



Land Reform (Scotland) Act 2016

2016 asp 18

PART 5

RIGHT TO BUY LAND TO FURTHER SUSTAINABLE DEVELOPMENT

Register of Applications by Community Bodies to Buy Land

52 Register of Applications by Community Bodies to Buy Land

- (1) The Keeper must set up and keep a register, to be known as the Register of Applications by Community Bodies to Buy Land (the “New Register”).
- (2) The New Register must 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 under this Part registered in it—
 - (a) where the Part 5 community body which applied under section 54 is constituted by a company limited by guarantee, the name and address of the registered office of the company,
 - (b) where the Part 5 community body which applied under section 54 is constituted by a Scottish charitable incorporated organisation (within the meaning given by section 49(11)), the name and address of the principal office of the Scottish charitable incorporated organisation,
 - (c) where the Part 5 community body which applied under section 54 is constituted by a community benefit society (within the meaning given by section 49(11))—
 - (i) the name of the society, and
 - (ii) the address of the registered office of the society,
 - (d) where the Part 5 community body which applied under section 54 is constituted by a body corporate having a written constitution, the name and address of the body corporate,
 - (e) a copy of the application to exercise the right to buy under this Part,
 - (f) a copy of any notification given under section 58(4)(b),
 - (g) a copy of any notice given under section 60(1),
 - (h) a copy of any notice given under section 61(2)(b),
 - (i) a copy of any notice under section 62(1) or (2),

Status: This is the original version (as it was originally enacted).

- (j) a copy of any notice under section 62(3)(a) or (b),
 - (k) a copy of any notice under section 62(4)(a) or (b),
 - (l) such other information as the Scottish Ministers consider appropriate.
- (3) Subject to subsection (4), any person who, under this Part, provides a document or other information, or makes a decision, which or a copy of which is to be registered in the New Register must, as soon as reasonably practicable after providing the document or other information or, as the case may be, making the decision, give it or a copy of it to the Keeper for the purpose of allowing it to be so registered.
- (4) If the Part 5 community body registering an application requires that any such information or document relating to that application and falling within subsection (5) as is specified in the requirement be withheld from public inspection, that information or document is to be kept by or on behalf of the Scottish Ministers separately from and not entered in the New Register.
- (5) 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.
- (6) Nothing in subsection (4) or (5) requires an applicant Part 5 community body or a third party purchaser, or empowers the Scottish Ministers to require an applicant Part 5 community body or a third party purchaser, to submit to the Scottish Ministers any information or document within subsection (5).
- (7) The Scottish Ministers may by regulations modify—
- (a) paragraphs (a) to (k) of subsection (2),
 - (b) subsection (4),
 - (c) subsection (5).
- (8) Subsection (9) applies where—
- (a) a Part 5 community body changes its name,
 - (b) a Part 5 community body which is constituted by a company limited by guarantee or by a community benefit society changes the address of its registered office,
 - (c) a Part 5 community body which is constituted by a Scottish charitable incorporated organisation changes the address of its principal office, or
 - (d) a Part 5 community body which is constituted by a body corporate having a written constitution changes its address.
- (9) The Part 5 community body must, as soon as reasonably practicable after the change is made, notify the Keeper of the change.
- (10) The Keeper must ensure—
- (a) that the New 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 New Register on payment of such charges as the Scottish Ministers may by regulations specify, and
 - (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.
- (11) An extract so certified is sufficient evidence of the original.

- (12) In this Part “the Keeper” means—
- (a) the Keeper of the Registers of Scotland, or
 - (b) such other person as the Scottish Ministers may appoint to carry out the Keeper’s functions under this Part.

(13) Different persons may be so appointed for different purposes.

53 Inclusion in New Register of applications for right to buy abandoned, neglected or detrimental land

(1) Section 97F of the Land Reform (Scotland) Act 2003 (as inserted by section 74 of the Community Empowerment (Scotland) Act 2015) is amended as follows.

(2) For subsection (1) substitute—

“(1) The Keeper must keep the Register of Applications by Community Bodies to Buy Land (the “New Register”), established under section 52 of the Land Reform (Scotland) Act 2016, so that there is contained in it a part for registering information and documents relating to applications for the right to buy in accordance with section 97G.”.

(3) In subsection (2), for “Part 3A Register” substitute “New Register”.

(4) In subsection (3), for “Part 3A” substitute “New”.

(5) In subsection (4), before “Register” insert “New”.

(6) Subsections (10) and (11) are repealed.

(7) The title of the section becomes “**Inclusion of applications for right to buy in Register of Applications by Community Bodies to Buy Land**”.