

Status: Point in time view as at 28/06/2016.

Changes to legislation: Land Reform (Scotland) Act 2016 is up to date with all changes known to be in force on or before 29 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

VALID FROM 23/12/2016

VALID FROM 27/06/2018

SCHEDULE 1

(introduced by section 129(1))

RIGHT TO BUY LAND TO FURTHER SUSTAINABLE DEVELOPMENT: MINOR AND CONSEQUENTIAL MODIFICATIONS

Land Reform (Scotland) Act 2003

- 1 (1) The Land Reform (Scotland) Act 2003 is amended as follows.
- (2) In section 35 (provisions supplementary to section 34)—
- (a) for subsection (A1) substitute—

“(A1) During the relevant period, a community body which modifies its memorandum, articles of association, constitution or registered rules (as defined in section 34(8)) must, as soon as possible after such modification, notify the Scottish Ministers in writing of the modification.”,
 - (b) for subsection (1) substitute—

“(1) A community body—

 - (a) which—
 - (i) has registered a community interest in land under this Part and remains so registered, or
 - (ii) has bought land under this Part, any part of which remains in its ownership, and
 - (b) which modifies its memorandum, articles of association, constitution or registered rules (as defined in section 34(8)),

must, as soon as possible after such modification, notify the Scottish Ministers in writing of the modification.”.
- (3) In section 52 (ballot procedure), for subsection (4) substitute—
- “(4) The period referred to in subsection (3) above is—
- (a) the period of 12 weeks 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 its right to buy, or
 - (b) where—
 - (i) the balloter receives notification under section 60(3C), and
 - (ii) the date notified under paragraph (c) of that subsection is after the end of the 12 week period beginning with the date on which a valuer is appointed under section 59(1),

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the period beginning with the date on which a valuer is appointed under section 59(1) and ending with the day after the date notified to the ballotter under section 60(3C).”.

(4) In section 72 (provisions supplementary to section 71), for subsection (1) substitute—

“(1) A crofting community body—

- (a) which has bought land under this Part, any part of which remains in its ownership, and
- (b) which modifies its memorandum, articles of association, constitution or registered rules (as defined in section 71(8)),

must, as soon as possible after such modification, notify the Scottish Ministers in writing of the modification.”.

(5) In section 97E (provisions supplementary to section 97D), for subsection (1) substitute—

“(1) A Part 3A community body—

- (a) which has bought land under this Part, any part of which remains in its ownership, and
- (b) which modifies its memorandum, articles of association, constitution or registered rules (as defined in section 97D(12)),

must, as soon as possible after such modification, notify the Scottish Ministers in writing of the modification.”.

(6) In section 97N (effect of Ministers' decision on right to buy), in subsection (2) (b), for “Register of Community Rights in Abandoned, Neglected or Detrimental Land” substitute “ New Register ”.

(7) In section 97V (appeals), in subsection (9)(a), for Register of Community Interests in Abandoned, Neglected or Detrimental Land” substitute New Register”.

SCHEDULE 2

(introduced by section 129(2))

AGRICULTURAL HOLDINGS: MINOR AND CONSEQUENTIAL MODIFICATIONS

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