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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 140**

**The Community Right to Buy (Abandoned, Neglected  
or Detrimental Land) (Applications, Ballots and  
Miscellaneous Provisions) (Scotland) Regulations 2018**

**PART 3**

**Ballot for purpose of section 97J of the Act**

*Reimbursement of expense of conducting ballot*

**Application for reimbursement**

**12.**—(1) A Part 3A community body may apply to Ministers for reimbursement of the expense of conducting a ballot in accordance with section 97J of the Act.

(2) An application under paragraph (1) must be made on or after the date that an application is made under section 97G of the Act and no later than the date as determined in accordance with paragraph (3) or (4) as the case may be.

(3) If the Part 3A community body is refused consent to exercise the right to buy land, the date is the earlier of—

- (a) the day after the expiry of the time period specified in section 97V(6) of the Act (appeals) for lodging an appeal against the decision on an application under section 97G of the Act, but only if no appeal is lodged within that period; or
- (b) the day on which the sheriff issues a decision in an appeal under section 97V of the Act, but only if the outcome of the appeal is that the Part 3A community body is refused consent to exercise the right to buy land.

(4) If the Part 3A community body is given consent to exercise the right to buy land, the date is the earliest of—

- (a) the expiry of the period specified in section 97P(1) of the Act (confirmation of intention to proceed with purchase and withdrawal), but only if the Part 3A community body did not, within that period, notify Ministers and the owner of the land of its intention to proceed to buy the land;
- (b) the date of notice of withdrawal of the application under section 97P(2)(a) of the Act;
- (c) the date of notice of withdrawal of the confirmation of intention to proceed under section 97P(2)(b) of the Act;
- (d) the date on which the Part 3A community body's application is treated as withdrawn under section 97R(5) of the Act (completion of transfer); or
- (e) the day on which the transfer of the land is completed under section 97R of the Act.