### 2016 Edition

### SCWa/F/Scot

# Sub-Contractor Collateral Warranty for a Funder for use in Scotland

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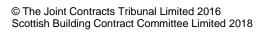


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## **Warranty Agreement**

Between	(1)			
			(Company No	
		of/whose registered office is at		
				('the Sub-Contractor')
And	(2)			
			(Company No	
		of/whose registered office is at		
				_('the Main Contractor')

<sup>[1]</sup> Where the Sub-Contractor, Main Contractor or Funder 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.

And	(3)	
		(Company No) <sup>[1]</sup>
		of/whose registered office is at
		which term shall include all permitted assignees under this Agreement).

#### **Whereas**

First	the Funder has entered into an agreement ('the Finance Agreement') with					
	('the Employer')					
	for the provision of finance in connection with the carrying out of building works					
	('the Main Contract Works',					
	which term shall include any changes made to the building works in accordance with the Building Contract);					
Sacand	pursuant to a contract ('the Building Contract') dated between the					
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;					
Third	the Main Contractor is a Party to this Agreement for the purpose of giving the acknowledgements set out in clauses 5 and 6.4:					