



Land Reform (Scotland) Act 2016

2016 asp 18

PART 5

RIGHT TO BUY LAND TO FURTHER SUSTAINABLE DEVELOPMENT

Applications for consent

58 Right to buy same land exercisable by only one Part 5 community body

- (1) Only one Part 5 community body may apply under this Part in relation to the same land or tenant's interest.
- (2) Where two or more Part 5 community bodies apply under this Part in relation to the same land or tenant's interest, it is for the Scottish Ministers to decide which application is to proceed.
- (3) The Scottish Ministers may not make such a decision unless they have had regard to all views on each of the applications, and responses to the views, which they have received in answer to invitations under section 55.
- (4) On the Scottish Ministers so deciding—
 - (a) any right to buy the land or tenant's interest which is the subject of the other body's application is, so far as proceeding on that application, extinguished, and
 - (b) the Scottish Ministers must give notice in writing to—
 - (i) the owner of the land,
 - (ii) where the application is to buy a tenant's interest, the tenant,
 - (iii) the Part 5 community bodies,
 - (iv) where any application nominates a third party purchaser, the third party purchaser, and
 - (v) every person who was invited, under section 55(1)(a), to send the Scottish Ministers views on the application.

Changes to legislation: Land Reform (Scotland) Act 2016, Section 58 is up to date with all changes known to be in force on or before 26 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

Commencement Information

II [S. 58](#) in force at 26.4.2020 by [S.S.I. 2020/20](#), [reg. 2](#), [sch.](#)

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[View outstanding changes](#)

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](#)