



Community Empowerment (Scotland) Act 2015

2015 asp 6

PART 5

ASSET TRANSFER REQUESTS

Requests

79 Asset transfer requests

- (1) A community transfer body may make a request in accordance with this section (in this Part, an “asset transfer request”) to a relevant authority.
- (2) An asset transfer request is a request—
 - (a) in relation to land owned by the relevant authority, for ownership of the land to be transferred to the community transfer body, or
 - (b) in relation to land owned or leased by the relevant authority—
 - (i) for the land to be leased to the community transfer body, or
 - (ii) for the authority to confer rights in respect of the land on the community transfer body (including, for example, rights to manage or occupy the land or use it for a purpose specified in the request).
- (3) An asset transfer request of the type mentioned in subsection (2)(a) may be made only by a community transfer body falling within section 80; and references in the remainder of this Part to the making of an asset transfer request by a community transfer body are to be read accordingly.
- (4) A community transfer body making an asset transfer request must specify in the request—
 - (a) the land to which the request relates,
 - (b) whether the request falls within paragraph (a), (b)(i) or (b)(ii) of subsection (2),
 - (c) the reasons for making the request,

Changes to legislation: There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Section 79. (See end of Document for details)

- (d) the benefits which the community transfer body considers will arise if the authority were to agree to the request,
- (e) where the request falls within subsection (2)(a), the price that the community transfer body would be prepared to pay for the transfer of ownership of the land,
- (f) where the request falls within subsection (2)(b)(i)—
 - (i) the amount of rent that the community transfer body would be prepared to pay in respect of any lease resulting from the request,
 - (ii) the duration of any such lease, and
 - (iii) any other terms and conditions that the community transfer body considers should be included in any such lease,
- (g) where the request falls within subsection (2)(b)(ii), the nature and extent of the rights sought, and
- (h) any other terms or conditions applicable to the request.

Commencement Information

II S. 79 in force at 23.1.2017 by S.S.I. 2016/363, art. 3(b)

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