
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Crofters (Scotland) Act 1993. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 4

CONFIRMATION AND VALIDITY OF REORGANISATION SCHEMES

PART I

Procedure for confirming reorganisation schemes

- 1 Before confirming a reorganisation scheme the Secretary of State shall—
- (a) serve on every owner and every occupier of land to which the draft scheme applies a copy of the draft scheme together with a notice naming a place within the locality in which such land is situated where a copy of the maps and plans submitted with the draft scheme may be inspected at all reasonable hours and stating that such owner or occupier may, within 28 days from the date of the service of the notice, object in such manner as may be specified in the notice to the draft scheme or to any provision contained therein; and
 - (b) in two successive weeks publish in one or more newspapers circulating in the locality in which the land to which the scheme applies is situated a notice stating that the draft scheme has been submitted to him, specifying the land to which the scheme applies, naming a place within the locality where a copy of the draft scheme and of the maps and plans submitted therewith may be inspected at all reasonable hours, and stating that any person having an interest in any land to which the scheme applies may, within 28 days from the date of the first publication of the notice, object in such manner as may be specified in the notice to the draft scheme or to any provision contained therein.
- 2 If no objection is made under paragraph 1 of this Schedule or if all objections so made are withdrawn, the Secretary of State may, subject to the provisions of paragraph 4 of this Schedule, confirm the draft scheme with or without modifications.
- 3 If any objection made as aforesaid is not withdrawn, the Secretary of State shall, before deciding whether to confirm the draft scheme, cause a public local inquiry to be held, and after considering the objection and the report of the person who held the inquiry the Secretary of State may, if he thinks fit and subject to the provisions of paragraph 4 of this Schedule, confirm the draft scheme with or without modifications.
- 4 Where the Secretary of State proposes to make any modification in the draft scheme by virtue either of paragraph 2 or 3 of this Schedule, he shall, before deciding to confirm the draft scheme as so modified, serve on each of the persons referred to in sub-paragraph (a) of paragraph 1 of this Schedule and on any other person who is in his opinion may be substantially affected by such modification a notice specifying the modification and stating that such person may, within 14 days from

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the date of the service of the notice, make representations in writing concerning the modification to the Secretary of State, and the Secretary of State shall consider any representations so made before he decides whether to confirm the draft scheme as so modified.

- 5 Notwithstanding anything in paragraph 3 of this Schedule, the Secretary of State may require any person who has made an objection to state in writing the grounds thereof and may disregard the objection for the purposes of this Schedule if it is an objection which in the opinion of the Secretary of State is frivolous, or which relates exclusively to the assessment of any sum which will fall to be fixed under this Act or any other enactment by the Land Court, or which relates to the assessment of compensation on the compulsory acquisition of land or of an interest in land by virtue of section 39 of this Act.
- 6 Subsections (2) to (8) of section 210 of the ^{M1}Local Government (Scotland) Act 1973 (which relate to the holding of local inquiries) shall apply in relation to a public local inquiry held under paragraph 3 of this Schedule as they apply in relation to local inquiries held under the said section 210.

Annotations:

