Community Empowerment (Scotland) Act 2015

2015 asp 6

PART 4

COMMUNITY RIGHTS TO BUY LAND

Modifications of Part 3 of Land Reform (Scotland) Act 2003

71 Land Court: reasons for decision under section 92

In section 92 of the 2003 Act (appeals to Land Court: valuation)—

(a) in subsection (5), for the words "within 4 weeks of the hearing of the appeal", substitute "—

(a) within 8 weeks of the hearing of the appeal, or

(b) where subsection (5A) applies, by such later date referred to in paragraph (b)(ii) of that subsection.",

(b) after subsection (5), insert—

"(5A) This subsection applies where—

(a) the Land Court considers that it is not reasonable to issue a written statement mentioned in subsection (5) by the time limit specified in paragraph (a) of that subsection, and

(b) before the expiry of that time limit, the Land Court has notified the parties to the appeal—

(i) that the Land Court is unable to issue a written statement by that time limit, and

(ii) of the date by which the Land Court will issue such a written statement.",

(c) in subsection (6), for the words from "to" to the end of the subsection, substitute "—

(a) to comply with the time limit specified in paragraph (a) of subsection (5) above, or

(b) to issue a written statement by the date referred to in paragraph (b) of that subsection.", and

(d) after subsection (6), insert—

"(6A) Where the owner of land, the tenant, the person entitled to the sporting interests or the crofting community body appeals under this section, the owner, tenant, person so entitled or, as the case may be, crofting community body must, within 7 days of the date on which the appeal is made, notify Ministers in writing of—

(a) the making of the appeal, and

(b) the date of the making of the appeal.

(6B) The Land Court must send a copy of the written statement of reasons issued under subsection (5) to Ministers.

(6C) Failure to comply with subsection (6A) or (6B) has no effect on—

(a) the crofting community body's right to buy the land, the tenant's interest or the sporting interests, or

(b) the validity of the appeal under this section.".

Commencement Information

I1 S. 71 in force at 24.2.2021 by S.S.I. 2020/448, **art. 2** (with art. 3)

Changes to legislation:
There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Section 71.