

SCHEDULE 1

Regulations 3 and 5

SPECIFICATION OF MAPS, PLANS AND OTHER DRAWINGS

PART 1

REGISTER OF COMMUNITY INTERESTS
IN LAND – SECTION 36(2)(f) OF THE ACT

1. Maps, plans or other drawings must—
 - (a) be drawn to a metric scale corresponding to a scale used by the Ordnance Survey for that land;
 - (b) be taxative and not demonstrative only;
 - (c) show the compass orientation of north;
 - (d) contain map grid reference numbers and sufficient surrounding details (fences, houses etc.) to enable the position of the land to be fixed accurately;
 - (e) show the boundaries of the land; and
 - (f) where measurements are given, give those measurements to one decimal place.
2. Where salmon fishings or mineral rights are the subject of the application to register a community interest in land, the land in respect of which the salmon fishings or mineral rights are exigible must be clearly marked on the map, plan or other drawing.

PART 2

DESCRIPTION OF AREA OF COMMUNITY

3. Maps or drawings must—
 - (a) be drawn to a metric scale corresponding to a scale used by the Ordnance Survey for that land;
 - (b) be taxative and not demonstrative only;
 - (c) show the compass orientation of north;
 - (d) contain map grid reference numbers and sufficient surrounding details (fences, houses etc.) to enable the position of the area of the community to be fixed accurately;
 - (e) show the boundaries of the area of the community; and
 - (f) where measurements are given, give those measurements to one decimal place.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 2

Regulation 4(a)

FORM OF APPLICATION TO REGISTER A COMMUNITY INTEREST IN LAND – SECTION 37(1) OF THE ACT

Official Use	
Code	APP
Received Date	



<p>Land Reform (Scotland) Act 2003: Part 2 Community Right to Buy</p> <p>Application to register a community interest in land</p>
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This form can be:

- Downloaded and completed electronically, or
- Downloaded and completed manually using black or blue ink and in capital letters

Please mark an "X" in the appropriate box to indicate the type of application being submitted.

- Timeous application** – Where the land is not on the market and action has not been taken by the owner of the land, or creditor in a standard security with a right to sell the land, with a view to transfer of the land.
- Late application** – Where the land is on the market or any other action has been taken by the owner of the land, or creditor in a standard security with a right to sell the land, with a view to transfer of the land.

SECTION 1 — WHO IS APPLYING

1.1 Name of the community body ("CB") applying to register a community interest in land.

Name of Community Body	
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SECTION 2 — DETAILS OF WHO IS APPLYING

2.1 Please supply the official registered or principal office of the CB.

Postal Address: Town: County: Country: Postcode:	
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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

2.2 Please supply the address the CB wishes correspondence in relation to the community right to buy process to be issued to.

Contact Name: Postal Address: Town: County: Country: Postcode: Telephone: Email:	
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2.3 Please mark an "X" in the relevant box to confirm the type of CB and its official number.

<input type="checkbox"/>	Company Limited by Guarantee (CLBG) and its company number is:	<input type="text"/>
<input type="checkbox"/>	Scottish Charitable Incorporated Organisation (SCIO) and its charity number is:	<input type="text"/>
<input type="checkbox"/>	Community Benefit Society (BenCom) and its registration number is:	<input type="text"/>

This application must be accompanied by a copy of the CB's governing documents (i.e. memorandum, articles of association, constitution or registered rules) and evidence of its company, charity or registration number. Please mark an "X" confirming that such a copy and evidence accompanies this application.

2.4 Please provide the definition of the community as set out in the CB's governing document in accordance with section 34(1)(a), 34(1A)(a) or 34(1B)(a) of the Land Reform (Scotland) Act 2003.

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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

2.5 This application must be accompanied by one or more maps or drawings, which:

(a) is/are prepared to the specifications referred to in Part 2 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and

(b) describe(s) the area of the community to which the community body relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

2.6 Please provide:

(A) The total number of members in the CB.	<input type="text"/>
(B) A breakdown of the total number of each different type(s) of membership as stated in the CB's governing document (i.e. memorandum, articles of association, constitution or registered rules).	
(C) The membership details (i.e. names, address and membership type of the CB's members).	

SECTION 3 — THE LAND TO BE REGISTERED

3.1 Please mark an "X" in the relevant box(es) to indicate the type(s) of land to which this application relates.

Building(s)	<input type="checkbox"/>	Recreational land	If other type of land, salmon fishings or mineral rights please state below: <input type="text"/>
Woodland	<input type="checkbox"/>	Brown field site	
Water	<input type="checkbox"/>	Farm/grazing land	
Industrial site	<input type="checkbox"/>	Craft land	

3.2 What is the estimated area of the land (or land in respect of which the salmon fishings or mineral rights are exigible)?

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3.3 What county is the land (or land in respect of which the salmon fishings or mineral rights are exigible) located in?

3.4 Please provide a written description of the land to which this application relates (e.g. the location of such land or land in respect of which salmon fishings or mineral rights are exigible within the community; postcodes covering the land; the condition of the land; its northern, southern, eastern and western boundaries, measurements if applicable).

3.5 This application must be accompanied by one or more maps or drawings, which:

(a) is/are prepared to the specifications referred to in Part 1 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and

(b) describe(s) the land to which this application relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

3.6 Please mark an "X" to indicate whether this application is to register an interest in salmon fishings which are owned separately from the land in respect of which they are exigible.

YES

NO

If "Yes", please provide details of the salmon fishings, including details of ownership.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3.7 Please mark an "X" to indicate whether this application is to register mineral rights which are owned separately from the land in respect of which they are exigible.

