right of pre-emption:

(see note for completion 3)

Deed in which right of pre-emption imposed:

(see note for completion 4)

I hereby undertake that I will not exercise my right of pre-emption in respect of a sale occurring before *(insert date)* **[if** *(insert any conditions to be satisfied)* **– see note for completion 5]**

Signature by or on behalf of holder of right of pre-emption:

Signature of witness:

Date: ?

Notes for completion of the undertaking

(These notes have no legal effect)

- 1 Describe the property in a way that is sufficient to enable it to be identified. Where the title has been registered in the Land Register the description should refer to the title number. Otherwise it should normally refer to and identify a deed recorded in a specified division of the Register of Sasines.
Where the right of pre-emption is a personal pre-emption burden or rural housing burden, insert (only) “Personal pre-emption burden” or “Rural housing burden”.
- 2 Insert the holder’s name and address. The holder is the owner of the benefited property or, in the case of a personal pre-emption burden or rural housing burden, the person in whose favour the burden is constituted. (The person last registered as having title to such a burden is taken to be the holder of the right of pre-emption which the burden comprises.)
- 3 Describe the property in a way that is sufficient to enable it to be identified. Where the title has been registered in the Land Register the description should refer to the title number. Otherwise it should normally refer to and identify a deed recorded in a specified division of the Register of Sasines. If part only of the burdened property is to be sold, describe that part only.
- 4 Give the name of the deed and the particulars of its registration or recording.
- 5 Insert any conditions concerning the type of sale in respect of which the right of pre-emption will not be exercised (for example, “if the consideration for the sale is £100,000 or more”).