

## KIR Consultation Survey Response

### PAGE 2: Information about you

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

### PAGE 3

**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

### PAGE 4

**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

### PAGE 5

**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*

### PAGE 16

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

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**Comment:** i think it is unfair to expect owners or their solicitors or cahs strapped public bodies to absorb the cost of this so KIR should be done at the expense of the keeper

**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?**  
No

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**Comment:** if you wan tot put it on the land register you need to make it a land register that means the same thing regardless of how the title went on tot the land register. if a lawyer is liable for errors when they apply to register a title, so should the keeper be liable if he takes it upon himself to register a title and then makes an error in doing so. otherwise we might as well kept he 2 tiered Sasine/Land instead of going to land 1/land 2.

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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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**Comment:** as long as the keeper notifies the owner of problems encountered and reverts to the old way of being helpful to the owner and its advisers in trying to resolve issues identified rather than current practice of "we do not help you".

### PAGE 24

**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

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**Comment:** date that the information was "correct" at should be shown

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

where the title transferred on death of registered proprietor and transfer was by a docket on a certificate of conformation

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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?**  
Yes

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**Comment:** it will involve clients and their lawyer in the expense of obtaining copies of unnecessary deeds. Provided there is a link to a legible copy of each deed at no or minimal cost this may be workable.

**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?**

it would certainly be easier for lawyers let alone lay people to be able to read deeds as set out in the deed than in the way the keeper reproduces at present. Also, it is a great pity that the keeper does not tidy up the rubbish that still appears in section D of title sheets so many years after abolition.

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

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**Comment:** you should also recommend that the owner might like to contact his or her lawyer to let them know what has happened.

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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