



Land Reform (Scotland) Act 2003

2003 asp 2

[^{F1}PART 3A

COMMUNITY RIGHT TO BUY ABANDONED, NEGLECTED OR DETRIMENTAL LAND

[^{F1}97Q Completion of purchase

- (1) It is for the Part 3A community body to secure the expeditious exercise of its right to buy and, in particular—
 - (a) to prepare the documents necessary to—
 - (i) effect the transfer to it of the land, and
 - (ii) impose any conditions (including any real burdens or servitudes) which Ministers, under section 97L, require to be imposed upon the title to land, and
 - (b) in so doing, to ensure—
 - (i) that the land in the application to which Ministers have consented is the same as that to be transferred, and
 - (ii) that the transfer is to be effected in accordance with any other conditions imposed by Ministers under section 97L.
- (2) Where the Part 3A community body is unable to fulfil the duty imposed by subsection (1)(b) because the land or part of the land in respect of which Ministers' consent was given is not owned by the person named as its owner in the application made under section 97G, it must refer that matter to Ministers.
- (3) On a reference under subsection (2), Ministers must direct
- (4) The owner of the land being bought is obliged—
 - (a) to make available to the Part 3A community body such deeds and other documents as are sufficient to enable the body to proceed to complete its title to the land, and
 - (b) to transfer title accordingly.
- (5) If, within 6 weeks of the date on which Ministers consent to an application to buy land, the owner of the land refuses or fails to make those deeds and other documents available, or they cannot be found, the Lands Tribunal may, on the application of the

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Part 3A community body, order the owner or any other person appearing to the Lands Tribunal to have those deeds and documents to produce them.

- (6) If the owner of the land refuses or fails to effect such sufficient transfer as is mentioned in subsection (4), the Lands Tribunal may, on the application of the Part 3A community body, authorise its clerk to adjust, execute and deliver such deeds or other documents as will complete such transfer to the like force and effect as if done by the owner or person entitled.]

Textual Amendments

- F1** Pt. 3A inserted (30.6.2017 for specified purposes, 27.6.2018 in so far as not already in force) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 74, 142(1)**; [S.S.I. 2017/192](#), art. 2; [S.S.I. 2018/139](#), art. 2(a)

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