Land Reform (Scotland) Act 2016

2016 asp 18

PART 5

RIGHT TO BUY LAND TO FURTHER SUSTAINABLE DEVELOPMENT

Key terms

46 Eligible land

(1) The land which may be bought under this Part ("eligible land") is any land other than excluded land.

(2) In subsection (1) "excluded land" means—

(a) land on which there is a building or other structure which is an individual's home, unless the building or structure is occupied by an individual under a tenancy,

(b) such land pertaining to land of the type mentioned in paragraph (a) as the Scottish Ministers may by regulations specify,

(c) croft land within the meaning of section 68(2) of the Land Reform (Scotland) Act 2003,

(d) land which is owned or occupied by the Crown by virtue of its having vested as *bona vacantia* in the Crown, or its having fallen to the Crown as *ultimus haeres*,

(e) land of such other descriptions or classes as the Scottish Ministers may by regulations specify.

(3) The Scottish Ministers may by regulations make provision about—

(a) the buildings and structures which are, or are to be treated as, a home for the purposes of subsection (2)(a),

(b) the types of occupation and possession of land that are, or are to be treated as, a tenancy for the purposes of subsection (2)(a).

Commencement Information

I1 S. 46 in force at 26.4.2020 by S.S.I. 2020/20, reg. 2, **sch.**

Changes to legislation:
Land Reform (Scotland) Act 2016, Section 46 is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

– specified provision(s) amendment to earlier commencing S.S.I. 2017/299, regs. 5-14, by S.S.I. 2017/370 reg. 34