



Land Reform (Scotland) Act 2016

2016 asp 18

PART 10

AGRICULTURAL HOLDINGS

CHAPTER 3

TENANT'S RIGHT TO BUY

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- (2) Sections 24 (register of tenants' interests in acquiring land) and 25 (registration of such interests) are repealed.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”—

 - (a) where there are two or more tenants under the lease, means those tenants, and

Status: This is the original version (as it was originally enacted).

- (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- (5) In section 27 (transfers not requiring notice), subsection (1)(g)(v) is repealed.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 - (i) “a tenant’s interest in acquiring land is for the time being registered under section 25 and” is repealed,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 - (ii) paragraph (c) is repealed (together with the “or” immediately before it).
- (7) In section 29 (exercise of right to buy), subsection (7) is repealed.