

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 4: Amendments relevant to Part 4

457. [Schedule 4](#) makes a number of minor amendments and amendments consequential to this Act. Paragraph 8 of Schedule 4 makes a number of amendments to the provisions of the Land Reform (Scotland) Act 2003 (“the 2003 Act”).
458. [Paragraph 8\(6\)\(b\)](#) adds new subsection (5A) to section 98 of the 2003 Act. Paragraph (5A) requires Ministers to have regard to the International Covenant on Economic, Social and Cultural Rights when making certain decisions. Those decisions are when Ministers:
- (i) make a decision to enter a community interest in the Register of Community Interests in Land for a Part 2 application made under section 38(1) of the 2003 Act;
 - (ii) make a decision to re-enter a community interest in the Register of Community Interests in Land for a Part 2 re-application made under section 44(3) of the 2003 Act;
 - (iii) make a decision to consent to a Part 2 community body exercising its right to buy the land under section 51(1)(b) of the 2003 Act;
 - (iv) make a decision to consent to an application from a Part 3 crofting community body to buy land, tenancy or sporting interests under section 73(2) of the 2003 Act; and
 - (v) make a decision to consent to an application from a Part 3A community body to buy land under section 97G(2) of the 2003 Act.