4.1.1.11 Disposition – unregistered title – standard version – by a limited company to a partnership

Summary

This is a basic style of Disposition for use in the context of a sale and purchase of commercial property where the grantor of the Disposition is a limited company incorporated under the Companies Acts and the disponee is a partnership. The style envisages that the Property has not been registered in the Land Register of Scotland. Since in terms of the Land Registration (Scotland) Act 1979 the main 'trigger' for the first registration of an unregistered interest is the transfer of an interest for valuable consideration (section 2(1)(a)(ii)) most commercial property transactions, involving as they do transfers for valuable consideration, will constitute just such a 'trigger'. As such, this style envisages that the underlying transaction and Disposition will induce first registration.