



Land Reform (Scotland) Act 2003

2003 asp 2

PART 3

THE CROFTING COMMUNITY RIGHT TO BUY

CHAPTER 3

VALUATION OF CROFT LAND

89 Compensation

- (1) Any person, including an owner or former owner of land or person entitled to sporting interests, who has incurred loss or expense—
 - (a) in complying with the requirements of this Part of this Act following upon the making of an application under section 73 above by a crofting community body;
 - (b) as a result of the withdrawal by the crofting community body of its confirmation under section 85 above or its failure otherwise to complete the purchase after having so confirmed its intention under that section; or
 - (c) as a result of the failure of the crofting community body which made that application to complete the purchase,is entitled to recover the amount of that loss or expense from the crofting community body.
- (2) There is no such entitlement, however, where the application under section 73 above is refused.
- (3) Where such an application has been refused, the owner of the land or person entitled to the interests who has incurred loss or expense as mentioned in subsection (1)(a) above is entitled to recover the amount of that loss or expense from Ministers.
- (4) Ministers shall, by order, provide as to the procedure under which claims for compensation under this section are to be made.
- (5) Where, at the expiry of such period of time as may be fixed for the purposes of this subsection by an order under subsection (4) above, any question as to whether

Status: This is the original version (as it was originally enacted).

compensation is payable or as to the amount of any compensation payable has not been settled as between the parties, either of them may refer the question to the Land Court.