YES NO

If "Yes", please provide details of mineral rights, including details of ownership.

3.8 Please mark an "X" to indicate whether any of the following apply to the land, or any part of the land, in relation to the land to which this application relates.

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Planning permission.
<input type="checkbox"/>	<input type="checkbox"/>	An outstanding planning application relating to it.
<input type="checkbox"/>	<input type="checkbox"/>	Indicated as suitable for development in the local authority's local development plan.
<input type="checkbox"/>	<input type="checkbox"/>	Subject of a compulsory purchase order.
<input type="checkbox"/>	<input type="checkbox"/>	Any burden(s) on, or restrictions on use of, the land.

If "Yes" to any of the above, please provide details.

3.9 Please mark an "X" in one box which you consider best describes the community's connection to the land in relation to which this application is made.

- A significant number of the members of the community have a connection with the land.
- The land is sufficiently near to land with which those members of the community have a connection.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- The land is in or sufficiently near to the area of the community (the community being the community as defined in response to question 2.4).

Please provide details to explain why the relevant box has been marked with an "X" above.

SECTION 4 — OWNERSHIP & INTERESTS

4.1 Please provide the contact details of the owner of the land to which this application relates.

NOTE - If the owner's details are unknown, please state "Unknown" at 4.1 and proceed to 4.3.

Contact Name: Postal Address: Town: County: Country: Postcode: Company No. (if applicable)	
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4.2 If there is more than one owner (e.g. the land is in joint or common ownership between a number of owners), then please provide the contact details for the other owner(s).

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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4.3 Please list the names and addresses of all persons whom the CB are aware have legally enforceable rights and interests (e.g. all persons with leases, any creditor in a standard security over the land) in all or part of the land to which this application relates and detail those rights and interests.

4.4 Please confirm what checks were carried out (including by whom and when) to establish who owns the land to which this application relates and whether there are any creditors in a standard security with a right to sell the land.

4.5 If the owner(s) or any creditor in a standard security with a right to sell the land is unknown or cannot be found please provide details of the steps taken by the CB in accordance with section 37(4) of the Land Reform (Scotland) Act 2003.

SECTION 5 — LATE APPLICATION EVIDENCE

- If you have indicated that this is a "Late" application, **you should complete this section.**
- If you have indicated that this is a "Timeous" application, you **do not** need to complete this section and should **continue to section 6.**
- CBs are required to demonstrate a significantly greater level of community support than the expected 10% required for "Timeous" applications. **Please provide this evidence of support at section 6.**

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- CB's are required to provide strongly indicative reasons of why the "Late" application is in the public interest. **Please provide this information at section 8.**

5.1 Please provide details of all relevant work carried out or steps taken by any person with a view to an application being made by the CB to register an interest in relation to either (a) the land to which this application relates or (b) other land with a view to such land being used for purposes that are the same as those proposed for the land in relation to which this application relates

5.2 If the CB did not carry out any relevant work or take relevant steps as set out in section 5.1, then please provide:

(A) Reasons why such relevant work was not carried out or relevant steps not taken.

(B) Reasons why the "Late" application should be approved by Ministers despite such relevant work not having been carried out or relevant steps not having been taken.

5.3 Please mark an "X" in one box to confirm whether the owner, or as the case may be, creditor, offered to sell the land to which this application relates to the CB within the last 12 months?

YES NO

If "Yes", please provide reasons why the CB did not proceed to buy the land.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

5.4 Please mark an "X" in one box to confirm whether, to the CB's knowledge, the owner or as the case may be, creditor, offered to sell the land to which this application relates to another CB within the last 12 months?

YES NO

If "Yes", please provide reasons (if known) why that CB did not proceed to buy the land.

SECTION 6 — COMMUNITY SUPPORT

6.1 Please mark an "X" in one box to confirm whether 10% of the members of the community have indicated approval of the registration of the community interest to which this application relates.

YES NO

If "No", please explain why there is, within the community, a sufficient level of support to justify the registration.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

6.2 Please provide:

(A) Evidence and details of support obtained, including the date on which the approval of each member of the community was indicated:

(B) A breakdown of the level of support:

- Total number of members of the community
- Total number of members of the community who have indicated approval for the registration
- Overall percentage of members of the community who have indicated approval of the registration. %

SECTION 7 — PROPOSALS FOR THE LAND

7.1 Please explain your proposals for the land to which this application relates.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

7.2 Please explain how the acquisition by the CB of the land to which this application relates is compatible with furthering the achievement of sustainable development.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SECTION 8 — PUBLIC INTEREST

NOTE – In the case of a “Late” application, the CB is required to provide **strongly indicative reasons of why its “Late” application to register an interest in land is in the public interest.**

8.1 Please explain why it is in the public interest that the community interest to which this application relates be registered (e.g. any environmental, social, economic and other benefits).

SECTION 9 — DECLARATION

- We the undersigned have been authorised by the community body to provide the information in this form, the proposals detailed within it and any supporting documents.
- The community body understands that, if it makes any inaccurate statements or provides inaccurate information (deliberate or accidental) at any stage during the right to buy process, or if it knowingly withholds any information, this could result in Scottish Ministers deciding not to register the community interest.
- The community body has not altered or deleted the original wording of this form.
- The community body understands that you require each signatory (2 board members, charity trustees or committee members) to this form to provide his/her full names and home address for the purposes of prevention and detection of fraud.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- The community body confirms that it is still a community body within the requirements of subsection (1), (1A) or (1B) of section 34 of the Land Reform (Scotland) Act 2003.
- The community body understands that this form and supporting documents may appear in the Register of Community Interests in Land.
- We the undersigned have read and understand the terms of this declaration.

