



# Land Registration etc. (Scotland) Act 2012

## 2012 asp 5

### PART 7

#### KEEPER'S WARRANTY

##### *Keeper's warranty*

#### **76 Variation of warranty**

- (1) This section applies where warranty is—
  - (a) as provided for in section 73 or 74,
  - (b) granted under section 75(1)(a), (b)(i) or (4)(a), or
  - (c) excluded under section 75(1)(b)(ii).
- (2) The Keeper may, if the Keeper comes to be satisfied (having regard to sufficiency of evidence as to title) that it is appropriate to do so, grant—
  - (a) warranty as provided for in section 73,
  - (b) less extensive warranty than as so provided, or
  - (c) more extensive warranty than as so provided.
- (3) The Keeper may not, under subsection (2), grant warranty that is less extensive than the warranty which was originally provided for or granted as mentioned in subsection (1) (a) or (b).
- (4) For the purposes of subsection (2), the Keeper must have regard to any relevant caveat placed on the title sheet by virtue of section 67.
- (5) Where the Keeper grants warranty or more extensive warranty under subsection (2), the Keeper must—
  - (a) unless the warranty granted is warranty only as provided for in section 73, give effect to the grant by entering a statement describing it on the title sheet, and
  - (b) remove any statement previously entered under section 75(3) or (4)(b).