SCOTTISH STATUTORY INSTRUMENTS

2004 No. 224

LAND REFORM

The Crofting Community Body Form of Application for Consent to Buy Croft Land etc. and Notice of Minister's Decision (Scotland) Regulations 2004

Made - - - -	*18th May 2004*
Laid before the Scottish Parliament - - - -	*21st May 2004*
Coming into force - -	*15th June 2004*

The Scottish Ministers in exercise of the powers conferred by section 73(5) and section 82(1) of the Land Reform (Scotland) Act 2003(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Crofting Community Body Form of Application for Consent to Buy Croft Land etc. and Notice of Ministers' Decision (Scotland) Regulations 2004 and shall come into force on 15th June 2004.

(2) In these Regulations–

"the Act" means the Land Reform (Scotland) Act 2003;

"crofting community body" has the same meaning as in section 71 of the Act.

Application by crofting community body for consent to buy croft land

2. An application under section 73(2) of the Act by a crofting community body for consent to buy eligible croft land or sporting interests shall be submitted to Ministers in, or as near as may be in, the form in Schedule 1 to these Regulations(**2**).

(**1**) 2003 asp 2. Section 98(1) contains definitions of "Ministers" and "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made.

(**2**) In terms of section 73(6)(a) of the Act a copy of the application must be sent to the owner at the same time that the application is submitted to Scottish Ministers.

Notification of Ministers' decision on application

3. Ministers shall notify their decision under section 82 of the Act on an application by a crofting community body to buy eligible croft land or sporting interests in, or as near as may be in, the form of Schedule 2 to these Regulations.

St Andrew's House, Edinburgh
18th May 2004

ALLAN WILSON
Authorised to sign by the Scottish Ministers

SCHEDULE 1 Regulation 2

APPLICATION FORM FOR CONSENT TO BUY ELIGIBLE CROFT LAND OR SPORTING INTERESTSLand Reform (Scotland) Act 2003

Please use black ink and capital letters

1. Name of Community Body (CB)

Contact Title:

Contact Forename:

Contact Surname:

Contact Address.

Telephone Number:

Fax Number:

Email Address (if available):

Office held with crofting community body:

2. Applicant Company details

A Crofting Community Body must be a Company Limited by Guarantee, registered in Scotland. A copy of the **Memorandum** and the **Articles of Association** of the Crofting Community Body should be enclosed. **(See Note 1).**

Company Registration Number:

Address of Registered Office:

3. Location of relevant land and identification of the Crofting Community

(a) Please show the crofting community in relation to the land for which consent to purchase is sought and provide a suitable map or plan which identifies those individual households of members of the crofting community resident in the township of the crofting community. This should be to an appropriate scale and derived from an Ordnance Survey map.

(b) Please provide a complete list of all those who were eligible to vote in the ballot.

(c) Please indicate which of these members are crofters and identify their croft (complete on a separate sheet if necessary).

(d) Please identify with names and current addresses those crofter members of the crofting community who reside outwith the township(s) associated with the eligible croft land to which the application relates and give the distance from the township (being no more than 16km) at which they reside.

(e) Please confirm that the membership of the crofting community as given by the crofting community body in this application is that which was eligible to take part in the ballot notified to Scottish Ministers under section 75(4) of the Act.

(f) Please explain the connection between the crofting community as identified above and the land for which consent to purchase is sought.

4. Details of eligible croft land or sporting interests for which consent to purchase is sought (see Note 2)

(a) Please provide a map or maps showing the location and boundaries of the land or sporting interests in respect of which the right to buy is to be exercised

(b) Please detail the number of maps/drawings enclosed and give a description of each.

(c) Please provide the following location details of the land–

County in which the land is located;

Postcode details;

OS Grid Reference Number;

(d) Please provide a written description of eligible croft land, eligible additional land or sporting interests (complete on a separate sheet if necessary).

(e) Does the person who owns the eligible croft land own the mineral rights associated with this land? **YES/NO**

(f) Do you wish to acquire these rights as part of this application? **YES/NO**

(g) Does the person who owns the eligible croft land own the salmon fishings on or contiguous with this land? **YES/NO**

(h) Do you wish to acquire these salmon fishings as part of this application? **YES/NO**

(i) Is this an application to acquire mineral rights or sporting interests on or salmon fishings on or contiguous to eligible croft land which is either the subject of another application or which has been acquired previously through the exercise of a crofting community right to buy under the provisions of this Act? **YES/NO (See Note 3).**

(j) If the answer is YES please provide sufficient information to enable us to identify that other application or previous acquisition and to confirm that these mineral rights or sporting interests are on or those salmon fishings are on or contignous to the relevant croft land **(See Note 4)**

(k) If that relevant land was acquired previously through the exercise of a crofting community right to buy under the provisions of this Act please indicate the date on which that purchase was completed.

(l) Please explain why you consider all of the land or sporting interests constitutes eligible croft land, eligible additional land or eligible sporting interests and why you believe that all of this land or these eligible sporting interests is owned by the landowner referred to in paragraph 6 below. (Relevant evidence to support this explanation should be attached with this application).