



First Scottish
SEARCHING SERVICES

KEEPER-INDUCED REGISTRATION VERIFICATION SERVICE.

Since November 2016, the Keeper has been registering titles using her powers of Keeper-induced registration (KIR) under section 29 of the Land Registration etc. (Scotland) Act 2012.

The Keeper was initially not informing proprietors or their solicitors that a title had transferred from the Sasine Register to the Land Register under KIR. Proprietors did not realise that their property had been subject to KIR until they came to transact with the property and their solicitor obtained a legal or plans report from the Keeper. The current transaction was then of an already registered title rather than an unregistered title as previously expected.

If a legal or plans report is received by the Keeper for a property which is in the course of being KIR'd, the Keeper will immediately stop the KIR procedure and allow the transaction to go ahead as normal.

The Keeper is now revisiting her decision on notification and is to be informing proprietors that their property has been subject to KIR. There is a much greater awareness of the problems that arise if the KIR is completed incorrectly.

A KIR registration will only be as accurate as the last recorded title in the Sasine register. The B "Proprietorship Section" of the title sheet will be marked as completed under KIR and there will be a disclaimer as to the validity of the information. Any subsequent transaction after the date of the KIR will be a registration of an already registered title.

How will the service work?

At First Scottish we are offering a new service to clients in the form of a report entitled "Report over Keeper-induced registration". This will comprise a check of the title plan and title sheet that the Keeper has produced, as well as noting any pending applications.

We will examine the KIR title sheet and title plan to compare the results against the Sasine register search sheet and the descriptive deed to ascertain whether the Keeper's registered title accurately reflects the information held. Pending applications will also be checked down to the date immediately prior to the date of the report. This will allow solicitors to be certain that they are starting their current transaction in the knowledge that the KIR title is correct.

Further information about the service is available from the contacts below;

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