



Land Reform (Scotland) Act 2016

2016 asp 18

PART 5

RIGHT TO BUY LAND TO FURTHER SUSTAINABLE DEVELOPMENT

Key terms

47 Eligible land: salmon fishings and mineral rights

- (1) A Part 5 community body (as defined in section 49) may apply, under section 54, to buy eligible land which consists of salmon fishings or mineral rights only—
 - (a) where—
 - (i) it is simultaneously applying, or
 - (ii) it has made an application in respect of which the Scottish Ministers have not made a decision,to buy the land to which such fishings or rights relate, or
 - (b) during the relevant period.
- (2) Such an application may be made during the relevant period only where the Part 5 community body or, as the case may be, the third party purchaser (as defined in section 54(1)(b))—
 - (a) has provided confirmation under section 62(1) or, as the case may be, (2) of its intention to proceed to buy the land to which the fishings or rights relate, or
 - (b) has bought and retained that related land in accordance with the provisions of this Part.
- (3) In this section “relevant period” means the period beginning with the date on which the Scottish Ministers consented to the application under section 54 to buy the land to which the fishings or rights relate and ending—
 - (a) where the Part 5 community body or, as the case may be, the third party purchaser does not proceed to exercise its right to buy that related land, on the date—
 - (i) on which it withdraws, under section 62(3)(b) or, as the case may be, (4)(b), its confirmation so to proceed, or
 - (ii) of its failure otherwise to complete the purchase, or

Status: *This is the original version (as it was originally enacted).*

- (b) where the Part 5 community body or, as the case may be, the third party purchaser has bought and retained that related land—
 - (i) in relation to salmon fishings, 1 year, or
 - (ii) in relation to mineral rights, 5 years,after the date on which the Part 5 community body or the third party purchaser bought that land.