

# COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 4: Community rights to buy land**

#### **Modifications of Part 3 of Land Reform (Scotland) Act 2003: the crofting community right to buy**

Land Court: reasons for decision under [section 92](#)

168. Section 71(a) of the Act amends section 92(5) of the 2003 Act to provide that the Land Court is required to issue a written statement of reasons within 8 weeks of the hearing of the appeal. Section 71(b) introduces a new subsection (5A) which provides that where the Land Court considers that it is not reasonable to issue a written statement within 8 weeks, it must notify the parties to the appeal of the date by which it will issue its written statement.
169. Section 71(d) of the Act inserts subsections (6A), (6B) and (6C) into section 92 of the 2003 Act. Section 92(6A) provides that the person who appeals to the Scottish Land Court in connection with the valuation of the land on an application must notify Ministers in writing within 7 days of the date the appeal is made. Section 92(6B) provides that the Land Court is required to send to Ministers a copy of the written statement of reasons issued following the appeal decision. Section 92(6C) states that failure to comply with these requirements will have no effect on the crofting community's right to buy the land, the tenant's interest or the sporting interests, or the validity of the appeal.