Community Empowerment (Scotland) Act 2015

2015 asp 6

PART 4

COMMUNITY RIGHTS TO BUY LAND

Modifications of Part 2 of Land Reform (Scotland) Act 2003

49 Appointment of person to conduct ballot on proposal to buy land

After section 51 of the 2003 Act, insert—

"**51A Ballots under section 51: appointment of ballotter, etc.**

(1) The ballot is to be conducted by a person (the "ballotter") appointed by Ministers who appears to them to be independent and to have knowledge and experience of conducting ballots.

(2) Ministers must, within the period mentioned in subsection (3), provide the ballotter with—

(a) a copy of the application made by the community body under section 37 to register an interest in the land in relation to which the body has confirmed it will exercise the right to buy, and

(b) such other information as may be prescribed.

(3) The period is the period of 28 days beginning with the date on which a valuer is appointed under section 59(1) in respect of the land in relation to which the community body has confirmed it will exercise the right to buy.

(4) Ministers must provide the community body with such details of the ballotter as will enable the community body to contact the ballotter.

(5) The community body must, before the end of the period of 7 days following receipt of notification under section 60(2) of the valuation of the land, provide the ballotter with wording for the proposition mentioned in section 51(2)(b); and the ballotter must conduct the ballot on the basis of such wording.

(6) At the same time as providing that wording, the community body must also provide the ballotter, in such form as may be prescribed, with such information as may be prescribed relating to—

(a) the community body,

(b) its proposals for use of the land in relation to which it has confirmed it will exercise its right to buy,

(c) the valuation, and

(d) any other matters.

(7) The expense of conducting the ballot is to be met by Ministers.”.

Commencement Information

I1 S. 49 in force at 13.11.2015 for specified purposes by S.S.I. 2015/358, art. 2, **Sch.**

I2 S. 49 in force at 15.4.2016 in so far as not already in force by S.S.I. 2015/399, art. 2, **Sch.** (with art. 3)

Changes to legislation:
There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Section 49.