



# Land Reform (Scotland) Act 2003

## 2003 asp 2

### PART 2

#### THE COMMUNITY RIGHT TO BUY

### CHAPTER 6

#### APPEALS

#### 63 Compensation

- (1) Any person (other than a community body) who has incurred loss or expense—
  - (a) in complying with the procedural requirements of this Part of this Act;
  - (b) as a result of failure by a community body to comply with an order of the Lands Tribunal under section 57 above;
  - (c) attributable to a prohibition imposed under subsection (5)(e) of section 37 above; or
  - (d) as a result of the operation of paragraph (a) or (b) of section 56(3) above,is entitled to compensation from Ministers of such amount as they may determine.
- (2) The reference in subsection (1)(d) above to loss or expense incurred as a result of the operation of paragraph (a) or (b) of section 56(3) above is a reference to loss or expense incurred which would be likely not to have been incurred in a sale of the land to a person who, not being a community body, would not have had the benefit of the provision of those paragraphs.
- (3) Where the community body and the owner of the land agree, under paragraph (c) of section 56(3) above, that the date of entry and payment of price shall be on a date after the last date on which that date could, by the operation of paragraphs (a) or (b) of that section, otherwise have been, no compensation shall be payable for any loss or expense attributable to any period occurring after that last date.
- (4) A person who has incurred loss or expense as a result of the suspension under this Act of a right of pre-emption, redemption or reversion enjoyed by that person is entitled to compensation.

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) The procedure for recovering losses and expenses under this section shall be as prescribed.