



Crofting Reform (Scotland) Act 2010

2010 asp 14

PART 2

THE CROFTING REGISTER

Registration

10 Completion of registration: further provision on first registrations

- (1) This section applies where, in relation to a first registration (other than of a new croft or other than as a result of the taking of the step mentioned in section 4(4)(p))—
- (a) no application is made to the Land Court under section 14(1) before the expiry of the period mentioned in section 12(5); or
 - (b) such an application having been made—
 - (i) the application has been abandoned; or
 - (ii) the Court makes no order or makes an order under section 14(4)(b).
- (2) Subject to subsection (3), the Keeper must—
- (a) make such amendment as is necessary of the registration schedule of the croft; and
 - (b) make such consequential amendments in the register as are necessary.
- (3) Where—
- (a) the application for first registration was made as a result of the taking, in relation to a croft, of a step mentioned in subsection (4) of section 4 (other than a step mentioned in paragraph (e), (f), (h), (j), (k), (m), (n) or (p) of that subsection); and
 - (b) the Keeper is notified, in accordance with the provisions of this section, of a change affecting the croft as a result of the taking of that step,
- the Keeper must amend the registration schedule or, as the case may be, the register accordingly.
- (4) The person taking the step mentioned in paragraph (a), (b), (c), (g), (i), (o) or (q) of subsection (4) of section 4 must, within 3 months of the granting of the application mentioned in the step, notify the Commission that a change such as is mentioned in subsection (3) has taken effect.

Changes to legislation: There are currently no known outstanding effects for the Crofting Reform (Scotland) Act 2010, Section 10. (See end of Document for details)

- (5) Where the Commission are not notified of a change in accordance with subsection (4), the change is (notwithstanding any provision to the contrary) deemed not to have taken effect.
- (6) As soon as reasonably practicable after being notified under subsection (4), the Commission must notify the Keeper accordingly.
- (7) Where a change such as is mentioned in subsection (3) is a result of the taking of a step mentioned in paragraph (d)(i), (d)(ii), (l)(i), (l)(ii) [^{F1}, (l)(ia)] or (l)(iii) of subsection (4) of section 4, the Commission must notify the Keeper of that change in accordance with subsection (8).
- (8) Notification under subsection (7) must be given—
 - (a) in the case of the division of a croft under section 9 or 19D of the 1993 Act, as soon as reasonably practicable after the Commission consent to the division (such division taking effect only on receipt of the notification);
 - (b) in the case of the decrofting of a croft pursuant to a direction under section 24(2) or (3) [^{F2} or 24B(1)] of that Act, as soon as reasonably practicable after the direction is made (the decrofting taking effect only on receipt of the notification);
 - (c) in the case of the decrofting of a croft pursuant to a direction under section 24(3) of that Act resulting from an application under section 25(4) of that Act, as soon as reasonably practicable after the Commission are notified under section 25(4ZB)(a) of that Act of an acquisition.

Textual Amendments

- F1** Word in s. 10(7) inserted (retrospective to 1.10.2011) by [Crofting \(Amendment\) \(Scotland\) Act 2013 \(asp 10\)](#), ss. 3, 6, [Sch. para. 2\(4\)\(a\)](#)
- F2** Words in s. 10(8)(b) inserted (retrospective to 1.10.2011) by [Crofting \(Amendment\) \(Scotland\) Act 2013 \(asp 10\)](#), ss. 3, 6, [Sch. para. 2\(4\)\(b\)](#)

Commencement Information

- I1** [S. 10\(1\)\(2\)](#) in force at 30.11.2012 by [S.S.I. 2012/288](#), art. 3(1)(b)(2), [Sch. 1 Pt. 2](#) (with [Sch. 2 para. 1\(f\)](#))
- I2** [S. 10\(3\)-\(8\)](#) in force at 30.11.2013 by [S.S.I. 2012/288](#), [art. 3\(1\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Crofting Reform (Scotland) Act 2010, Section 10.