
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 137

The Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Compensation) (Scotland) Order 2018

Procedure for claiming compensation

2.—(1) A claim for compensation under section 97T(1)(a), (b) or (c) of the Act (compensation) must be submitted to the Part 3A community body which is liable to pay the compensation at the registered office of that body.

(2) A claim for compensation under section 97T(3) of the Act must be submitted to Ministers.

(3) A claim for compensation under section 97T(1)(a), (b) or (c) of the Act must be submitted within the period of 90 days beginning—

- (a) on the final settlement date as defined in section 97R(2) of the Act (completion of transfer), or such later date as consideration is paid in terms of section 97R(3) or (4) of the Act;
- (b) on the date that the notice in writing to Ministers that the Part 3A community body has withdrawn its application or withdrawn the confirmation of its intention to proceed with the purchase or under section 97P(2) of the Act (confirmation of intention to proceed with purchase and withdrawal) is received; or
- (c) the date on which the Part 3A community body's application is treated as withdrawn under section 97R(5) of the Act.

(4) A claim for compensation under section 97T(3) of the Act must be submitted within the period of 90 days beginning with the date of notification under section 97M(1)(b) or (c) of the Act (notification of Ministers' decision on application) of the refusal by Ministers to grant the Part 3A community body's application made under section 97G of the Act.

(5) A claim for compensation mentioned in article 2(1) or (2) must—

- (a) specify under which paragraph of section 97T(1) of the Act the loss or expense falls; and
- (b) be fully vouched.

(6) For the purposes of section 97T(5) of the Act, the period of time is 60 days beginning with the date of submission of the claim for compensation.