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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision in relation to bringing into force particular provisions of the Land Reform (Scotland) Act 2016 (“the 2016 Act”). The Bill for the 2016 Act received Royal Assent on 22nd April 2016. Sections 125 to 127, 130 and 131 came into force on 23rd April 2016.

Section 39(1) of the 2016 Act requires the Scottish Ministers to make provision, by regulations, requiring information to be provided about persons who have controlling interests in owners and tenants of land, and about the publication of that information in a public register kept by the Keeper of the Registers of Scotland. Such regulations are subject to the affirmative procedure. In respect of the first regulations made under section 39(1), section 40 of the 2016 Act require the Scottish Ministers to have consulted in accordance with section 41 and, following that consultation, to have laid before the Scottish Parliament proposed draft regulations and an explanatory document prepared in accordance with section 42 of the 2016 Act.

Regulation 2 and schedule 1 appoints 17th May 2018 for the coming into force of section 41 of the 2016 Act. Section 41 sets out the consultation requirements that the Scottish Ministers are required to follow under section 40(a) of the 2016 Act, in respect of the first regulations made under section 39(1).

Regulation 2 and schedule 1 also appoints 17th May 2018 for the coming into force of sections 39, 40 and 42 of the 2016 Act. However, those sections are commenced on that day only for the limited purpose of the Scottish Ministers undertaking consultation on the first proposed draft regulations and the associated proposed explanatory document, in accordance with section 41(1) and (2) of the 2016 Act.

Regulation 3 and schedule 2 appoints 27th June 2018 for the coming into force of the provisions specified in column 1 of the table in schedule 2.

Section 52 of the 2016 Act requires the Keeper to establish and keep a register to be known as the Register of Applications by Community Bodies to Buy Land.

Section 53 of the 2016 Act amends Section 97F of the Land Reform (Scotland) Act 2003 (“the 2003 Act”), which was inserted by section 74 of the Community Empowerment (Scotland) Act 2015, so as to include applications for the community right to buy abandoned, neglected or detrimental land in the register established under section 52.

Schedule 1 of the 2016 Act contains minor and consequential amendments to the Land Reform (Scotland) Act 2003.

Regulation 4 provides that the modification made by paragraph 1(3) of schedule 1 of the 2016 Act has no effect in respect of a ballot conducted by a community body where, prior to the coming into force of these Regulations on 27th June 2018, a balloter has been appointed under section 51A(1) of the 2003 Act.