

# LAND REFORM (SCOTLAND) ACT 2003

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## EXPLANATORY NOTES

### THE ACT – AN OVERVIEW

#### **Part 2** the Community Right to Buy

##### **Section 62:** *Appeals to Lands Tribunal: valuation*

- 227. This section allows the owner of the land or the community body to appeal against a valuation carried out under section 59 to the Lands Tribunal. Such an appeal must be lodged within 21 days of the valuer notifying the valuation decision.
- 228. Subsection (3) allows the Lands Tribunal to reassess the valuation independently.
- 229. Subsection (4) permits the valuer who made the valuation to be a witness in the appeal.
- 230. Subsection (5) provides that the Lands tribunal must begin an appeal hearing no later than the first sitting day following 4 months after the appeal is lodged.
- 231. Subsection (7) requires the Tribunal to give reasons for its decision on an appeal in writing within four weeks of the conclusion of the appeal hearing.
- 232. Subsection (9) provides that Ministers are responsible only for the appointment of the valuer, and cannot be held responsible for the valuation. Ministers cannot therefore be required to give evidence at an appeal in relation to the valuation.
- 233. Subsection (10) allows Ministers to utilise the provisions of the [Lands Tribunal Act 1949 \(c.42\)](#) to make new rules as required to enable appeals to be made and heard under this section.