**Consultation on proposals relating to secondary legislation for Part 3 of the Land Reform (Scotland) Act 2003 – the crofting community right to buy as amended by the Community Empowement (Scotland) Act 2015**



**RESPONDENT INFORMATION FORM**

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organisation?

[ ]  Individual

[ ]  Organisation

Full name or organisation’s name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

[ ]  Publish response with name

[ ]  Publish response only (anonymous)

[ ]  Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

[ ]  Yes

[ ]  No

**1. Application forms to be used by a crofting community body in the exercise of its right to buy**

**Question 1: Are you content with the form and questions in the “Application for consent to buy eligible croft land etc”, as set out above?**

**Yes** [ ]  **No** [ ]

**Please provide details.**

**Question 2: Are you content with the form and questions in the “Application for consent to buy the interest of the tenant in tenanted land”, as set out above?**

**Yes** [ ]  **No** [ ]

**Please provide details.**

**2. What is the manner in which public notice is to be given to an application by crofting community body for consent to buy croft land etc**

**Question 3: Are there any other manners in which public notice should be given to an application by a crofting community body for consent to buy croft land etc?**

**Conduct of a crofting community body’s ballot**

**3. Crofting community right to buy ballot**

**Question 4: Do you agree with the proposals that set out how the ballot should be conducted, as outlined above?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**Proxy votes**

**Question 5: Do you agree with the process to make a request for a proxy vote, as outlined above?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**Notification of ballot results**

**Question 6: Are you content with the format of the form for the ballot return, as outlined above?**

**Yes** [ ]  **No** [ ]

 **Please provide details.**

**Public notification of CCB’s ballot return**

**Question 7: Are you content with the process that should be used to make public the results of the ballot, as outlined above?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**Retention of ballot papers**

**Question 8: Are you content with the categories of information that the crofting community body must retain in connection with its ballot to ascertain community support to exercise its crofting community right to buy, and the timescale in which that information is to be retained?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**Access to ballot papers**

**Question 9: Do you agree that there should be a process to deal with requests for any documentation relating to the ballot?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**Question 10: Do you agree with the process that has been set out above?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**4. Reimbursement by Ministers of expenses relating to a ballot under the crofting community right to buy provisions**

**Circumstances in which a crofting community body can make an application to Ministers for reimbursement of the expense of conducting a ballot under the crofting community right to buy provisions**

**Question 11: Do you agree with the list of circumstances noted above?**

**Yes** [x]  **No** [ ]

**Please explain your answer.**

**Question 12: Are there any other circumstances that should be included in addition to those set out above?**

**Calculating the expense of conducting the ballot**

**Question 13: Should the method that Ministers use to calculate the costs take account of all the expenses that a crofting community body incurs in connection with the ballot ,or should it only take account of certain costs relating to the ballot?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**The criteria to be applied by Ministers in deciding whether to make a reimbursement to the applicant crofting community body**

**Question 14: What criteria should Ministers use when deciding whether to make a reimbursement of ballot costs to a crofting community body?**

**Please explain your answer.**

**The procedure to be followed in connection with the making of an application for reimbursement to Ministers**

**Question 15: Do you agree with the procedure to be followed when making an application to Ministers?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**An appeal against a decision made by Ministers in respect of an application for reimbursement of the expense of conducting a ballot**

**Question 16: Are there any changes that you would make to the appeal process, outlined above?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**5. Notice of the Minister’s decision on an application by crofting community body for consent to buy croft land etc**

**Question 17: Are you content with the format of the above?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**

**6. Compensation**

**Question 18: What amounts should be payable as compensation in respect of loss or expense incurred by a landowner, persons entitled to sporting interests or the tenant (as mentioned in section 89(1) of the Act)?**

**Amounts payable in respect of loss or expense incurred by a person of**

**such other description as may be specified**

**Question 19: Who (what persons) should be specified by Ministers in relation to the above?**

**Question 20: What amounts should be payable as compensation in respect of loss or expense by these persons (in section 89(4)(b) of the Act)?**

**Application for a grant towards compensation liability: application form**

**Question 21: Are there any changes you would make to the application process outlined above?**

**Please explain your answer.**

**Question 22: Do you agree with the form of the application form for a grant towards a crofting community body’s liabilities to pay compensation, set out above?**

**Yes** [ ]  **No** [ ]

**Please explain your answer.**