



# Land Reform (Scotland) Act 2016

## 2016 asp 18

### PART 1

#### LAND RIGHTS AND RESPONSIBILITIES STATEMENT

#### **1 Land rights and responsibilities statement**

- (1) The Scottish Ministers must prepare and publish a land rights and responsibilities statement.
- (2) A “land rights and responsibilities statement” is a statement of principles for land rights and responsibilities in Scotland.
- (3) In preparing the statement, the Scottish Ministers must have regard to the desirability of—
  - (a) promoting respect for, and observance of, relevant human rights,
  - (b) promoting respect for such internationally accepted principles and standards for responsible practices in relation to land as the Scottish Ministers consider to be relevant,
  - (c) encouraging equal opportunities (within the meaning of Section L2 of Part 2 of schedule 5 of the Scotland Act 1998),
  - (d) furthering the reduction of inequalities of outcome which result from socio-economic disadvantage,
  - (e) supporting and facilitating community empowerment,
  - (f) increasing the diversity of land ownership, and
  - (g) furthering the achievement of sustainable development in relation to land.
- (4) For the purposes of subsection (3)(a)—
  - (a) “relevant human rights” means such human rights as the Scottish Ministers consider to be relevant to the preparation of the statement, and
  - (b) in considering what human rights are relevant human rights, Ministers may consult the Scottish Commission for Human Rights and such other persons or bodies as they consider appropriate.
- (5) For the purposes of subsection (3)(b), “internationally accepted principles and standards for responsible practices in relation to land” include the principles and standards contained in the Voluntary Guidelines on the Responsible Governance of

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*Status: This is the original version (as it was originally enacted).*

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Tenure of Land, Fisheries and Forests in the context of National Food Security issued by the Food and Agriculture Organization of the United Nations and endorsed by the Committee on World Food Security on 11 May 2012.

- (6) In this section “human rights” means—
- (a) the Convention rights (within the meaning of section 1 of the Human Rights Act 1998), and
  - (b) other human rights contained in any international convention, treaty or other international instrument ratified by the United Kingdom, including the International Covenant on Economic, Social and Cultural Rights adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 subject to—
    - (i) any amendments in force in relation to the United Kingdom for the time being, and
    - (ii) any reservations, objections or interpretative declarations by the United Kingdom for the time being in force.