



# Land Reform (Scotland) Act 2003

## 2003 asp 2

### PART 2

#### THE COMMUNITY RIGHT TO BUY

### CHAPTER 6

#### APPEALS

#### **62 Appeals to Lands Tribunal: valuation**

- (1) The owner of the land and the community body which is exercising its right to buy the land may appeal to the Lands Tribunal against the valuation carried out under section 59 above.
- (2) An appeal under this section shall state the grounds on which it is being made and shall be lodged within 21 days of the date of notification under section 60 above.
- (3) In an appeal under this section, the Lands Tribunal may reassess the value of—
  - (a) the land;
  - (b) any moveable property used in connection with, and being sold with, the land;  
or
  - (c) both the land and any such moveable property.
- (4) The valuer whose valuation is appealed against may be a witness in the appeal proceedings.
- (5) The hearing of an appeal under this section shall begin not later than the first sitting day after the expiry of the period of four months beginning with the day on which the appeal was lodged.
- (6) In subsection (5) above, a “sitting day” is a day when the Lands Tribunal normally sits.
- (7) The Lands Tribunal shall give reasons for its decision on an appeal under this section and issue a written statement of those reasons within 4 weeks of the hearing of the appeal.

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*Status: This is the original version (as it was originally enacted).*

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- (8) The validity of anything done under this Part of this Act is not affected by any failure of the Lands Tribunal to comply with the time limit specified in subsection (7) above.
- (9) Ministers are not competent parties to any appeal under this section by reason only that they appointed the valuer whose valuation is the subject of the appeal.
- (10) Ministers' powers under the Lands Tribunal Act 1949 (c. 42) to make rules as respects that Tribunal extend to such rules as may be necessary or expedient to give full effect to this section.