



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).