We, the undersigned on behalf of the community body as noted at section 1, apply to register an interest in the land as specified in this application under section 37(1) of the Land Reform (Scotland) Act 2003.

Name	.....
Address	.....
Date	.....
Position	.....
Signature	.....
Name	.....
Address	.....
Date	.....
Position	.....
Signature	.....

For more information and guidance on the community right to buy and on this form (including where to post this form) please visit www.gov.scot and search for "community right to buy".
You can also email the completed form and associated documents to crtb@gov.scot

SCHEDULE 3

Regulation 4(b)

FORM OF APPLICATION TO RE-REGISTER AN INTEREST IN LAND – SECTION 37(1) OF THE ACT

Official Use	
Code	RE-REG
Received Date	



Land Reform (Scotland) Act 2003: Part 2 Community Right to Buy
Application to re-register a community interest in land

This form is to be used only when you are applying to re-register an existing community interest in land

This form can be:

- Downloaded and completed electronically, or
- Downloaded and completed manually using black or blue ink and in capital letters

Please note:

- If any information in any section in this form has changed since your original application to register or re-register an interest in land (e.g. as a result of any on-going development work on the proposals) you need to tell Scottish Ministers, by completing the appropriate question. Failure to do so may result in Scottish Ministers declining to consider this application to re-register a community interest in land.

Accompanying information

This application must be accompanied by the following information. Please mark an **X** in the relevant boxes below to confirm that the relevant information accompanies this application.

- a copy of the CB's governing documents (i.e. memorandum, articles of association, constitution or registered rules) and evidence of its company, charity or registration number;
- one or more maps or drawings, which is/are:
a) prepared to the specifications referred to in Part 1 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and
b) describe(s) the land to which this application relates.
- one or more maps or drawings, which is/are:
a) prepared to the specifications referred to in Part 2 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and
b) describe(s) the area of the community to which the community body relates;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SECTION 1 — WHO IS APPLYING

1.1 Name of the community body ("CB") applying to re-register a community interest in land.

Name of Community Body	
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1.2 CB's Register of Community Interests in Land (RCIL) registration number for this land.

RCIL Number	CB
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SECTION 2 — DETAILS OF WHO IS APPLYING

Please mark an "X" in the appropriate box below to confirm whether there have been any changes to any of the following information since the CB's previous application to register or re-register the interest in land:

- a) the CB's office or contact details,
- b) the CB's membership information; or
- c) the definition of the community to which the CB relates.

"YES" - there has been a change

"NO" - no changes

- If "Yes" **then please complete** the relevant question(s) in section 2 of this form to which those changes relate.
- If "No" **then proceed to section 3.**

2.1 Please supply the official registered or principal office of the CB.

Postal Address:	
Town:	
County:	
Country:	
Postcode:	

2.2 Please supply the address the CB wishes correspondence in relation to the community right to buy process to be issued to.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Contact Name: Postal Address: Town: County: Country: Postcode: Telephone:	
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2.3 Please mark an "X" in the relevant box to confirm the type of CB and its official number.

<input type="checkbox"/> Company Limited by Guarantee (CLBG) and its company number is:	<input type="text"/>
<input type="checkbox"/> Scottish Charitable Incorporated Organisation (SCIO) and its charity number is:	<input type="text"/>
<input type="checkbox"/> Community Benefit Society (BenCom) and its registration number is:	<input type="text"/>

2.4 Please provide the definition of the community as set out in the CB's governing document in accordance with section 34(1)(e), 34(1A)(a) or 34(1B)(a) of the Land Reform (Scotland) Act 2003.

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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 2.5** This application must be accompanied by one or more maps or drawings, which is/are:
- (a) prepared to the specifications referred to in Part 2 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and
 - (b) describe(s) the area of the community to which the community body relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

2.6 Please provide:

<p>(A) Total number of members in the CB.</p>	<input style="width: 80%; height: 20px;" type="text"/>
<p>(B) A breakdown of the total number of each different type(s) of membership as stated in the CB's governing document (i.e. memorandum, articles of association, constitution or registered rules).</p>	
<p>(C) The membership details (i.e. names, address and membership type of the CB's members).</p>	

SECTION 3 — THE LAND TO BE REGISTERED

Please mark an "X" in the appropriate box below to confirm whether there have been any changes to any of the following information since the CB's previous application to register or re-register the community interest in land:

- a) the nature or description of the land to which this application relates;
- b) any interests, burdens, restrictions or planning permission affecting the land; or
- c) the nature and extent of the community's connection with the land.

<p>"YES" - there has been a change</p>	<p>"NO" - no changes</p>
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- If "Yes" **then please complete** the relevant question(s) in section 3 to which these changes relate.
- If you have marked "No" – no changes **then proceed to section 4.**

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3.1 Please mark an "X" in the relevant box(es) to indicate the type(s) of land to which this application relates.

Building(s)	<input type="checkbox"/>	Recreational land	If other type(s) of land, salmon fishings or mineral rights please state below:
Woodland	<input type="checkbox"/>	Brown field site	
Water	<input type="checkbox"/>	Farm grazing land	
Industrial site	<input type="checkbox"/>	Croft land	

3.2 What is the estimated area of land (or land in respect of which the salmon fishings or mineral rights are exigible)?

3.3 What county is the land (or land in respect of which the salmon fishings or mineral rights are exigible) located in?

3.4 Please provide a written description of the land to which this application relates (e.g. the location of such land or land in respect of which salmon fishings or mineral rights are exigible within the community; postcodes covering the land; the condition of the land; its northern, southern, eastern and western boundaries, measurements if applicable).

