SCHEDULE 5 Regulation 17

The Scottish Government
Riaghaltas na h-Alba

Land Reform (Scotland) Act 2003
Part 3: Crofting Community Right to Buy

Application for a grant towards a crofting community body's liabilities to pay compensation

Notes:

1. This form is to be used by a crofting community body that intends to make an application to Ministers under section 90 of the Land Reform (Scotland) Act 2003 ("the Act") for a grant towards the crofting community body's liability to pay compensation arising out of an application under Part 3 of the Act in relation to its proposal to exercise the right to buy the eligible croft land or tenant's interest in eligible croft land.

2. You may download this form and complete it manually or electronically.

3. If you complete the form manually, please do so using black or blue ink and capital letters.

4. Whether you complete the form manually or electronically, you may continue any answer on a separate sheet of paper. If you do this, please -

   - indicate on the form where any answer is given or continued on a separate sheet,
   - indicate on each separate sheet the question number(s) to which it relates.

5. For more information and guidance on the community right to buy for sustainable development, please visit www.gov.scot and search for "right to buy".

SECTION 1 – WHO IS APPLYING

1.1 Name of crofting community body ("CCB") applying for a grant towards a community body's liabilities to pay compensation.

SECTION 2 – DETAILS OF WHO IS APPLYING

2.1 Please supply the official registered or principal office of the CCB.

Postal address: Town: County: Country: Postcode:	

2.2 Please supply the address the CCB wishes correspondence in relation to this grant to be issued to.

Contact name: Postal address: Town: County: Country: Postcode: Telephone: Email:	

2.3 Please mark an "X" in the relevant box to confirm the type of CCB and its official number.

☐	Company Limited by Guarantee (CLBG) and its company number is:	
☐	Scottish Charitable Incorporated Organisation (SCIO) and its charity number is:	
☐	Community Benefit Company (BenCom) and its registration number is:	

2.4 Please provide a list of the names and addresses of each of the board members, trustees or committee members in the CCB. You should also state whether they have any special positions (eg. Chair, Treasurer). You should identify the Treasurer.

2.5 Please provide a copy of the last financial statement of the CCB. This financial statement should be prepared by a professional accountant certifying details of the finances of the CCB and signed by that accountant and the Treasurer of the CCB. You should ensure that it is referenced accordingly.

Please confirm the name of the attachment for your signed financial return.

2.6 Please provide a copy of the most recent bank or building society statement, as applicable, of the CCB. You should ensure that it is signed by the Treasurer of the CCB. You should ensure that it is referenced accordingly.

Please confirm the name of the attachment for the signed financial return.

SECTION 3 – DETAILS OF APPLICATIONS UNDER SECTION 73

3.1 Please state the date on which an application made by the CCB under section 73(2) of the Act was approved by Scottish Ministers (DD/MM/YY).

3.2 Please state the date on which the CCB undertook one of the three actions that is relevant to its application.

the date on which the CCB acquired the land through the exercise of a community right to buy the eligible croft land, eligible additional land, salmon fishings on or contiguous with this land, mineral rights, and eligible sporting interests under the provisions of this Act; or

the date on which the CCB withdrew its confirmation of the intention to proceed with the purchase under section 85(2)(a); or

The date on which the CCB's application was treated as withdrawn under section 85(2)(b).

3.2 Please state the date on which the CCB acquired the eligible croft land, eligible additional land, salmon fishings on or contiguous with this land, mineral rights, and eligible sporting interests through the exercise of a crofting community right to buy under the provisions of this Act.

3.3 If the purchase was not concluded by the CCB, please explain the reasons for this.

SECTION 4 – COMPENSATION BEING SOUGHT FROM THE CROFTING COMMUNITY BODY

4.1 Please supply the names and addresses of the person(s) (claimants) that have sought compensation from the CCB. If there is an insufficient number of boxes, you should supply the names and addresses of any further persons on additional sheet(s), referencing them appropriately.

