



Crofters (Scotland) Act 1993

1993 CHAPTER 44

Provisions relating to termination of tenancy and de-crofting

[^{F1}21A Reversion of resumed land

- (1) The Land Court may, on the application of any relevant person and on being satisfied that the conditions specified in subsection (2) below are met, make an order that land resumed by virtue of section 20(1) of this Act shall revert to being a croft (or to being part of a croft).
- [In relation to land which, before being resumed as mentioned in subsection (1), was ^{F2}(1A) an unregistered croft (or part of such a croft), an order under that subsection does not take effect until the croft is registered by virtue of section 4 of the 2010 Act.
- (1B) In relation to land which, before being resumed as mentioned in subsection (1), was a registered croft (or part of such a croft)—
- (a) an order under that subsection expires at the end of the period of 3 months beginning with the date on which the order was made unless an application for registration of the making of the order is submitted by virtue of section 5 of the 2010 Act before the expiry of that period;
 - (b) the order takes effect on the date of registration.
- (1C) In its application to a registered common grazing, subsection (1B) is to be construed as if the reference in paragraph (a) to section 5 of the 2010 Act were a reference to section 25 of that Act.]
- (2) The conditions are—
- (a) no debt is for the time being secured by way of a standard security over, or over any real right in, the land or any part of it;
 - (b) except in the case of a temporary resumption, not less than 5 nor more than 20 years have elapsed since the resumption of the croft was authorised;
 - (c) the purpose for which the landlord desired to resume the croft has not been carried out;
 - (d) no planning permission relating to a change of the use of the land subsists;
 - (e) the land remains suitable for use by crofters for cultivation; and

Changes to legislation: There are currently no known outstanding effects for the Crofters (Scotland) Act 1993, Section 21A. (See end of Document for details)

(f) the land is owned by the person who was authorised to resume the croft.

^{F3}(3)

- (4) Where land reverts by virtue of subsection (1) above, the Land Court may make such order (if any) as it thinks fit as to the repayment, in whole or in part, of any sum awarded as compensation under section 20(1), or any share in value paid by virtue of section 21(1), of this Act.
- (5) Where land which reverts by virtue of subsection (1) above or under section 20(1B) of this Act comprises a common grazing, the Land Court may make such order as it thinks fit as to shares in the common grazing.
- (6) “Relevant person” in subsection (1) above means the Commission, the landlord, the person who surrendered the land or, where the land comprises a common grazing, the owner or the grazings committee.]

Textual Amendments

- F1** S. 21A inserted (25.6.2007) by Crofting Reform etc. Act 2007 (asp 7), **ss. 22(3)**, 43(3) (with ss. 40, 43(2)); S.S.I. 2007/269, art. 2, sch.
- F2** Ss. 21A(1A)-(1C) inserted (30.11.2012 for specified purposes, 30.11.2013 in so far as not already in force) by Crofting Reform (Scotland) Act 2010 (asp 14), s. 57(2), **sch. 4 para. 3(12)(a)** (with s. 57(4)); S.S.I. 2012/288, art. 3(1)(b)(c)(2), sch. 1 Pt. 2 (with sch. 2 para. 14)
- F3** S. 21A(3) repealed (30.11.2012) by Crofting Reform (Scotland) Act 2010 (asp 14), s. 57(2), **sch. 4 para. 3(12)(b)** (with s. 57(4)); S.S.I. 2012/288, art. 3(1)(b)(2), sch. 1 Pt. 2

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