3.5 This application must be accompanied by one or more maps or drawings which is/are:
(a) prepared to the specifications referred to in Part 1 of Schedule 1 to the Community Right to Buy (Scotland) Regulations 2015, and
(b) describe(s) the land to which this application relates.

Please confirm the total number of such maps, plans or other drawings which accompany this application.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3.6 Please mark an "X" to indicate whether this application is to register an interest in salmon fishings which are owned separately from the land in respect of which they are exigible.

YES NO

If "Yes", please provide details of the salmon fishings, including details of ownership.

3.7 Please mark an "X" to indicate whether this application is to register mineral rights which are owned separately from the land in respect of which they are exigible.

YES NO

If "Yes", please provide details of mineral rights, including details of ownership.

3.8 Please mark an "X" to indicate whether any of the following apply to the land, or any part of the land, in relation to the land to which this application relates.

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Planning permission
<input type="checkbox"/>	<input type="checkbox"/>	An outstanding planning application relating to it.
<input type="checkbox"/>	<input type="checkbox"/>	Indicated as suitable for development in the local authority's local development plan.
<input type="checkbox"/>	<input type="checkbox"/>	Subject of a compulsory purchase order.
<input type="checkbox"/>	<input type="checkbox"/>	Any burden(s) on or restrictions on use of the land.

If "Yes" to any of the above, please provide details.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3.9 Please mark an "X" in one box which you consider best describes the community's connection to the land in relation to which this application is made.

- A significant number of the members of the community have a connection with the land.
- The land is sufficiently near to and with which those members of the community have a connection.
- The land is in or sufficiently near to the area of the community by reference to which the community is defined at question 2.4.

Please provide an explanation of why you have marked "X" at the statement above.

SECTION 4 — OWNERSHIP & INTERESTS

Please mark an "X" in the appropriate box below to confirm whether there have been any changes to the following information since the CB's previous application to register or re-register a community interest in land:

- a) details of the owner of the land to which this application relates
- b) details of any creditor in a standard security with a right to sell the land to which this application relates; or
- c) details of persons with legally enforceable rights or interests in the land to which this application relates.

"YES" there has been a change "NO" - no changes

- If you have marked "Yes" **then please complete** the relevant question(s) in section 4 of this form to which the changes relate.
- If you have marked "No" **then proceed to section 5.**

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4.1 Please provide the contact details of the owner of the land to which this application relates.

NOTE - If the owner's details are unknown, please state "Unknown" at 4.1 and proceed to 4.3.

Contact Name:	
Postal Address:	
Town:	
County:	
Country:	
Postcode:	
Company No. (if applicable)	

4.2 If there is more than one owner (e.g. the land is in joint ownership between a number of owners), then please provide the contact details for the other owner(s).

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4.3 Please list the names and addresses of all persons whom the CB are aware have legally enforceable rights and interests (e.g. all persons with leases, any creditor in a standard security over the land) in all or part of the land to which this application relates and detail those rights and interests.

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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4.4 Please confirm what checks were carried out (including by whom and when) to establish who owns the land to which this application relates and whether there are any creditors in a standard security with a right to sell the land.

4.5 If the owner(s) or any creditor in a standard security with right to sell the land is unknown or cannot be found please provide details of the steps taken by the CB in accordance with section 37(4) of the Land Reform (Scotland) Act 2003.

SECTION 5 — COMMUNITY SUPPORT

5.1 Please mark an "X" in one box to confirm whether 10% of the members of the community have indicated approval of the re-registration of the community interest to which this application relates.

YES **NO**

If "No", please explain why there is, within the community, a sufficient level of support to justify the re-registration.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

5.2 Please provide:

(A) Evidence and details of support obtained, including the date on which the approval of each member of the community was indicated:	
(B) A breakdown of the level of support:	
• Total number of members of the community	_____
• Total number of members of the community who have indicated approval for the registration	_____
• Overall percentage of members of the community who have indicated approval of the registration.	_____ %

SECTION 6 — PROPOSALS FOR THE LAND

Please mark an "X" in the appropriate box below to confirm whether there have been any changes to any of the following information since the CB's previous application to register or re-register the interest in land:

- a) details of the CB's proposals for the land to which the application relates; or
- b) information which demonstrates whether the acquisition of the land by the CB is compatible with furthering the achievement of sustainable development.

"YES" - there has been a change "NO" - no changes

- If you have marked "Yes" **then please complete** the relevant question(s) in section 6 of this form to which those changes relate.
- If you have marked "No" **then proceed to section 7.**

