

Status: This version of this provision is prospective.

Changes to legislation: Land Reform (Scotland) Act 2016, Section 99 is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Land Reform (Scotland) Act 2016

2016 asp 18

PART 10

AGRICULTURAL HOLDINGS

CHAPTER 3

TENANT'S RIGHT TO BUY

PROSPECTIVE

99 Tenant's right to buy: removal of requirement to register

- (1) The 2003 Act is amended as follows.
- (2) Sections 24 (register of tenants' interests in acquiring land) and 25 (registration of such interests) are repealed.
- (3) Before section 26 insert as an italic heading “ The right to buy ”.
- (4) In section 26 (notice of proposal to transfer land)—
 - (a) for subsection (1) substitute—
 - “(1) This section applies where—
 - (a) the owner of land comprised in a lease constituting a 1991 Act tenancy, or
 - (b) a creditor in a standard security with a right to sell the land, proposes to transfer the land or any part of it to another person.
 - (1A) The owner or, as the case may be, the creditor must, subject to section 27, give notice in writing of the proposed transfer to the tenant.”,
 - (b) in subsection (2), for “subsection (1)” substitute “ subsection (1A) ”,
 - (c) after that subsection insert—
 - “(3) For the purposes of this Part, “tenant”—

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- (a) where there are two or more tenants under the lease, means those tenants, and
 - (b) does not include a sub-tenant.”.
- (5) In section 27 (transfers not requiring notice), subsection (1)(g)(v) is repealed.
- (6) In section 28 (right to buy)—
- (a) in subsection (1)—
 - (i) “a tenant's interest in acquiring land is for the time being registered under section 25 and” is repealed,
 - (ii) in paragraph (a), for first “the land” substitute “ land comprised in a lease constituting a 1991 Act tenancy, ”,
 - (b) in subsection (3)—
 - (i) after paragraph (a) insert “ or ”,
 - (ii) paragraph (c) is repealed (together with the “or” immediately before it).
- (7) In section 29 (exercise of right to buy), subsection (7) is repealed.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2017/299, regs. 5-14, by [S.S.I. 2017/370 reg. 34](#)