

KIR Consultation Survey Response

PAGE 2: Information about you

Q3: Are you responding as: (please select below)
an individual

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Q4: Individuals Do you agree to your response being made available to the public (in the Scottish Government library and on the RoS website)?
Yes

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Q5: Where confidentiality is not requested, we will make your response available to the public on the following basis (Please select ONE of the options)
Yes, make my response available, but not my name and email address

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Q6: On behalf of groups or organisations The name of your organisation WILL BE made available to the public (in the Scottish Government library and on the RoS website). Are you content for your response to be made available?
Respondent skipped this question

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Q7: 1. Do you agree with the proposed approach to KIR starting with residential properties in research areas?
Yes

Q8: 2. Do you agree that we should start KIR in areas that will have the highest impact on completing the land register and supporting conveyancing?
Yes

Q9: Q3. Do you agree that we should work in partnership with the owners of heritage assets to complete registration of their titles by KIR?
Yes

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Q10: Q3. Should land that has entered the land register through KIR be identified differently from a trigger-based or voluntary registration through a note in the property section of the title sheet, and/or a separate field marking the date of keeper-induced registration?
Yes

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Q11: Q4. Do you agree with the Keeper's general approach to the KIR mapping of legal extent?
Yes

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Q12: Q5. Do you agree with the keeper's proposed approach to incorporeal pertinents?
Yes

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Q13: Q6. Do you agree with the keeper's proposed approach to property titles that include an 'equally and survivor' destination or are held by ex-officio trustees?

Yes

Q14: Q7. Are there any other circumstances where the sasine register may not show the last person with a completed title?

Respondent skipped this question

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Q15: Q8. Do you foresee any practical difficulties in narrating a list of the deeds that contain encumbrances, rather than setting out the burdens in full? If so, how could these difficulties be addressed?

No

Q16: Q9. Do you agree that the keeper should adopt the same approach to listing deeds in the burdens section for triggered registrations with a hyperlink to the text of the deed?

Yes.

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Q17: Q10. Are you content with how we plan to communicate KIR?

No

Comment Proprietors of property that is not registered are unlikely to have any relationship with the solicitors who may have acted for them many years previously (possibly decades). In any event, recent personal experience suggests that solicitors typically don't explain to property buyers about land registration. Registration fees are simply a cost of buying property - like tax. My recommendation is to use this opportunity to publicise the benefit of the land register to the public at large and to provide (limited) free access to the register. This could follow the model of Royal Mail where a limited number of postcode searches can be completed per month "free". The benefit is to make the land registry truly "transparent" but also to provide a much needed public service. Try organising a common repair to a tenement property without accessing current proprietor information!

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Q18: Q11. Do you agree the keeper should produce guidance on the additional information likely to be required at the next transaction after a KIR?

Yes