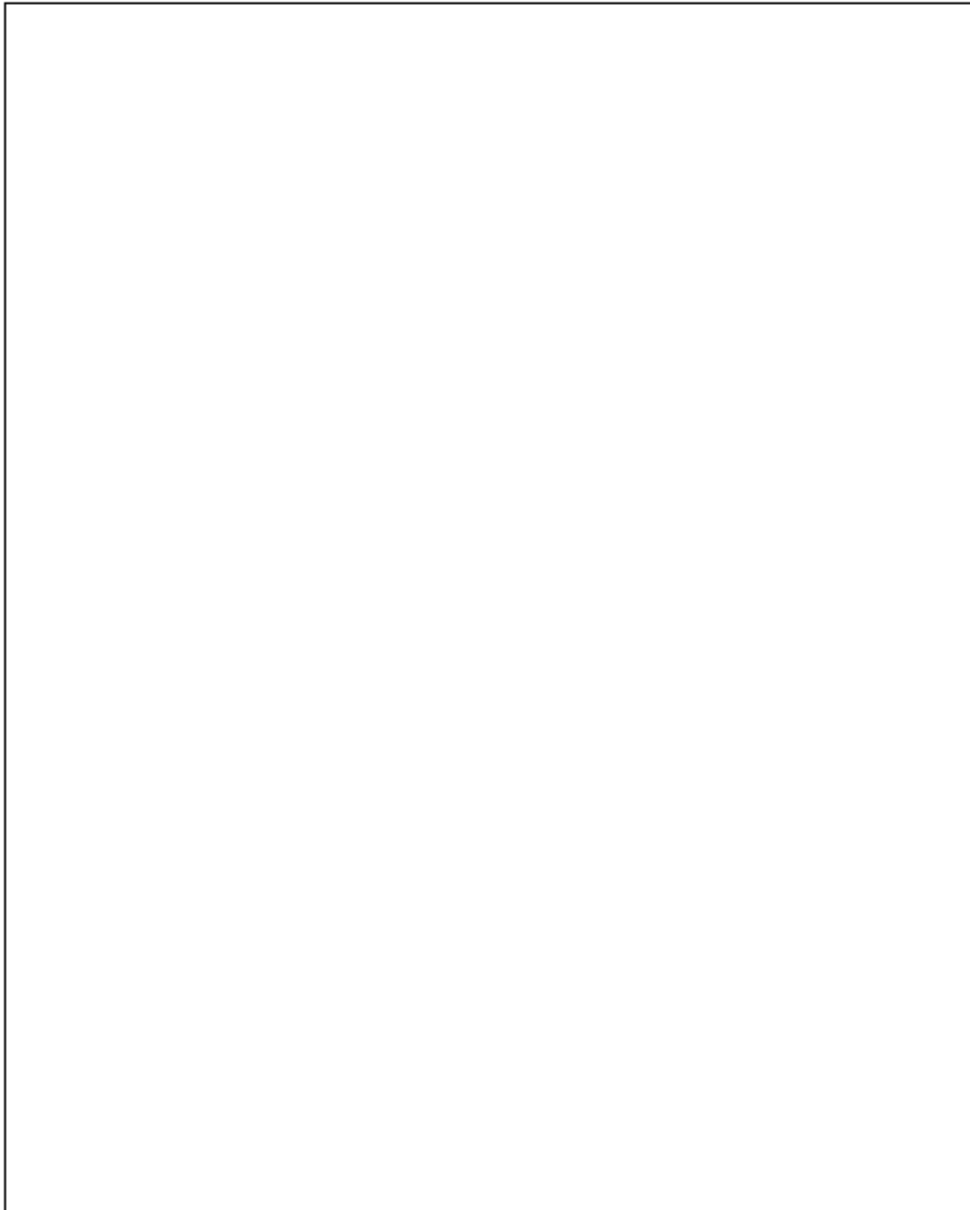
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6.1 Please explain your proposals for the land to which this application relates.

A large, empty rectangular box with a thin black border, intended for the user to provide details on their proposals for the land to which the application relates.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

6.2 Please explain how the acquisition by the CB of the land to which this application relates is compatible with furthering the achievement of sustainable development.

A large, empty rectangular box with a thin black border, intended for the user to provide an explanation as requested in the text above.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SECTION 7 — PUBLIC INTEREST

7.1 Please explain why it is in the public interest that the community interest to which this application relates be re-registered (a.g. any environmental, social, economic and other benefits)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SECTION 8 — DECLARATION

We the undersigned have been authorised by the community body to provide the information in this form, the proposals detailed within it and any supporting documents.

- The community body understands that, if it makes any inaccurate statements or provides inaccurate information (deliberate or accidental) at any stage during the right to buy process, or if it knowingly withholds any information, this could result in Scottish Ministers deciding not to re-register the community interest.
- The community body has not altered or deleted the original wording of this form.
- The community body understands that you require each signatory (2 board members, charity trustees or committee members) to this form to provide his/her full names and home address for the purposes of prevention and detection of fraud.
- The community body confirms that it is still a community body within the requirements of subsection (1), (1A) or (1B) of section 34 of the Land Reform (Scotland) Act 2003.
- The community body understands that this form and supporting documents may appear in the Register of Community Interests in Land.
- We the undersigned have read and understand the terms of this declaration.

We, the undersigned on behalf of the community body as noted at section 1, apply to re-register an interest in the land as specified in this application under section 37(1) of the Land Reform (Scotland) Act 2003.

Name

Address

Date

Position

Signature

Name

Address

Date

Position

Signature

For more information and guidance on the community right to buy and on this form (including where to post this form) please visit www.gov.scot and search for "community right to buy".

You can also email the completed form and associated documents to crtb@gov.scot

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 4

Regulation 6

FORM OF PUBLIC NOTICE OF APPLICATION TO BE
AFFIXED TO LAND – SECTION 37(4) OF THE ACT

**Public Notice under section 37(4) of the Land Reform (Scotland) Act
2003:**

**Owner or Creditor in a Standard Security Unknown or Cannot be
Found**

This notice is intimation that:

[enter name of community body]

proposes to make an application to the Scottish Ministers under section 37(1) of the Land Reform (Scotland) Act 2003 (“the Act”) to register a community interest in land in relation to the following:-

[Describe the area of land in which a community interest is sought to be registered and its location] which is shown on the plan annexed.

