POLICY NOTE

THE LANDS TRIBUNAL FOR SCOTLAND (AMENDMENT) (FEES) (No. 2) RULES 2020

SSI 2020/446

The powers to make these rules are conferred by section 3(6) and (12)(e) of the Lands Tribunal Act 1949. The instrument is to be laid with no procedure in the Scottish Parliament by virtue of section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010.

Purpose of the instrument.

To update the Lands Tribunal Fees in relation to appeals, within the Crofting Community Right to Buy process, against a decision of the Scottish Ministers to refuse reimbursement for the cost of running a ballot. This will bring them into line with other fees payable to the Lands Tribunal.

Policy Objective

This instrument makes provision for Lands Tribunal fees by amending the table of fees in Schedule 2 to the Lands Tribunal for Scotland Rules 1971 ("the 1971 Rules").

Regulation 16(1) of the Crofting Community Right to Buy (Procedures, Ballots and Forms) (Scotland) Regulations 2020 gives a right to appeal to the Lands Tribunal against a decision of the Scottish Ministers' to refuse reimbursement for the cost of running a ballot. Rule 2(2) creates a fee of £150, payable to the Lands Tribunal, where such an appeal is made.

Equality Impact Assessment and Financial Impact

With reference to the fees introduced for appeals under the Crofting Community Right to Buy (Procedures, Ballots and Forms) (Scotland) Regulations 2020 there are not expected to be a high volume of cases so the effect is thought to be negligible.

Community Land Team
December 2020