



Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 7

KEEPER'S WARRANTY

Keeper's warranty

75 Extension, limitation or exclusion of warranty

- (1) The Keeper may—
 - (a) if satisfied (having regard to sufficiency of evidence as to title) that it is appropriate to do so, grant more extensive warranty than is provided for in section 73 or 74, or
 - (b) if not satisfied as to the validity of the acquisition, variation or discharge mentioned in section 73(1)(a)(i) or that the applicant or owner is the proprietor as mentioned in section 73(1)(a)(ii) or 74(1)(a)—
 - (i) grant less extensive warranty than is so provided for, or
 - (ii) exclude warranty.
- (2) For the purposes of subsection (1), the Keeper must have regard to any relevant caveat placed on the title sheet by virtue of section 67.
- (3) Where warranty is granted or excluded under subsection (1), the Keeper must give effect to the grant or exclusion by entering a statement describing it in the title sheet.
- (4) If an entry made in the title sheet on an application being accepted by virtue of section 43 ceases to be provisional, the Keeper may—
 - (a) grant such warranty as the Keeper (having regard to sufficiency of evidence as to title) considers appropriate, and
 - (b) give effect to the grant by entering a statement describing it in the title sheet.