

KIR Consultation Survey Response

PAGE 2: Information about you

Q1: Name: Stewart Robertson

Q2: Email address

srobertson@peterkinandkidd.co.uk

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, name and email address all available

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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

Comment: as much of the relevant information is already held at the Registers this is a sensible and economic way to start KIR.

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

Comment: This seems sensible.

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

The only other situation may be where a proprietor has died and title is being held on the basis of a docquet on a confirmation.

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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

Comment: I think the current approach with all burdens being on the Title Sheet should continue.

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?

Not sure about this. it seems to be like the old Sasine bundle of deeds.

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

Yes

Comment: Whatever time you communicate if people are going to re-act they will do so. Registration is going to happen so it doesn't matter when people find out about provided there is a procedure to deal with mistakes as I understand there will be.

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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