

**2016 Edition**

**SCWa/P&T/Scot**

**Sub-Contractor Collateral Warranty for a  
Purchaser or Tenant for use in Scotland**

**ISBN: 978-1-909432-37-6**

**SBC579**

SAMPLE ONLY

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# Warranty Agreement

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**Between** (1)

\_\_\_\_\_

\_\_\_\_\_

(Company No. \_\_\_\_\_)<sup>[1]</sup>

of/whose registered office is at \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ('the Sub-Contractor')

**And** (2)

\_\_\_\_\_

\_\_\_\_\_

(Company No. \_\_\_\_\_)<sup>[1]</sup>

of/whose registered office is at \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ('the Purchaser/Tenant'<sup>[2]</sup>,  
which term shall include all permitted assignees under this Agreement).

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**[1]** Where the Sub-Contractor or Purchaser/Tenant is neither a company incorporated under the Companies Acts nor a company registered under the laws of another country, delete the references to Company number and registered office. In the case of a company incorporated outside Scotland or England and Wales, particulars of its place of incorporation should be inserted immediately before its Company number.

**[2]** Delete as appropriate.

## Whereas

**First** the Purchaser/Tenant<sup>[2]</sup> has entered into an agreement to purchase/an agreement to lease/a lease<sup>[2]</sup>  
with \_\_\_\_\_ ('the Employer')

relating to \_\_\_\_\_

\_\_\_\_\_

forming the whole/a part<sup>[2]</sup> of

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ ('the Main Contract Works');

**Second** pursuant to a contract ('the Building Contract') dated \_\_\_\_\_ between the Employer

and \_\_\_\_\_

\_\_\_\_\_ ('the Main Contractor')

the Sub-Contractor entered into an agreement ('the Sub-Contract') dated \_\_\_\_\_  
with the Main-Contractor, to carry out and complete certain works ('the Sub-Contract Works') forming  
part of the Main Contract Works;