



# Community Empowerment (Scotland) Act 2015

2015 asp 6

## PART 4

### COMMUNITY RIGHTS TO BUY LAND

*Modifications of Part 2 of Land Reform (Scotland) Act 2003*

#### 52 **Ballot not conducted as prescribed**

In section 52 of the 2003 Act (ballot procedure), after subsection (6) (inserted by schedule 4), insert—

- “(7) Provision may be prescribed for or in connection with—
- (a) reviewing whether a ballot was conducted in accordance with provision prescribed under subsection (1),
  - (b) providing notification to such persons, or description of persons, as may be prescribed that a ballot has not been so conducted,
  - (c) in a case where a ballot has not been so conducted, requiring a further ballot to be conducted on such a basis, and by such persons or description of persons, as may be prescribed,
  - (d) requiring any such further ballot to be conducted—
    - (i) in compliance with such conditions as may be prescribed (including conditions that the ballot be conducted in accordance with provision prescribed under subsection (1)),
    - (ii) within such timescales as may be prescribed,
  - (e) specifying persons, or descriptions of persons, who are to meet the expenses of conducting any such further ballot,
  - (f) specifying that any review mentioned in paragraph (a) be carried out by—
    - (i) such persons,
    - (ii) such description of persons, or
    - (iii) such a court or tribunal,

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**Changes to legislation:** There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Section 52. (See end of Document for details)

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- as may be prescribed,
- (g) specifying the action that may be taken by such persons, persons of such description or such a court or tribunal following such a review.”.

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**Commencement Information**

- I1** S. 52 in force at 13.11.2015 for specified purposes by S.S.I. 2015/358, art. 2, **Sch.**
- I2** S. 52 in force at 15.4.2016 in so far as not already in force by S.S.I. 2015/399, art. 2, **Sch.** (with art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Community Empowerment (Scotland) Act 2015, Section 52.