



Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 7

KEEPER'S WARRANTY

Claims under warranty

79 Claims under warranty: quantification of compensation

- (1) Compensation payable by virtue of section 77(1)—
 - (a) is, in so far as it is not compensation mentioned in paragraph (b), to be quantified as at the date on which the inaccuracy giving rise to the claim is rectified, and
 - (b) is to include—
 - (i) reimbursement of reasonable extra-judicial legal expenses, and
 - (ii) compensation for any other consequential loss.
- (2) Interest on a sum so payable runs from the date mentioned in subsection (3) until the sum in question is paid.
- (3) The date is—
 - (a) where the sum is payable other than by virtue of subsection (1)(b), the date mentioned in subsection (1)(a),
 - (b) where the sum is payable by virtue of subsection (1)(b)(i), the date on which the claimant paid the sum in question, and
 - (c) where the sum is payable by virtue of subsection (1)(b)(ii), the date on which the loss was sustained.
- (4) The Scottish Ministers may by regulations make provision as to the rate of interest payable by virtue of subsection (2).

Commencement Information

II S. 79 in force at 8.12.2014 by [S.S.I. 2014/127](#), [art. 2](#)

Changes to legislation:

Land Registration etc. (Scotland) Act 2012, Section 79 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 48A48B and cross-heading inserted by [2016 asp 18 s. 43\(2\)](#)
- s. 116(3)(ba)(bb) inserted by [2016 asp 18 s. 43\(3\)](#)