



Land Reform (Scotland) Act 2003

2003 asp 2

PART 2

THE COMMUNITY RIGHT TO BUY

CHAPTER 1

GENERAL EXTENT OF COMMUNITY RIGHT TO BUY

36 Register of Community Interests in Land

- (1) The Keeper shall set up and keep a register, to be known as the Register of Community Interests in Land (the “Register”).
- (2) The Register shall be set up and kept so as to contain, in a manner and form convenient for public inspection, the following information and documents relating to each community interest registered in it—
 - (a) [^{F1}where the community body which has registered the interest is constituted by a company limited by guarantee,] the name and address of the registered office of the company ^{F2}...;
 - [^{F3}(aa) where the community body which has registered the interest is constituted by a Scottish charitable incorporated organisation within the meaning given in section 34(8) (a “ SCIO ”), the name and address of the principal office of the SCIO ,
 - (ab) where the community body which has registered the interest is constituted by a community benefit society as defined in section 34(8), the name and address of the registered office of the society,]
 - (b) a copy of the application for registration under section 37 below;
 - (c) a copy of the notice of prohibition under section 37(5)(e) below;
 - (d) a copy of the notice sent under section 37(17) below of Ministers' decision that the interest is to be entered in the Register;
 - (e) the date of registration;
 - (f) a description of the land, including maps, plans or other drawings (prepared to such specifications as are prescribed);

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- (g) the date when the registration will, under section 44 below, cease to have effect;
 - (h) the date of any deletion of the interest under section 45 or 54 below;
 - (i) a copy of any notification under section 48 below;
 - (j) a copy of any notice sent under section 49 below;
 - (k) a copy of any confirmation received in pursuance of that section;
 - (l) a copy of any notice sent under section 50(3) below;
 - (m) a copy of any decision as to consent given under section 51 below;
 - (n) a copy of any notice given under section 54 below;
 - (o) in the case of each copy document referred to in this subsection, the date of the original;
 - (p) such other information as Ministers consider appropriate.
- (3) If, however, the community body registering an interest requires that any such information or document relating to that interest and within subsection (4) below as is specified in the requirement be withheld from public inspection, that information or document shall be kept by or on behalf of Ministers separately from and not entered in the Register.
- (4) Information or a document is within this subsection if it relates to arrangements for the raising or expenditure of money to enable the land in which the interest is registered to be put to a particular use.
- (5) Nothing in subsection (3) or (4) above obliges an applicant community body, or empowers Ministers to require such a body, to submit to Ministers any information or document within subsection (4) above.
- [^{F4}(5A) Subsection (5B) applies where—
- (a) a community body changes its name,
 - (b) a community body which is constituted by a company limited by guarantee or by a community benefit society changes the address of its registered office, or
 - (c) a community body which is constituted by a SCIO changes the address of its principal office.
- (5B) The community body must, as soon as reasonably practicable after the change is made, notify the Keeper of the change.]
- (6) Ministers may by order modify paragraphs (a) to (o) of subsection (2) or subsections (3) or (4) above.
- (7) The Keeper shall ensure—
- (a) that the Register is, at all reasonable times, available for public inspection free of charge;
 - (b) that members of the public are given facilities for getting copies of entries in the Register on payment of such charges as may be prescribed; and
 - (c) that any person requesting it is, on payment of such a charge, supplied with an extract entry certified to be a true copy of the original.
- (8) An extract so certified is sufficient evidence of the original.
- (9) In this Part of this Act “the Keeper” means—
- (a) the Keeper of the Registers of Scotland; or

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- (b) such other person as Ministers may appoint to carry out the Keeper's functions under this Part of the Act.

(10) Different persons may be so appointed for different purposes.

Textual Amendments

- F1** Words in s. 36(2)(a) inserted (15.4.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 39(2)(a)(i)**, 142(1); S.S.I. 2015/399, art. 2, Sch. (with art. 3)
- F2** Words in s. 36(2)(a) repealed (15.4.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 39(2)(a)(ii)**, 142(1); S.S.I. 2015/399, art. 2, Sch. (with art. 3)
- F3** S. 36(2)(aa)(ab) inserted (15.4.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 39(2)(b)**, 142(1); S.S.I. 2015/399, art. 2, Sch. (with art. 3)
- F4** S. 36(5A)(5B) inserted (15.4.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), **ss. 39(3)**, 142(1); S.S.I. 2015/399, art. 2, Sch. (with art. 3)

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