Contact name: Postal address: Town: County: Country: Postcode: Telephone: Email:	

Total number of claimants who are seeking compensation.

4.2 Please provide details of the compensation being sought from the CCB by the claimants. If you have a number of claimants, you should provide details for each one. For each claimant you should set out the full sum claimed, and provide a breakdown of that claim, setting out whether the loss of expense falls which is being claimed for within paragraph (a), (b), or (c) of section 89(1) of the Act. Please continue on a separate sheet if required, ensuring that it is referenced accordingly.

Claimant name: Full sum claimed: Breakdown of sum: Section 89(1)(a), (b), (c)	

4.3 Please attach copies of all correspondence between the CCB and each of the claimants that sought compensation.

Please list the correspondence that has been enclosed by the CCB, which should be referenced accordingly.

4.4 If the matter of whether compensation is payable or as to the amount of any compensation has been referred to the Land Court for determination, please attach the Court's Order and decision. Please ensure that the determination is referenced accordingly.

Please confirm the name of the document(s) enclosed.

SECTION 5 – COMPENSATION SOUGHT BY THE CROFTING COMMUNITY BODY

5.1 Please state the total amount of grant being sought by the CCB.

5.2 Please explain how this sum has been calculated by the CCB. You should provide a breakdown of the compensation that has been agreed with each of the claimant(s), also setting out each item that has been agreed, and whether the loss of expense falls within paragraph (a), (b), or (c) of section 89(1). Please continue on a separate sheet if required, which should be referred accordingly.

If this application is one for a sum or a part of a sum that has been determined by the Land Court, please provide a copy of the Land Court's decision.

5.3 Please give details of the account into which any grant is to be paid.

5.4 Please provide details of all reasonable steps the CCB has made to try to raise and secure funding to pay the compensation. Please continue on a separate sheet if required, ensuring that it is referenced accordingly. Any attachments in support of your explanation should be referenced accordingly.

SECTION 6 – DECLARATION

There are two declarations to be signed by the CCB in relation to this application for a grant towards a crofting community's liabilities to pay compensation. The CCB should sign and date each declaration.

(1) Declaration on the use of the grant

We, the undersigned director(s) or charity trustee(s) of the CCB named in section 1 of this form, undertake that the grant provided by Scottish Ministers, which has been granted in relation to this application, will be used only in respect of compensation sought under section 89(1) of the Land Reform (Scotland) Act 2003.

Name ……..
Address ……..
Date ……..
Position ……..
Signature ……..

Name ……..
Address ……..
Date ……..
Position ……..
Signature ……..

(2) General declaration

- We, the undersigned, have been authorised by the crofting community body to provide the information in this form, the proposals detailed within it and any supporting documents.
- The CCB understands that, if it makes any inaccurate statements or provides inaccurate information (deliberate or accidental) at any stage during the application process towards a crofting community body's liabilities to pay compensation, or if it knowingly withholds any information, this could affect the grant that is awarded by Scottish Ministers.
- The crofting community body has not altered or deleted the wording of this form.
- The crofting community body understands that it requires each signatory (2 board members or charity trustees) to this form to provide his/her full names and address for the purposes of prevention and detection of fraud.
- The crofting community body confirms that it is still a crofting community body within the requirements of subsection (1), (1A) or (1B) of section 71 of the Land Reform (Scotland) Act 2003.
- We, the undersigned, have read and understand the terms of this declaration.

We, the undersigned, on behalf of the crofting community body as noted at section 1, apply for a grant towards a crofting community body's liabilities to pay compensation under section 90 of the Land Reform (Scotland) Act 2003.

Name ……..
Address ……..
Date ……..
Position ……..
Signature ……..

Name ……
Address ……
Date ……
Position ……
Signature ……

For more information and guidance on the crofting community right to buy (including where to post this form), please visit www.gov.scot and search for "crofting community right to buy".

You can also email the completed form and associated documents to crtb@scotland.gov