



Land Reform (Scotland) Act 2003

2003 asp 2

PART 3

THE CROFTING COMMUNITY RIGHT TO BUY

CHAPTER 5

GENERAL AND MISCELLANEOUS PROVISIONS

94 Register of Crofting Community Rights to Buy

- (1) The Crofters Commission shall set up and keep (or secure that there is set up and kept) a register to be known as the Register of Crofting Community Rights to Buy (the “crofting register”).
- (2) The crofting register shall be set up and kept so as to contain, in a manner and form convenient for public inspection, the following information and documents relating to each application to exercise the right to buy registered in it—
 - (a) [^{F1}where the crofting community body which has submitted the application is constituted by a company limited by guarantee,] the name and address of the registered office of the company ^{F2}...;
 - [^{F3}(aa) where the crofting community body which has submitted the application is constituted by a Scottish charitable incorporated organisation within the meaning given in section 71(8) (a “SCIO”), the name and address of the principal office of the SCIO,
 - (ab) where the crofting community body which has submitted the application is constituted by a community benefit society as defined in section 71(8), the name and address of the registered office of the society,]
 - (b) a copy of the application;
 - (c) a copy of Ministers' decision consenting or refusing to consent to the exercise of the right to buy;
 - (d) a copy of—
 - (i) any notice of withdrawal by the crofting community body of an application to exercise the right to buy;

*Changes to legislation: There are currently no known outstanding effects for the
 Land Reform (Scotland) Act 2003, Section 94. (See end of Document for details)*

- (ii) any notice of confirmation by the body of its intention to proceed to exercise that right;
- (iii) any notice withdrawing that confirmation; and
- (iv) any acknowledgement by Ministers of receipt of notice such as is mentioned in sub-paragraphs (i) to (iii) above; and
- (e) such other information as Ministers consider appropriate.

[^{F4}(2A) Subsection (2B) applies where—

- (a) a crofting community body changes its name,
- (b) a crofting community body which is constituted by a company limited by guarantee or by a community benefit society changes the address of its registered office, or
- (c) a crofting community body which is constituted by a SCIO changes the address of its principal office.

(2B) The crofting community body must, as soon as reasonably practicable after the change is made, notify the Crofting Commission of the change.]

(3) Ministers may, by order, modify paragraphs (a) to (e) of subsection (2) above.

[^{F5}(3A) If the crofting community body registering an application requires that any such information or document relating to that application and falling within subsection (3B) as is specified in the requirement be withheld from public inspection, that information or document is to be kept by or on behalf of Ministers separately from and not entered in the crofting register.

(3B) Information or a document falls within this subsection if it relates to arrangements for the raising or expenditure of money to enable the land to which the application relates to be put to a particular use.

(3C) Nothing in subsection (3A) or (3B) obliges an applicant crofting community body, or empowers Ministers to require such a body, to submit to Ministers any information or document within subsection (3B).]

(4) Any person who, under this Part of this Act, provides a document or other information, or makes a decision, which or a copy of which is to be registered in the crofting register shall, forthwith on providing the document or other information or, as the case may be, making the decision, give it or a copy of it to the Crofters Commission for the purpose of allowing it to be so registered.

(5) The Crofters Commission shall ensure—

- (a) that the crofting register is, at all reasonable times, available for public inspection free of charge;
- (b) that members of the public are given facilities for getting copies of entries in the crofting register on payment of reasonable charges;
- (c) that any person requesting it is, on payment of such a charge, supplied with an extract entry certified to be a true copy of the original.

(6) An extract so certified shall be sufficient evidence of the original.

Textual Amendments

- F1** Words in s. 94(2)(a) inserted (24.2.2021) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), ss. 72(2)(a)(i), 142(1); S.S.I. 2020/448, art. 2 (with art. 3)

Changes to legislation: There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 94. (See end of Document for details)

- F2** Words in s. 94(2)(a) repealed (24.2.2021) by Community Empowerment (Scotland) Act 2015 (asp 6), **ss. 72(2)(a)(ii)**, 142(1); S.S.I. 2020/448, art. 2 (with art. 3)
- F3** S. 94(2)(aa)(ab) inserted (24.2.2021) by Community Empowerment (Scotland) Act 2015 (asp 6), **ss. 72(2)(b)**, 142(1); S.S.I. 2020/448, art. 2 (with art. 3)
- F4** S. 94(2A)(2B) inserted (24.2.2021) by Community Empowerment (Scotland) Act 2015 (asp 6), **ss. 72(3)**, 142(1); S.S.I. 2020/448, art. 2 (with art. 3)
- F5** S. 94(3A)-(3C) inserted (24.2.2021) by Community Empowerment (Scotland) Act 2015 (asp 6), **ss. 72(4)**, 142(1); S.S.I. 2020/448, art. 2 (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 94.