



# Crofting Reform (Scotland) Act 2010

## 2010 asp 14

### PART 2

#### THE CROFTING REGISTER

##### *Registration*

#### 7 Applications for registration

- (1) Subject to subsection (7), an application for registration, and the fee payable in respect of such registration, is to be submitted to the Commission.
- (2) An application for first registration is to be submitted, in the case of a new croft, at the same time as an application under section 3A(1) or, as the case may be, (2) of the 1993 Act.
- (3) The Commission must, as soon as reasonably practicable after receiving an application for registration—
  - (a) in the case of an application for 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)), check the information contained in or accompanying the application against the information relating to the croft, if any, in the Register of Crofts; and
  - (b) subject to section 3AA of the 1993 Act and to subsections (4) and (5), forward—
    - (i) the application, together with any comments they may have on it; and
    - (ii) the fee payable in respect of it,to the Keeper.
- (4) The Commission may, before forwarding an application for registration to the Keeper, require the applicant to provide them with such further information relating to the application as they consider appropriate.
- (5) The Commission may refuse to forward an application for registration if—
  - (a) a requirement made under subsection (4) is not complied with;
  - (b) the application is frivolous or vexatious;
  - (c) the fee payable in respect of the registration has not been tendered;

- (d) there is a material inaccuracy in the application; or
  - (e) they consider that the Keeper would otherwise not accept the application under section 8(2).
- (6) Where the Commission refuse to forward an application for registration, section 52A of the 1993 Act applies as if that refusal were a decision of the Commission on an application to them under that Act.
- (7) This section does not apply to an application for registration by the Commission (a “Commission application”); and the reference in section 8(1) to an application for registration forwarded under subsection (3)(b) of this section is, in relation to a Commission application, to be construed as a reference to the Commission application submitted to the Keeper.
- (8) In subsection (5)(d), “material inaccuracy” means an inaccuracy relating to any matter mentioned in section 11(2).