Under section 37(4) of the Act Ministers shall not be satisfied that the owner of the land described above or a creditor in a standard security over any part of that land is unknown or cannot be found unless the community body has given public notice of the proposed application by placing an advertisement in accordance with section 37(4)(a) of the Act and affixing a conspicuous notice in the prescribed form to a part of that land in accordance with section 37(4)(b) of the Act.

If you are the owner of the land described above or a creditor in a standard security over part of that land, you should immediately contact:

[Enter community body’s contact details] and

[Enter the Scottish Ministers’ contact details]

Date

Signed (Official of Community Body).....

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SCHEDULE 5

Regulation 8

FORM OF NOTICE UNDER SECTION 37(17) OF THE ACT OF
MINISTERS' DECISION ON WHETHER OR NOT A COMMUNITY
INTEREST IS TO BE REGISTERED OR RE-REGISTERED

**Notice under section 37(17) of the Land Reform (Scotland) Act 2003
of Scottish Ministers' Decision**

The Scottish Ministers ("Ministers") have received the application by [*enter name of community body*] to [*register/re-register – please delete as appropriate*] a community interest in [*enter details of the land*] in terms of Part 2 of the Land Reform (Scotland) Act 2003 ("the Act").

Having considered the information provided Ministers have decided that the interest [*is/is not - please delete as appropriate*] to be entered in the Register of Community Interests in Land ("the Register"). Ministers' decision is effective from [*enter date of decision*] ("the Decision Date"). This notice states the reasons for that decision.

[Insert reasons for deciding that the interest is/is not to be registered]

Effect of Ministers' Decision

*Where a community interest in land is registered or where that interest has been re-registered, the owner of the land and any creditor in a standard security having the right to sell the land, is prohibited from transferring the land, or any part of it, or from taking any action with a view to transferring the land, or any part of it, while the interest is registered in the Register. This is subject to section 40(4) of the Act.

*A community body may apply to re-register their interest in the land within 6 months before the expiry of the period of 5 years that a registered interest has effect.

*A community body and owner of the land have a duty under section 44A of the Act to notify changes to information relating to a registered interest to Ministers as soon as reasonably practicable after the change.

*Should an owner of land in respect of which a community interest is registered or, as the case may be, a creditor in a standard security with a right to sell the land proposes to transfer that land (or any part of it) that person is required to notify Ministers and the community body of such a proposed transfer under section 48 of the Act in the form set out in Schedule 6 of the Community Right to Buy (Scotland) Regulations 2015.

*Under section 45 of the Act, if Ministers are satisfied that there has, since the date on which they decided that a community interest should be registered (or re-registered) in the Register, been a change in any matters to the extent that, if the application to register that community interest were made afresh, they would decide that the interest is not to be entered in the Register, they shall direct the Keeper to delete that interest.

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*Where a community interest in land is registered in pursuance of a “late” application (section 39(4) of the Act) the owner of the land is, for the purposes of the Act, deemed to have, on the date on which that interest is so registered, given notice under section 48(1) of the Act that a transfer is proposed, and the community body is deemed to have sent the confirmation which Ministers would have required to seek under section 49(2)(a) of the Act, had section 49 of the Act applied.

*An owner of land may, by virtue of section 61(1) of the Act appeal to the sheriff against a decision by Ministers that a community interest in the land is to be entered in the Register.

*A community body may, by virtue of section 61(2) of the Act, appeal to the sheriff against a decision by Ministers that its community interest is not to be entered in the Register.

*A person who is a member of a community may, by virtue of section 61(3) of the Act appeal to the sheriff against a decision by Ministers that a community interest in land is to be entered in the Register.

*A creditor in a standard security with a right to sell land may by virtue of section 61(3A) of the Act, appeal to the sheriff against a decision by Ministers that a community interest in the land is to be entered in the Register.

*An appeal under section 61 of the Act should be lodged within 28 days of the date on which Ministers decided whether to enter the community interest in the Register.

*Any person (other than a community body) who has incurred loss or expense in complying with the procedural requirements of Part 2 of the Act is by virtue of section 63 of the Act entitled to compensation from Ministers of such amount as Ministers may determine.

*Ministers have, pursuant to section 39(5) of the Act, decided to decline to consider the application. Accordingly, the community body’s interest is not to be entered in the Register and the prohibition applying by virtue of section 37(5)(e) of the Act ceases to apply from the Decision Date.

*Ministers have, pursuant to section 37(11) of the Act, decided to decline to consider the application. Accordingly, the community body’s interest is not to be entered in the Register, and the prohibition applying by virtue of section 37(5)(e) of the Act ceases to apply from the Decision Date.

*Delete as appropriate.

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SCHEDULE 6

Regulation 9

FORM OF NOTICE BY OWNER OR CREDITOR OF PROPOSED
TRANSFER OF LAND UNDER SECTION 48(1) OF THE ACT

**Notice by an owner or creditor in a standard security to a community
body and the Scottish Ministers under section 48(1) of the Land
Reform (Scotland) Act 2003**

#I /We [**enter name(s) of owner of land or name of the creditor in a standard security with the right to sell the land*], #owner(s)/creditor of [**enter details of land in respect of that being transferred*], hereby give notice in terms of section 48(1) of the Land Reform (Scotland) Act 2003 (“the Act”) to [**enter details of the community body or bodies which has the registered interest in land*] and to the Scottish Ministers, that [**enter name(s) of owner of land or name of the creditor in a standard security with the right to sell the land*] propose(s) to transfer that land (or any land of which that land forms part) by way of a transfer under Part 2 of the Act.