Marginal Citations

M1 1973 c.65.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2) (2A) substituted for s.1(2) by 2010 asp 14 s. 2(1)
- s. 2A-2D inserted by 2010 asp 14 s. 2(2)
- s. 3(1)(f) (g) inserted by 2007 asp 7 s. 21(a)(iii)
- s. 3(1)(cc) (cd) inserted by 2007 asp 7 s. 21(a)(i)
- s. 3(1A) inserted by 2007 asp 7 s. 21(b)
- s. 3A-3C inserted by 2007 asp 7 s. 6
- s. 3A(1) words repealed by 2010 asp 14 s. 23(2)
- s. 3A(2) words repealed by 2010 asp 14 s. 23(2)
- s. 3A(4) repealed by 2010 asp 14 s. 23(3)
- s. 3A(9)(a)(ii) words substituted by 2016 asp 18 Sch. 2 para. 4(2)
- s. 3A(12)(a) repealed by 2010 asp 14 Sch. 4 para. 3(4)
- s. 3B(1) words substituted by 2010 asp 14 s. 23(5)
- s. 3AA inserted by 2010 asp 14 s. 23(4)
- s. 3ZA inserted by 2010 asp 14 s. 22(2)
- s. 4(2A) inserted by 2007 asp 7 Sch. 1 para. 2(3)
- s. 4A and cross-heading inserted by 2007 asp 7 s. 9
- s. 4A(2A) (2B) inserted by 2010 asp 14 Sch. 4 para. 3(5)(a)
- s. 4A(3) repealed by 2010 asp 14 Sch. 4 para. 3(5)(b)
- s. 5(1A) inserted by 2007 asp 7 s. 7(1)(a)
- s. 5(1A) repealed by 2010 asp 14 Sch. 4 para. 3(6)
- s. 5(2A) (2B) inserted by 2007 asp 7 s. 7(1)(b)
- s. 5(2A) repealed by 2010 asp 14 Sch. 4 para. 3(6)
- s. 5(2B) repealed by 2010 asp 14 Sch. 4 para. 3(6)
- s. 5(3)-(10) substituted for s. 5(3) by 2007 asp 7 s. 7(1)(c)
- s. 5(7)-(10) repealed by 2010 asp 14 Sch. 4 para. 3(6)
- s. 5A 5B inserted by 2007 asp 7 s. 8
- s. 5A(2)(a)(ii) words substituted by 2010 asp 14 Sch. 4 para. 3(7)
- s. 5B 5C substituted for s. 5B by 2010 asp 14 s. 33(3)
- s. 5AA and cross-heading inserted by 2010 asp 14 s. 33(2)
- s. 6(3A) inserted by 2007 asp 7 Sch. 1 para. 2(4)(b)
- s. 8(1A) (1B) inserted by 2010 asp 14 Sch. 4 para. 3(8)(a)
- s. 8(6A) inserted by 2010 asp 14 Sch. 4 para. 3(8)(d)
- s. 9(1A) inserted by 2010 asp 14 Sch. 4 para. 3(9)(a)
- s. 9(2) repealed by 2010 asp 14 Sch. 4 para. 3(9)(b)
- s. 9(3) (3A) substituted for s. 9(3) by 2010 asp 14 Sch. 4 para. 3(9)(c)
- s. 10(2A)-(2D) inserted by 2007 asp 7 s. 13(4)
- s. 10(3)-(4C) substituted for s. 10(2B)-(2D) by 2010 asp 14 s. 49(4)
- s. 10(4A)-(4F) inserted by 2007 asp 7 s. 13(7)
- s. 10(4E) words inserted by 2010 asp 14 s. 49(5)(a)
- s. 10(4E) words substituted by 2010 asp 14 s. 49(5)(b)
- s. 10(4EA) inserted by 2010 asp 14 s. 49(6)
- s. 10(7) (8) inserted by 2010 asp 14 s. 49(7)
- s. 11(1A) inserted by 2010 asp 14 Sch. 4 para. 3(10)(b)
- s. 11(8)(a) words inserted by 2010 asp 14 s. 44(2)
- s. 13(1A) inserted by 2010 asp 14 s. 40
- s. 13(6) (7) added by 2007 asp 7 Sch. 1 para. 2(5)
- s. 19A inserted by 2007 asp 7 s. 30(1)
- s. 19B-19D inserted by 2010 asp 14 s. 34
- s. 20(1A)-(1F) inserted by 2007 asp 7 s. 22(1)(b)

