
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 140

**The Community Right to Buy (Abandoned, Neglected
or Detrimental Land) (Applications, Ballots and
Miscellaneous Provisions) (Scotland) Regulations 2018**

PART 3

Ballot for purpose of section 97J of the Act

Conduct of ballot

Conduct of ballot

6.—(1) The ballot for the purpose of section 97J(1) of the Act (ballot to indicate approval for purposes of section 97H) must be conducted—

- (a) in a fair and reasonable manner; and
- (b) as a secret postal ballot.

(2) The Part 3A community body must ascertain the persons eligible to vote in the ballot, those persons being members of the community as defined for the purposes of section 97D(2)(a), (3)(a) or (4)(a) of the Act as the case may be⁽¹⁾.

(3) The Part 3A community body must send to each person eligible to vote a ballot paper with—

- (a) the question on which the vote is to be taken;
- (b) the date and time, being not less than 10 days after the date of posting, by which the ballot must be returned (“the ballot deadline”); and
- (c) the information specified in paragraph (4).

(4) The Part 3A community body must send to each person eligible to vote—

- (a) a description of the land and details of any rights or interests in respect of an owner, creditor or third party that are associated with the land;
- (b) the basis on which the Part 3A community body asserts that the land is eligible land for the purposes of Part 3A of the Act;
- (c) a description of the Part 3A community body’s proposals for the land;
- (d) details of how further information may be obtained on the Part 3A community body’s proposals for the land and other matters relating to the ballot;
- (e) the name of the Part 3A community body, as it appears on the Part 3A community body’s memorandum and articles of association, constitution or registered rules;
- (f) the Part 3A community body’s company number, charity number or registration number; and

⁽¹⁾ Section 97D(9) of the Act sets out how a community is defined for the purposes of section 97D(2)(a), (3)(a) or (4)(a) of the Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (g) the Part 3A community body's contact details, including a contact name, postal address, email address and telephone number.
- (5) The Part 3A community body must provide to each person eligible to vote a stamped addressed envelope for returning the completed ballot paper.