

## **46.705 Limitations.**

(a) Except for the *warranties* in the clauses at [52.246-3](#), *Inspection of Supplies-Cost-Reimbursement*, and [52.246-8](#), *Inspection of Research and Development-Cost-Reimbursement*, the *contracting officer* shall not include *warranties* in cost-reimbursement contracts, unless authorized in accordance with agency regulations (see [46.708](#)).

(b) *Warranty* clauses shall not limit the Government's rights under an *inspection* clause (see [subpart 46.3](#)) in relation to *latent defects*, fraud, or gross mistakes that amount to fraud.

(c) Except for *warranty* clauses in *construction* contracts, *warranty* clauses shall provide that the *warranty* applies notwithstanding *inspection* and acceptance or other clauses or terms of the contract.

**Parent topic:** [Subpart 46.7 - Warranties](#)