



Land Reform (Scotland) Act 2016

2016 asp 18

PART 3

INFORMATION ABOUT CONTROL OF LAND ETC.

Procedure for first regulations under section 39

42 Procedure for first regulations under section 39: explanatory document

- (1) The explanatory document referred to in section 40(b)(ii) must—
 - (a) give reasons for the provisions contained in the proposed draft regulations,
 - (b) give details of—
 - (i) any consultation undertaken under section 41,
 - (ii) any representations received as a result of the consultation, and
 - (iii) the changes (if any) made to the proposed draft regulations as a result of those representations.
- (2) Where a person making representations in response to consultation under section 41 has not consented to the disclosure of the representations, the Scottish Ministers must not disclose them under subsection (1)(b)(ii).
- (3) If information in representations made by a person in response to consultation under section 41 relates to another person, the Scottish Ministers must not disclose that information under subsection (1)(b)(ii) if or to the extent that—
 - (a) it appears to the Scottish Ministers that the disclosure of that information could adversely affect the interests of that other person, and
 - (b) the Scottish Ministers have been unable to obtain the consent of that other person to the disclosure.
- (4) Subsections (2) and (3) do not affect any disclosure that is requested by, and made to, a committee of the Parliament charged with reporting on the proposed draft regulations.