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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 28**

**The Community Empowerment (Scotland) Act 2015  
(Consequential Modifications and Savings) Order 2016**

**Modifications of the 2003 Act**

2.—(1) The 2003 Act is amended as follows.

(2) In section 51 (exercise of right to buy: approval of community and consent of the Scottish Ministers)(1)—

(a) in subsection (2)(a)(2), the words “, as defined for the purposes of section 34(1)(a) above,” are repealed; and

(b) after subsection (7), insert—

“(8) In this section, references to the community are, as respects a community body, references to—

(a) the community defined in relation to that body under section 34(1)(a), (1A)(a) or (1B)(a); or

(b) where that body is a body mentioned in section 34(A1)(b), the community to which that body relates.”.

(3) In section 61 (appeals)(3)—

(a) in subsection (3)(4), the words from “as” to “body” (where it first occurs) are repealed; and

(b) after subsection (7), insert—

“(8) In this section, references to the community are, as respects a community body, references to—

(a) the community defined in relation to that body under section 34(1)(a), (1A)(a) or (1B)(a); or

(b) where that body is a body mentioned in section 34(A1)(b), the community to which that body relates.

(9) In subsection (3), the references to the community body are to the community body—

(a) in relation to which the community is defined as mentioned in subsection (8)(a); or

(b) that relates to the community as mentioned in subsection (8)(b).”.

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(1) Section 51 is amended by sections 48 and 51(2) of, and paragraph 8(3) of schedule 4 and schedule 5 to, the Community Empowerment (Scotland) Act 2015 (“the 2015 Act”).

(2) Section 51(2)(a)(ii) is repealed by section 48(c) of the 2015 Act.

(3) Section 61 is amended by section 58 of, and schedule 5 to, the 2015 Act.

(4) Section 61(3) is amended by schedule 5 to the 2015 Act.