- s. 20(1F) words substituted by 2010 asp 14 Sch. 4 para. 3(11)(c)
- s. 20(1G) (1H) added by 2010 asp 14 Sch. 4 para. 3(11)(d)
- s. 20(1AA)-(1AD) inserted by 2010 asp 14 s. 42
- s. 20(1CA) (1CB) inserted by 2010 asp 14 Sch. 4 para. 3(11)(b)
- s. 20(1ZA)-(1ZC) inserted by 2010 asp 14 Sch. 4 para. 3(11)(a)
- s. 20(3)(a) (viiiia) inserted by 2007 asp 7 s. 22(1)(c)
- s. 21(1A)-(1C) inserted by 2007 asp 7 s. 22(2)(a)
- s. 21A inserted by 2007 asp 7 s. 22(3)
- s. 21A(1A)-(1C) inserted by 2010 asp 14 Sch. 4 para. 3(12)(a)
- s. 21A(3) repealed by 2010 asp 14 Sch. 4 para. 3(12)(b)
- s. 21B-21D and cross-heading inserted by 2010 asp 14 s. 35
- s. 23(3) (3A) substituted for s. 23(3) by 2007 asp 7 s. 24(a)
- s. 23(3A) repealed by 2010 asp 14 Sch. 4 para. 3(14)(b)
- s. 23(3ZA) (3ZB) inserted by 2010 asp 14 Sch. 4 para. 3(14)(a)
- s. 23(5A) substituted by 2010 asp 14 s. 44(6)
- s. 23(5D) (5E) inserted by 2010 asp 14 Sch. 4 para. 3(14)(e)
- s. 23(5ZA)-(5ZC) inserted by 2010 asp 14 s. 44(5)
- s. 23(5ZD) (5ZE) inserted by 2010 asp 14 Sch. 4 para. 3(14)(d)
- s. 23(12A) inserted by 2010 asp 14 Sch. 4 para. 3(14)(i)
- s. 23(12A) word substituted by 2013 asp 10 Sch. para. 1(4)(b)(i)
- s. 23(12A)(b) words omitted by 2013 asp 10 Sch. para. 1(4)(b)(ii)
- s. 24(2)(a) (b) inserted by 2007 asp 7 s. 23(a)(i)
- s. 24(2A) inserted by 2007 asp 7 s. 23(a)(ii)
- s. 24(2ZA) inserted by 2010 asp 14 Sch. 4 para. 3(15)(b)
- s. 24(3A) inserted by 2010 asp 14 s. 45
- s. 24(3B) (3C) inserted by 2010 asp 14 Sch. 4 para. 3(15)(c)
- s. 24A-24D inserted by 2013 asp 10 s. 1(2)
- s. 25(1)(c) and word added by 2007 asp 7 s. 23(b)(ii)
- s. 25(1A)-(1C) inserted by 2010 asp 14 s. 43
- s. 25(3A)-(3C) inserted by 2007 asp 7 s. 23(b)(v)
- s. 25(4A) inserted by 2007 asp 7 s. 23(b)(vi)
- s. 25(4ZA)-(4ZD) inserted by 2010 asp 14 Sch. 4 para. 3(16)(b)
- s. 25(7)-(8B) substituted for s. 25(7)(8) by 2007 asp 7 s. 23(b)(vii)
- s. 26(1)(c) and word inserted by 2010 asp 14 Sch. 4 para. 3(17)(a)(ii)
- s. 26(1A) inserted by 2010 asp 14 Sch. 4 para. 3(17)(b)
- s. 26A-26K and cross-heading inserted by 2010 asp 14 s. 37
- s. 29(1)(a) (b) substituted for words by 2003 asp 11 Sch. para. 49(a)
- s. 29(1)(b) words substituted by 2016 asp 18 Sch. 2 para. 4(3)
- s. 29(2A) inserted by 2007 asp 7 s. 11(3)(a)
- s. 29(3A) inserted by 2007 asp 7 s. 11(3)(b)
- s. 29A 29B and cross-heading inserted by 2010 asp 14 s. 39
- s. 29B(b) word repealed by 2016 asp 18 Sch. 2 para. 4(4)(a)
- s. 29B(b)(iv)(v) inserted by 2016 asp 18 Sch. 2 para. 4(4)(b)
- s. 30(6A) (6B) inserted by 2007 asp 7 s. 25
- s. 30(6A)(a) words substituted by 2010 asp 14 Sch. 4 para. 3(19)(a)
- s. 30(6B) word substituted by 2010 asp 14 Sch. 4 para. 3(19)(b)
- s. 38(1A) inserted by 2007 asp 7 s. 20(2)(b)
- s. 38(5)-(11) substituted for s. 38(5)-(7) by 2007 asp 7 s. 20(2)(e)
- s. 38(10)(ca) inserted by 2010 asp 14 Sch. 4 para. 3(21)
- s. 38A inserted by 2007 asp 7 s. 20(3)
- s. 38A(1) words inserted by 2010 asp 14 Sch. 4 para. 3(22)
- s. 38A(1) words repealed by 2010 asp 14 s. 50(1)(b)
- s. 39(1) (1A) substituted for s. 39(1) by 2007 asp 7 s. 20(4)(a)
- s. 39(1A) words inserted by 2010 asp 14 Sch. 4 para. 3(23)(a)
- s. 39(2A) (2B) inserted by 2010 asp 14 Sch. 4 para. 3(23)(c)
- s. 39(5A) inserted by 2007 asp 7 s. 20(4)(c)
- s. 40(1A) inserted by 2010 asp 14 Sch. 4 para. 3(24)
- s. 40(3)-(5) added by 2007 asp 7 s. 4(c)

