

Land Reform (Scotland) Act 2003 2003 asp 2

PART 3

THE CROFTING COMMUNITY RIGHT TO BUY

CHAPTER 1

GENERAL EXTENT OF CROFTING COMMUNITY RIGHT TO BUY

[F169A Land which may be bought: interest of tenant over land

- (1) This section applies where a tenancy which is neither—
 - (a) a croft tenancy; nor
 - (b) the tenancy of a dwelling-house,

has been created over land at least part of which is eligible croft land (the land over which the tenancy has been created being in this section referred to as the "tenanted land").

- (2) Where this section applies, a crofting community body may apply, under section 73 below, to buy the interest mentioned in subsection (3) below—
 - (a) where—
 - (i) it is simultaneously applying; or
 - (ii) it has made an application in respect of which Ministers have not made a decision,

to buy eligible croft land any part of which is part of the tenanted land (any such eligible croft land being in this section referred to as the "principal subjects"); or

- (b) if the conditions set out in subsection (4) below are met, during the relevant period.
- (3) The interest is the interest of the tenant over so much of the tenanted land as is comprised within the principal subjects.
- (4) The conditions are that the crofting community body—

Changes to legislation: There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 69A. (See end of Document for details)

- (a) has provided confirmation under section 85(1) below of its intention to proceed to buy the principal subjects; or
- (b) has bought and retained those subjects in accordance with the provisions of this Part of this Act.
- (5) In subsection (2) above, "relevant period" means the period beginning with the date on which Ministers consented to the application under section 73 to buy the principal subjects and ending—
 - (a) where the crofting community body does not proceed to exercise its right to buy those subjects, on the date on which it withdraws, under section 85(2) below, its confirmation so to proceed; or
 - (b) where the crofting community body has bought and retained those subjects, five years after the date on which the crofting community body bought those subjects.]

Textual Amendments

F1 S. 69A inserted (25.6.2007) by Crofting Reform etc. Act 2007 (asp 7), ss. 31(2), 39, 43; S.S.I. 2007/269, art. 2, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 69A.