

## **EXECUTIVE NOTE**

### **THE TITLE CONDITIONS (SCOTLAND) ACT 2003 (RURAL HOUSING BODIES) AMENDMENT ORDER 2008 (S.S.I. 2008/391)**

This instrument is being made in exercise of the powers conferred by section 43(5) of the Title Conditions (Scotland) Act 2003. This instrument is subject to negative parliamentary procedure.

#### **Policy objectives**

This Order amends the Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Order 2004 by adding two bodies to the Schedule to that Order.

The Title Conditions (Scotland) Act 2003 gives Scottish Ministers the power to designate a list of 'rural housing bodies' who will be able, when selling rural housing or land, to reserve a right to repurchase the property or land in the event of it coming up for sale. As a consequence, rural housing bodies will have the ability to control future sales. To be a 'rural housing body', an organisation must have as its object or function (or one of its principal objects or functions):-

- (a) the provision of housing on rural land; or
- (b) the provision of such land for housing.

The right to repurchase may only be used over rural land. Rural land means land other than excluded land. Excluded land has the same meaning as in the Land Reform (Scotland) Act 2003, namely settlements of over 10,000 people.

Previous amending Orders designating rural housing bodies were laid in 2004, 2006 and in 2007.

#### **Consultation**

None required as applicants either meet the terms of the legislation or they do not.

#### **Regulatory Impact Assessment**

None required as there is no impact on business.

#### **Financial Effects**

The instrument has no financial effect on the Scottish Government, local government or on business.

Scottish Government  
Constitution, Law and Courts Directorate  
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