



# Land Reform (Scotland) Act 2003

## 2003 asp 2

### PART 2 **S**

#### THE COMMUNITY RIGHT TO BUY

### CHAPTER 3 **S**

#### ACTIVATION OF RIGHT TO BUY

#### **48 Duties on owner, or creditor, proposing to transfer land **S****

- (1) Where the owner of land in respect of which a community interest is registered or, as the case may be, a creditor in a standard security with a right to sell such land proposes to transfer that land (or any land of which that land forms part) by way of a transfer under this Part of this Act, the owner or, as the case may be, such a creditor shall notify that fact to—
  - (a) the community body, or bodies, in respect of which the interest is registered; and
  - (b) Ministers.
- (2) Notification under subsection (1) above shall be given in such form and otherwise in accordance with such provisions as are prescribed.
- (3) Subsection (1) above operates so as to require notification of a proposal to transfer land in respect of which no community interest has been registered only where that proposed transfer also relates to land in respect of which a community interest has been registered.
- (4) Where notification under subsection (1) above is given by a creditor in a standard security with a right to sell the land, references in the following sections of this Part of this Act to the owner of the land shall, for the purposes of determining the procedure which is to apply in respect of the sale of the land by that creditor, be deemed to be references to that creditor.

**Changes to legislation:**

There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 48.