



# Crofters (Scotland) Act 1955

## 1955 CHAPTER 21

### *Common Grazings*

#### **27 Miscellaneous provisions as to common grazings, as to lands held runrig, and as to use by crofters of peat bogs, etc.**

- (1) Any person who contravenes or fails to comply with any common grazings regulations for the time being in force under the last foregoing section of this Act shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding forty shillings, and in the case of a continuing offence to a further fine not exceeding five shillings for each day on which the offence is continued after the grazings committee or the Commission have served notice on him warning him of the offence.
- (2) Where it is prescribed by the common grazings regulations applicable to the common grazings of a township that the right of a crofter to share in such grazings shall be conditional on his making his croft available during the winter season for the accommodation of any stock belonging to other persons sharing in such grazings, any crofter may apply to the grazings committee for their consent to the exclusion of such stock from his croft or from part thereof, and if he is dissatisfied with the decision of the committee on such application he may appeal therefrom to the Commission.

Any consent given under this subsection by a grazings committee or, on appeal, by the Commission may be given subject to such conditions, if any, as the committee or the Commission, as the case may be, may think proper.

- (3) The Commission may, on the application of any crofters interested, after consultation with the grazings committee, apportion a common grazing shared by two or more townships into separate parts for the exclusive use of the several townships.
- (4) The Commission may, on the application of any crofter interested, after consultation with the grazings committee, apportion a part of a common grazing for the exclusive use of the crofter so applying.
- (5) Notwithstanding anything in the Ground Game Act, 1880, it shall be lawful for the crofters interested in a common grazing or in a part of a common grazing apportioned under subsection (3) of this section—

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*Status: This is the original version (as it was originally enacted).*

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- (a) to appoint not more than two of their number; and
  - (b) to authorise in writing one person bona fide employed by them for reward, to kill and take ground game on the common grazing or the part thereof, as the case may be; and for the purposes of the said Act of 1880 any person appointed as aforesaid shall be deemed to be the occupier of the common grazing or the part thereof, but shall not have the right to authorise any other person to kill and take ground game, and any person authorised as aforesaid shall be deemed to have been authorised, by the occupier of the common grazing or the part thereof to kill and take ground game with firearms or otherwise.
- (6) Any person who, not being a crofter, shares or is entitled to share in a common grazing along with crofters shall for the purposes of the provisions of this Act relating to common grazings be deemed to be a crofter.
- (7) The Commission may, on the application of any landlord or crofter interested, apportion lands held runrig among the holders thereof in such manner as appears to the Commission in the circumstances of the case to be just and expedient.
- (8) The Commission may draw up a scheme regulating the use by crofters on the same estate of peat bogs, or of seaweed for the reasonable purposes of their crofts, or of heather or grass used for thatching purposes, and the charge for the use of all or any of these may be included in the rents fixed for the crofts.