- s. 40A inserted by 2010 asp 14 s. 36
- s. 41(2)(ca)-(cg) substituted for s. 41(2)(c) by 2007 asp 7 s. 5(a)(i)
- s. 41(2)(cd)(ii) word substituted by 2010 asp 14 Sch. 4 para. 3(25)(b)
- s. 41(2)(cd)(iii) word inserted by 2013 asp 10 Sch. para. 1(4)(c)
- s. 41(2A) inserted by 2007 asp 7 Sch. 1 para. 2(9)(b)
- s. 41(3) (3A) substituted for s. 41(3) by 2007 asp 7 s. 5(b)
- s. 41(5) added by 2007 asp 7 s. 5(c)
- s. 42(1A) inserted by 2007 asp 7 Sch. 1 para. 2(10)(b)
- s. 42(9A) inserted by 2007 asp 7 Sch. 1 para. 2(10)(i)
- s. 45(1)(ca) inserted by 2010 asp 14 Sch. 4 para. 3(26)(a)
- s. 46(4)(e) inserted by 2010 asp 14 Sch. 4 para. 3(27)(b)(ii)
- s. 46A inserted by 2007 asp 7 s. 32
- s. 46A(1)(ba) inserted by 2010 asp 14 Sch. 4 para. 3(28)
- s. 47(6A) inserted by 2007 asp 7 Sch. 1 para. 2(14)(c)
- s. 48(1)(bb) inserted by 2007 asp 7 Sch. 1 para. 2(15)(a)(ii)
- s. 48(4A) inserted by 2007 asp 7 Sch. 1 para. 2(15)(c)
- s. 48(6A) inserted by 2007 asp 7 Sch. 1 para. 2(15)(e)
- s. 49(9) added by 2007 asp 7 s. 30(2)
- s. 49A inserted by 2010 asp 14 s. 38
- s. 50(2)(bb) inserted by 2007 asp 7 s. 26(1)(b)(ii)
- s. 50(2A)-(2C) inserted by 2007 asp 7 s. 26(1)(c)
- s. 50(3A)-(3C) inserted by 2007 asp 7 s. 26(1)(e)
- s. 50(5) added by 2007 asp 7 s. 26(1)(g)
- s. 50A 50B inserted by 2007 asp 7 s. 26(2)
- s. 50B(6) words repealed by 2010 asp 14 Sch. 4 para. 3(30)(a)
- s. 50B(7)-(15) repealed by 2010 asp 14 Sch. 4 para. 3(30)(b)
- s. 51A inserted by 2007 asp 7 s. 27
- s. 51A(1) words repealed by 2010 asp 14 s. 27(1)
- s. 51B inserted by 2010 asp 14 s. 27(2)
- s. 52(1)-(1F) substituted for s. 52(1) by 2007 asp 7 s. 28
- s. 52(1EA) (1EB) inserted by 2010 asp 14 Sch. 4 para. 3(31)(a)
- s. 52(3A) inserted by 2010 asp 14 Sch. 4 para. 3(31)(b)
- s. 52(5A)-(5D) inserted by 2010 asp 14 Sch. 4 para. 3(31)(c)
- s. 52(7A) inserted by 2010 asp 14 Sch. 4 para. 3(31)(d)
- s. 52(8A) inserted by 2010 asp 14 Sch. 4 para. 3(31)(e)
- s. 52(10)-(15) added by 2007 asp 7 s. 29(3)
- s. 52(11A) (11B) inserted by 2010 asp 14 Sch. 4 para. 3(31)(f)
- s. 52(12A)-(12D) inserted by 2010 asp 14 Sch. 4 para. 3(31)(g)
- s. 52(14A) inserted by 2010 asp 14 Sch. 4 para. 3(31)(h)
- s. 52(15) word substituted by 2010 asp 14 Sch. 4 para. 3(31)(i)
- s. 52A applied by 2010 asp 14 s. 7(6)
- s. 52A applied by 2010 asp 14 s. 26(7)
- s. 52A applied (with modifications) by 2010 asp 14 s. 32(10)
- s. 52A applied (with modifications) by 2013 asp 10 s. 4(1)(2)
- s. 52A inserted by 2007 asp 7 s. 33(1)
- s. 52A(2)(a) words repealed by 2010 asp 14 s. 50(1)(c)
- s. 52A(4A) inserted by 2010 asp 14 Sch. 4 para. 3(32)(a)
- s. 52A(4B) inserted by 2010 asp 14 s. 50(2)
- s. 52A(5) repealed by 2010 asp 14 Sch. 4 para. 3(32)(b)
- s. 52A(6) words repealed by 2010 asp 14 Sch. 4 para. 3(32)(c)
- s. 52A(7) repealed by 2010 asp 14 Sch. 4 para. 3(32)(d)
- s. 53(1)(e) added by 2007 asp 7 s. 33(2)(a)
- s. 53(3) inserted by 2010 asp 14 Sch. 4 para. 3(33)(b)
- s. 53A inserted by 2007 asp 7 s. 18
- s. 53B inserted by 2007 asp 7 s. 19
- s. 55(1A) inserted by 2007 asp 7 Sch. 1 para. 2(18)
- s. 55A inserted by 2007 asp 7 s. 35
- s. 58A applied by 1964 c. 41 s. 16A (as inserted) by 2007 asp 7 s. 16

