

*These notes relate to the Land Reform (Scotland) Act 2003  
(asp 2) which received Royal Assent on 25 February 2003*

# **LAND REFORM (SCOTLAND) ACT 2003**

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## **EXPLANATORY NOTES**

### **THE ACT – AN OVERVIEW**

#### **Part 2 the Community Right to Buy**

##### ***Section 42: Power to modify sections 40(4) and (5) and 41***

166. This section allows Ministers to modify by order the provisions of Section 40(4) and (5) and 41, which respectively describe what constitutes an excluded transfer and what constitutes action with a view to a transfer. Section 98(5) provides that no such order may be made unless a draft of it has been approved by a resolution of the Scottish Parliament.