



# Land Reform (Scotland) Act 2003

## 2003 asp 2

### PART 2

#### THE COMMUNITY RIGHT TO BUY

### CHAPTER 4

#### PROCEDURE AFTER ACTIVATION OF RIGHT TO BUY

#### 54 Declinature or extinction of right to buy

- (1) If, at any time, a community body which has registered a community interest decides that it will not exercise its right to buy the land, it shall give Ministers written notice of its decision.
- (2) On receipt of a notice under subsection (1) above, Ministers shall—
  - (a) send a copy of it to the Keeper and direct the Keeper to delete the community interest from the Register; and
  - (b) notify the owner of the land of that fact.
- (3) Where, when that notice is given, that right to buy has arisen, the right is then extinguished.
- (4) Nothing in or done under subsections (1) to (3) above prevents a community body from registering a community interest in the same land for a second or subsequent time.
- (5) If, at any time after the owner of land has given notice under section 48(1) above but before the owner has concluded missives with a community body for the sale and purchase of the land in respect of which a right to buy has arisen, the owner of the land decides not to proceed further with the proposed transfer the owner shall give written notice of that fact to—
  - (a) Ministers; and
  - (b) each community body which has registered an interest in the land.
- (6) Ministers shall send a copy of the notice given under subsection (5) above to the Keeper.

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**Status:** *This is the original version (as it was originally enacted).*

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- (7) Where a notice is given under subsection (5) above, the right to buy the land which arose under section 47 above is extinguished.
- (8) Subsections (5) and (7) above do not apply where the right to buy land has arisen and is being exercised by virtue of the owner of land being deemed, by section 50(5) above, to have provided notice under section 48(1) above.
- (9) Nothing in subsection (7) above prevents a right to buy land from arising for a second or subsequent time.