- s. 58A inserted by 2007 asp 7 s. 3
- s. 58A(3) words inserted by 2010 asp 14 s. 48(2)
- s. 58A(4) word repealed by 2010 asp 14 s. 48(3)
- s. 58A(4)(d) and word inserted by 2010 asp 14 s. 48(3)(b)
- s. 58A(5A) (5B) inserted by 2010 asp 14 s. 48(4)
- s. 58A(6) words inserted by 2010 asp 14 s. 48(5)(a)
- s. 58A(6)(a)-(c) substituted for s. 58A(6)(a)(b) by 2010 asp 14 s. 48(5)(b)
- s. 58A(6A) inserted by 2010 asp 14 s. 48(6)
- s. 58A(7) substituted for s. 58A(7)-(10) by 2010 asp 14 s. 48(7)
- s. 58A(11) words substituted by 2010 asp 14 s. 48(8)
- s. 58A(12) words repealed by 2010 asp 14 s. 48(9)
- s. 58A(12A) inserted by 2010 asp 14 s. 48(10)
- s. 58A(13)-(15) repealed by 2010 asp 14 s. 48(11)
- s. 58B inserted by 2010 asp 14 s. 48(12)
- s. 59A inserted by 2007 asp 7 s. 2
- s. 61(3) (4) added by 2007 asp 7 s. 36(b)
- Sch. 2 para. 3A 3B inserted by 2007 asp 7 s. 7(2)(b)
- Sch. 2 para. 5A inserted by 2007 asp 7 s. 7(2)(d)
- Sch. 2 para. 6A inserted by 2007 asp 7 s. 7(2)(e)
- Sch. 2 para. 11A inserted by 2007 asp 7 s. 7(2)(h)
- Sch. 2 para. 3A repealed by 2010 asp 14 Sch. 4 para. 3(37)(a)
- Sch. 2 para. 3B repealed by 2010 asp 14 Sch. 4 para. 3(37)(a)

Commencement Orders yet to be applied to the Crofters (Scotland) Act 1993

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2005/1814 art. 2 commences (2004 c. 34)
- S.S.I. 2003/456 art. 2 commences (2000 asp 5)
- S.S.I. 2003/548 art. 2 commences (2003 asp 11)
- S.S.I. 2005/604 art. 2-4 commences (2004 c. 33)
- S.S.I. 2007/269 art. 2 Sch. commences (2007 asp 7)
- S.S.I. 2007/568 art. 2 commences (2007 asp 7)
- S.S.I. 2010/437 art. 3 Sch. commences (2010 asp 14)
- S.S.I. 2011/334 art. 3 Sch. commences (2010 asp 14)