



# Land Reform (Scotland) Act 2016

## 2016 asp 18

### PART 10

#### AGRICULTURAL HOLDINGS

### CHAPTER 3

#### TENANT'S RIGHT TO BUY

#### **99 Tenant's right to buy: removal of requirement to register**

- (1) The 2003 Act is amended as follows.
- (2) Sections 24 (register of tenants' interests in acquiring land) and 25 (registration of such interests) are repealed.
- (3) Before section 26 insert as an italic heading "The right to buy".
- (4) In section 26 (notice of proposal to transfer land)—
  - (a) for subsection (1) substitute—

“(1) This section applies where—

    - (a) the owner of land comprised in a lease constituting a 1991 Act tenancy, or
    - (b) a creditor in a standard security with a right to sell the land, proposes to transfer the land or any part of it to another person.

(1A) The owner or, as the case may be, the creditor must, subject to section 27, give notice in writing of the proposed transfer to the tenant.”,
  - (b) in subsection (2), for “subsection (1)” substitute “subsection (1A)”,
  - (c) after that subsection insert—

“(3) For the purposes of this Part, “tenant”—

    - (a) where there are two or more tenants under the lease, means those tenants, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) does not include a sub-tenant.”.
- (5) In section 27 (transfers not requiring notice), subsection (1)(g)(v) is repealed.
- (6) In section 28 (right to buy)—
  - (a) in subsection (1)—
    - (i) “a tenant’s interest in acquiring land is for the time being registered under section 25 and” is repealed,
    - (ii) in paragraph (a), for first “the land” substitute “land comprised in a lease constituting a 1991 Act tenancy,”,
  - (b) in subsection (3)—
    - (i) after paragraph (a) insert “or”,
    - (ii) paragraph (c) is repealed (together with the “or” immediately before it).
- (7) In section 29 (exercise of right to buy), subsection (7) is repealed.