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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 399**

**The Community Empowerment (Scotland) Act 2015  
(Commencement No. 3 and Savings) Order 2015**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Community Empowerment (Scotland) Act 2015 (Commencement No. 3 and Savings) Order 2015 and comes into force on 15th April 2016.

(2) In this Order—

“the 2003 Act” means the Land Reform (Scotland) Act 2003(1);

“the Act” means the Community Empowerment (Scotland) Act 2015;

“application to register a community interest in land” means an application to register a community interest in land under section 37(1) of the 2003 Act;

“community interest in land” means a community interest in land registered under section 37 of the 2003 Act; and

“the Register” means the Register of Community Interests in Land kept under section 36 of the 2003 Act.

**Appointed day**

2.—(1) Subject to paragraph (2), the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in the Schedule (the subject matter of which is described in column 2 of that table) is 15th April 2016.

(2) Where a purpose is specified in column 3 of that table in relation to any provision specified in column 1, that provision comes into force on 15th April 2016 only for that purpose.

**Savings**

3. Notwithstanding the commencement of the provisions of the Act specified in column 1 of the table in the Schedule, the modifications of Parts 2 and 4 of the 2003 Act made by those provisions have no effect in relation to—

- (a) an application to register a community interest in land made before 15th April 2016;
- (b) a community interest in land which relates to an application to register a community interest in land made before 15th April 2016;
- (c) any right to buy land arising under Part 2 of the 2003 Act in which a community interest in land has been registered, or the exercise of such a right, where that interest relates to an application to register a community interest in land made before 15th April 2016;
- (d) an application (whether made before, on or after 15th April 2016) under section 57(1) of the 2003 Act in respect of land where the community interest in land relates to an application to register a community interest in land made before 15th April 2016;

- (e) the exercise of any power of the Lands Tribunal for Scotland to make an order or to do any other act under section 57 of the 2003 Act where such order or act is in relation to a community interest in land that relates to an application to register a community interest in land made before 15th April 2016;
- (f) the carrying out of a valuation in respect of land under section 59 of the 2003 Act (including the appointment of a valuer and the procedure for obtaining, and the expenses of, a valuation) where the community interest in land relates to an application to register a community interest in land made before 15th April 2016;
- (g) an appeal (whether made before, on or after 15th April 2016) under section 61 of the 2003 Act against—
  - (i) a decision mentioned in subsection (1)(a) or (3)(a) of that section where the appeal is in relation to a decision by Ministers that a community interest in land is to be entered in the Register and that community interest in land relates to an application to register a community interest in land made before 15th April 2016;
  - (ii) a decision mentioned in subsection (1)(b) or (3)(b) of that section where the appeal is in relation to a decision by Ministers to give consent to the exercise by a community body of its right to buy land where the community interest in land relates to an application to register a community interest in land made before 15th April 2016;
  - (iii) a decision mentioned in subsection (2)(a) of that section where the appeal is in relation to a decision by Ministers that a community interest is not to be entered in the Register and the community interest relates to an application to register a community interest in land made before 15th April 2016; or
  - (iv) a decision mentioned in subsection (2)(b) of that section where the appeal is in relation to a decision by Ministers not to give consent to the exercise by a community body of its right to buy land where the community interest in land relates to an application to register a community interest in land made before 15th April 2016;
- (h) an appeal (whether made before, on or after 15th April 2016) under section 62 of the 2003 Act against a valuation carried out under section 59 of the 2003 Act where the valuation is in relation to a community interest in land that relates to an application to register a community interest in land made before 15th April 2016;
- (i) an appeal (whether made before, on or after 15th April 2016) under section 64 of the 2003 Act against a decision of Ministers on compensation under section 63(1)(a) of the 2003 Act in relation to complying with the procedural requirements of Part 2 of the 2003 Act in relation to—
  - (i) an application to register a community interest in land made before 15th April 2016;
  - (ii) a community interest in land that relates to an application to register a community interest in land made before 15th April 2016; or
  - (iii) any right to buy land arising under Part 2 of the 2003 Act in which a community interest in land has been registered, or the exercise of such a right, where that interest relates to an application to register a community interest in land made before 15th April 2016;
- (j) an appeal (whether made before, on or after 15th April 2016) under section 64 of the 2003 Act against a decision of Ministers on compensation under section 63(1)(b) of the 2003 Act in relation to a failure by a community body to comply with an order of the Lands Tribunal for Scotland under section 57 of the 2003 Act concerning a community interest in land that relates to an application to register a community interest in land made before 15th April 2016;

- (k) an appeal (whether made before, on or after 15th April 2016) under section 64 of the 2003 Act against a decision of Ministers on compensation under section 63(1)(c) of the 2003 Act in relation to a prohibition imposed under subsection (5)(e) of section 37 of 2003 Act concerning an application to register a community interest in land made before 15th April 2016; or
- (l) an appeal (whether made before, on or after 15th April 2016) under section 64 of the 2003 Act against a decision of Ministers on compensation under section 63(1)(d) of the 2003 Act in relation to the operation of paragraph (a) or (b) of section 56(3) of the 2003 Act concerning a community interest in land that relates to an application to register a community interest in land made before 15th April 2016.

St Andrew's House,  
Edinburgh  
19th November 2015

*AILEEN MCLEOD*  
Authorised to sign by the Scottish Ministers