



Land Reform (Scotland) Act 2003

2003 asp 2

[^{F1}PART 3A

COMMUNITY RIGHT TO BUY ABANDONED, NEGLECTED OR DETRIMENTAL LAND

[^{F1}97X Reference to Lands Tribunal of questions on applications

- (1) At any time before Ministers reach a decision on an application which has been made under section 97G—
 - (a) Ministers,
 - (b) any person who is a member of the community defined in relation to the applicant Part 3A community body in pursuance of section 97D,
 - (c) the owner of the land which is the subject of the application,
 - (d) any person who has any interest in the land giving rise to a right which is legally enforceable by that person, or
 - (e) any person who is invited, under section 97G(9)(a)(iv), to send views to Ministers on the application,may refer to the Lands Tribunal any question relating to the application.
- (2) In considering any question referred to it under subsection (1), the Lands Tribunal may have regard to any representations made to it by—
 - (a) the applicant Part 3A community body,
 - (b) the owner of the land which is the subject of the application, or
 - (c) any other person who, in the opinion of the Lands Tribunal, appears to have an interest.
- (3) The Lands Tribunal—
 - (a) must advise Ministers of its finding on any question so referred, and
 - (b) may, by order, provide that Ministers may consent to the application only if they impose, under section 97L, such conditions as the Tribunal may specify.
- (4) If the Lands Tribunal considers any question referred to it under this section to be irrelevant to Ministers' decision on the application to which it relates, it may decide to give no further consideration to the question and find accordingly.

*Changes to legislation: There are currently no known outstanding effects for the
Land Reform (Scotland) Act 2003, Section 97X. (See end of Document for details)*

- (5) Where a person mentioned in any of paragraphs (b) to (e) of subsection (1) refers a question to the Lands Tribunal as mentioned in that subsection, the person so referring the question must, within 7 days of the date of referring it, notify Ministers of—
- (a) the referral of the question, and
 - (b) the date of referring the question.
- (6) Failure to comply with subsection (3)(a) or (5) has no effect on—
- (a) the validity of the application under section 97G by the Part 3A community body,
 - (b) the Part 3A community body's right to buy the land, or
 - (c) the validity of the referral of the question under subsection (1).]

Textual Amendments

- F1** Pt. 3A inserted (30.6.2017 for specified purposes, 27.6.2018 in so far as not already in force) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 74, 142(1)**; [S.S.I. 2017/192](#), **art. 2**; [S.S.I. 2018/139](#), **art. 2(a)**

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