EXECUTIVE NOTE

The Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Amendment Order 2007 SSI/2007/58

The powers to make this Order are conferred by section 43(5) of the Title Conditions (Scotland) Act 2003.

Policy objectives

This Order amends the Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Order 2004 by adding five bodies to the Schedule to that order.

The Title Conditions (Scotland) Act 2003 gives Scottish Ministers the power to designate a list of 'rural housing bodies' who will be able, when selling rural housing, to reserve a right to repurchase the property or land in the event of it coming up for sale. As a consequence, rural housing bodies will have the ability to control future sales. To be a 'rural housing body', an organisation must have as its object or function (or one of its principal objects or functions):-

(a) the provision of housing on rural land; or
(b) the provision of such land for housing.

The right to repurchase may only be used over rural land. Rural land means land other than excluded land. Excluded land has the same meaning as in the Land Reform (Scotland) Act 2003, namely settlements of over 10,000 people.

Financial Effects

The instrument has no financial effect on the Scottish Executive, local government or on business.

Scottish Executive Justice Department
Febraury 2007