



Land Registration etc. (Scotland) Act 2012

2012 asp 5

PART 8

RECTIFICATION OF THE REGISTER

Compensation in consequence of rectification

85 Rectification: circumstances where liability excluded

The Keeper has no liability to pay compensation under section 84—

- (a) if the inaccuracy is caused other than by a change made by the Keeper to a title sheet or the cadastral map,
- (b) if the inaccuracy is consequent on an error in the cadastral map and that error was made in reasonable reliance on the base map,
- (c) in so far as the inaccuracy is in an entry made on an application being accepted by virtue of section 43(1) or under section 43(5),
- (d) in so far as the inaccuracy is caused by some act or omission on the part of the claimant,
- (e) in so far as the claimant's loss could have been avoided by the claimant taking certain measures which it would have been reasonable for the claimant to take,
- (f) in so far as the connection between the claimant's loss and the inaccuracy is too remote, or
- (g) for non-patrimonial loss.

Commencement Information

II S. 85 in force at 8.12.2014 by [S.S.I. 2014/127](#), [art. 2](#)

Changes to legislation:

Land Registration etc. (Scotland) Act 2012, Section 85 is up to date with all changes known to be in force on or before 21 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\(3\)](#)