Date:
(Signed by #owner/creditor in a standard security)

**enter details as appropriate*
#delete as appropriate

SCHEDULE 7

Regulation 10(1)

FORM OF NOTICE UNDER SECTION 49(2)(a) OF THE ACT

Notice by the Scottish Ministers to a community body under section 49(2)(a) of the Land Reform (Scotland) Act 2003

To *[enter name of community body]*

Take notice that the Scottish Ministers ("Ministers") have received notification under section 48 of the Land Reform (Scotland) Act 2003 ("the Act") that the **[owner of the land described below/creditor in a standard security with the right to sell the land described below]* of the land in which you have a registered interest propose(s) to transfer that land (or any land of which that land forms part) by way of a transfer under Part 2 of the Act.

Description of land:-

[Enter description of the land]

Ministers seek the community body's confirmation in writing that it will exercise its right to buy the land. Confirmation must be received by Ministers not later than *[insert date not later than 30 days after date of sending notice]*.

By virtue of section 49(4) of the Act, if the community body has not caused its confirmation to be received by Ministers by the date specified above, Ministers shall be deemed to have received a written notice from the community body under section 54(1) of the Act that it will not exercise its right to buy the land and sub-sections (2) to (4) of section 54 of the Act shall apply accordingly. In that event, the effect is that the Ministers must then give notice directing the Keeper to delete the community interest from the Register of Community Interests in Land and the right to buy is extinguished.

A community body can apply to register a community interest in the same land for a second or subsequent time.

** enter details of either owner or creditor in standard security with the right to sell the land as appropriate*

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SCHEDULE 8

Regulation 10(2)

FORM OF NOTICE UNDER SECTION 49(2)(b) OF THE ACT

Notice by the Scottish Ministers to an owner or creditor in a standard security with a right to sell under section 49(2)(b) of the Land Reform (Scotland) Act 2003

To *

Take notice that the Scottish Ministers (“Ministers”) have, in compliance with section 49(2)(a) of the Land Reform (Scotland) Act 2003 (“the Act”), given notice to [*insert name of community body*] seeking its confirmation in writing that it will exercise its right to buy [*enter details of the land*] of which you are the [**].

Ministers have specified [*insert date*] as the date by which confirmation in writing has to be received by them,

If by the date specified above the community body has not caused its confirmation to be received by Ministers, Ministers shall be deemed to have received written notice from the community body under section 54(1) of the Act that it will not exercise its right to buy the land and sub-sections (2) to (4) of section 54 shall apply accordingly. In that event, the effect is that Ministers must direct the Keeper to delete the community interest from the Register of Community Interests in Land and the right to buy is extinguished.

A community body can apply to register a community interest in the same land for a second or subsequent time.

**enter name of the owner or creditor in a standard security with a right to sell as appropriate*

***enter “owner” or “creditor in a standard security with a right to sell” as appropriate*

SCHEDULE 9

Regulation 12

EXEMPT TRANSFER – DESCRIPTION OF LAND – SECTION 41(3)(b) OF THE ACT

1. Maps, plans or other drawings must—

- (a) be drawn to a metric scale corresponding to a scale used by the Ordnance Survey for that land;
- (b) be taxative and not demonstrative only;
- (c) show the compass orientation of north;
- (d) contain map grid reference numbers and sufficient surrounding details (fences, houses etc.) to enable the position of the land to be fixed accurately;
- (e) show the boundaries of the land; and
- (f) where measurements are given, give those measurements to one decimal place.

2. Where the land to which the transfer under section 40(4)(1) of the Act relates consists of salmon fishings or mineral rights, the land in respect of which those salmon fishings or mineral rights are eligible must be clearly marked on the map, plan or drawing.

(1) Section 40(4) is amended by schedule 5 to the 2015 Act.

SCHEDULE 10

Regulation 14

INFORMATION TO BE PROVIDED TO BALLOTTER – SECTION 51A(6) OF THE ACT

Land Reform (Scotland) Act 2003: Part 2 Community Right to Buy

Information to be provided to balloter

Section 51A(6) of the Land Reform (Scotland) Act 2003

Note: This form, once completed with the information provided in the expandable boxes below, must fit within 2 sides of A4. Information in the boxes below must be provided in 12 point type, using Arial font.

1. What is the name of the community body ("CB") which is submitting the information to the balloter under section 51A(6) of the Land Reform (Scotland) Act 2003?

2. What is the CB's Register of Community Interests in Land registration number?

3. What is the company number, registration number or charity number of the CB, as the case may be?

4. What are the contact details of the CB?

Contact Name:
Postal Address:

Telephone:
Email:

5. Please describe the land and/or salmon fishings or mineral rights in relation to which the community body has confirmed it will exercise its right to buy.

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6. What are the CB's proposals for use of the land and/or salmon fishings or mineral rights in relation to which it is exercising its right to buy?

7. Where can members of the community obtain details of the CB's proposals?

8. What is the assessed value of the land and any moveable property which has been valued as notified to the CB by the valuer in accordance with section 60(2) of the Land Reform (Scotland) Act 2003?

SCHEDULE 11

Regulation 17(2)

RETURN OF BALLOT RESULTS – SECTION 52(3) OF THE ACT

Land Reform (Scotland) Act 2003: Part 2 Community Right to Buy
Return of ballot results
Section 52(3) of the Land Reform (Scotland) Act 2003

1. What is the name of the community body ("CB") to which the ballot result relates?

2. What is the registration number of the CB in the Register of Community Interests in Land?

3. What was the date by which the ballot papers had to be returned in accordance with regulation 15(3)(c) of the Community Right to Buy (Scotland) Regulations 2015?

