



Land Reform (Scotland) Act 2016

2016 asp 18

PART 2

THE SCOTTISH LAND COMMISSION

CHAPTER 3

THE TENANT FARMING COMMISSIONER

Tenant Farming Commissioner: inquiry function

30 Procedure for inquiry

- (1) The Tenant Farming Commissioner may inquire into an alleged breach only if satisfied that—
 - (a) the applicant has an interest in a relevant tenancy, or would do so but for the alleged breach,
 - (b) the application contains sufficient information to proceed to an inquiry, and
 - (c) the application is not based on substantially the same facts as a previous application from the same applicant.
- (2) Where the Tenant Farming Commissioner is not satisfied that the application contains sufficient information to proceed to an inquiry, the Commissioner may require the applicant to provide such additional information as the Commissioner considers appropriate, by the end of such period as the Commissioner may specify.
- (3) The Tenant Farming Commissioner may dismiss the application by giving notice in writing to the applicant where—
 - (a) the application does not meet the conditions in subsection (1),
 - (b) a request by the Commissioner under subsection (2) for additional information has been made and the period specified for providing such information has expired, or
 - (c) the Commissioner considers that a request under subsection (2) for additional information would not provide sufficient information to proceed to an inquiry.

Changes to legislation: Land Reform (Scotland) Act 2016, Section 30 is up to date with all changes known to be in force on or before 25 May 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) View outstanding changes

- (4) Where the Tenant Farming Commissioner is satisfied that the application meets the conditions in subsection (1) the Commissioner must—
- (a) give notice in writing to the applicant and each other person with an interest in the relevant tenancy,
 - (b) send a copy of the application to each of those persons, and
 - (c) require a response to the application from each of them by the end of such period as the Commissioner may specify.

Commencement Information

II S. 30 in force at 1.4.2017 by S.S.I. 2016/250, reg. 2(3), sch. 2

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2017/299, regs. 5-14, by [S.S.I. 2017/370 reg. 34](#)