



Land Reform (Scotland) Act 2003

2003 asp 2

PART 2

THE COMMUNITY RIGHT TO BUY

CHAPTER 1

GENERAL EXTENT OF COMMUNITY RIGHT TO BUY

35 Provisions supplementary to section 34

[^{F1}(A1) During the relevant period, a community body which modifies its memorandum, articles of association, constitution or registered rules (as defined in section 34(8)) must, as soon as possible after such modification, notify the Scottish Ministers in writing of the modification.]

[^{F2}(A2) In subsection (A1), “relevant period” means the period—

- (a) beginning on the day on which the community body submits an application under section 37(1) for registration of a community interest in land, and
- (b) ending with—
 - (i) registration of the community interest in land,
 - (ii) a decision by Ministers that the community interest in land should not be registered,
 - (iii) Ministers declining, by virtue of section 39(5), to consider the application, or
 - (iv) withdrawal of the application.]

[^{F3}(1) A community body—

- (a) which—
 - (i) has registered a community interest in land under this Part and remains so registered, or
 - (ii) has bought land under this Part, any part of which remains in its ownership, and
- (b) which modifies its memorandum, articles of association, constitution or registered rules (as defined in section 34(8)),

*Changes to legislation: There are currently no known outstanding effects for the
 Land Reform (Scotland) Act 2003, Section 35. (See end of Document for details)*

must, as soon as possible after such modification, notify the Scottish Ministers in writing of the modification.]

- (2) If Ministers are satisfied that a body which has registered a community interest is no longer a community body, they may direct the Keeper to delete that interest from the Register.
- (3) If Ministers are satisfied that a body which has, under this Part of this Act, bought land would, had it not so bought that land, no longer be entitled to do so, they may acquire the land compulsorily.
- [^{F4}(4) Where the power conferred by subsection (3) is (or is to be) exercised in relation to land, Ministers may make an order relating to, or to matters connected with, the acquisition of the land.
- (5) An order under subsection (4) may—
 - (a) apply, modify or exclude any enactment which relates to any matter as to which an order could be made under that subsection,
 - (b) make such modifications of enactments as appear to Ministers to be necessary or expedient in consequence of any provision of the order or otherwise in connection with the order.]

Textual Amendments

- F1** S. 35(A1) substituted (27.6.2018) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), **sch. 1 para. 1(2)(a)** (with s. 128); S.S.I. 2018/138, art. 3, sch. 2
- F2** S. 35(A1)(A2) inserted (15.4.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 38(2)**, 142(1); S.S.I. 2015/399, art. 2, Sch. (with art. 3)
- F3** S. 35(1) substituted (27.6.2018) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), s. 130(1), **sch. 1 para. 1(2)(b)** (with s. 128); S.S.I. 2018/138, art. 3, sch. 2
- F4** S. 35(4)(5) inserted (15.4.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 38(4)**, 142(1); S.S.I. 2015/399, art. 2, Sch. (with art. 3)

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There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 35.