4. What is the wording of the proposition that was put to the community in the vote on whether to buy the land?

5. How many persons were eligible to vote in the ballot?

6. How many persons who were eligible to vote voted in the ballot?

7. How many proxy votes were cast?

8. How many votes were spoilt?

9. What was the number of votes cast for the proposition that the community body buy the land?

10. Please provide details of any information that was provided by the balloter to the persons eligible to vote in the ballot. If separate sheets are attached they must be referenced accordingly.

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11. Name, address, telephone number, and email of the ballotster making the ballot return.

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12. Signature of the person making this ballot return or behalf of the ballotster.

--

13. Date of this ballot return

--

SCHEDULE 12

Regulation 21

FORM OF INFORMATION TO BE PROVIDED BY THE
COMMUNITY BODY TO MINISTERS – SECTION 51B OF THE ACT

Official use Only	
Type	51B
Date Received	



Land Reform (Scotland) Act 2003: Part 2 Community Right to Buy
Section 51B Information Form

This form can be:

- Downloaded and completed electronically, or
- Downloaded and completed manually using black or blue ink and in capital letters

SECTION 1 — WHO IS SUBMITTING THE INFORMATION

1.1 Name of the community body ("CB") submitting the information to Scottish Ministers under section 51B of the Land Reform (Scotland) Act 2003.

Name of Community Body	
-------------------------------	--

1.2 CB's Register of Community Interests in Land ("RCIL") registration number.

RCIL Number	
--------------------	--

1.3 Please supply the address the CB wishes correspondence on the Community Right to Buy process to be issued to.

Contact Name:	
Postal address:	
Town:	
County:	
Postcode:	
Telephone:	
E-mail:	

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1.4 Please mark an "X" confirming whether there have been any changes to the CB's governing document (i.e. memorandum, articles of association, constitution or registered rules) in the last year.

YES NO |

If "yes" please explain.

1.5 Please mark an "X" confirming that the CB has also:

- Submitted its current governing document as part of this form.
- Submitted its membership details (i.e. names address and membership type of CB's members) as part of this form.

SECTION 2 – SUSTAINABLE DEVELOPMENT

NOTE – In order for Scottish Ministers to consent to the exercise of the right to buy they must be satisfied that what the CB proposes to do with the land is compatible with furthering the achievement of sustainable development.

2.1 A CB can submit additional supporting evidence in support of the answers provided on this form. Please mark an "X" in the relevant box, indicating what additional supporting documentation, if any, is being supplied.

Business Plan	<input type="checkbox"/>	Feasibility Study	<input type="checkbox"/>	None	<input type="checkbox"/>
Other	<input type="checkbox"/>	If other, please say	<input type="text"/>		

2.2 Please explain how the CB's proposals for the land to which this form relates are compatible with furthering the achievement of sustainable development.

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2.3 Please explain why the CB's proposed purchase of the land to which this form relates is in the public interest.

2.4 By marking an "X" in the below box, the CB is confirming that it considers there has not, since the date on which their interest was registered, been a change in any matters to the extent that, if the application to register the community interest was made afresh, Scottish Ministers would decide that the interest is not to be entered in the Register of Community Interests in Land.

2.5 If any of the proposals have changed from when Scottish Ministers received the CB's application to register an interest in this land, please provide details of the changes and the reasons for these change(s).

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SECTION 3 - DECLARATION

- We the undersigned have been authorised by the community body to provide the information in this form, the proposals detailed within it and any supporting documents.
- The community body understands that, if it makes any inaccurate statements or provides inaccurate information (deliberate or accidental) at any stage during the right to buy process, or if it knowingly withholds any information, this could result in Scottish Ministers deciding not to consent to the exercise of the community body’s right to buy.
- The community body has not altered or deleted the original wording of this form.
- The community body understands that you require each signatory (2 board members, charity trustees or committee members) to this form to provide his/her full names and home address for the purposes of prevention and detection of fraud.
- The community body confirms that it is still a community body in accordance with the requirements of subsection (1)(a), (1A)(b) or (1B)(c) of section 34 of the Land Reform (Scotland) Act 2003.
- The community body understands that this form and supporting documents may appear in the Register of Community Interests in Land.
- We the undersigned have read and understand the terms of this declaration.

We the undersigned on behalf of the community body as noted at section 1.1, provide this information pursuant to section 51B(2)(d) of the Land Reform (Scotland) Act 2003.

Name

Address

Date

Position

Signature

Name

Address

Date

Position

Signature

For more information and guidance on the community right to buy and on this form (including where to post this form) please visit www.gov.scot and search for "community right to buy".

You can also email the completed form and associated documents to crtb@gov.scot

(a) Section 34(1) is amended by section 37(3) of the 2015 Act.
 (b) Section 34(1A) is inserted by section 37(4) of the 2015 Act.
 (c) Section 34(1B) is inserted by section 37(4) of the 2015 Act.
 (d) Section 51B(2) is inserted by section 50 of the 2015 Act.

SCHEDULE 13

Regulation 23

REVOCATIONS

<i>Regulations revoked</i>	<i>Instrument No.</i>
The Community Right to Buy (Ballot) (Scotland) Regulations 2004	S.S.I. 2004/228
The Community Right to Buy (Compensation) (Scotland) Regulations 2004	S.S.I. 2004/229
The Community Right to Buy (Specification of Plans) (Scotland) Regulations 2004	S.S.I. 2004/231
The Community Right to Buy (Prescribed Form of Applications and Notices) (Scotland) Regulations 2009	S.S.I. 2009/156