



# Crofters (Scotland) Act 1955

## 1955 CHAPTER 21

### *Administration of Crofts*

#### **18 Aged crofters**

- (1) Where on the application of a crofter and after consultation with the landlord the Commission are satisfied—
  - (a) that the crofter is unable through illness or old age or infirmity properly to work his croft;
  - (b) that he is willing to renounce the tenancy of his croft subject to the conditions that he shall retain the occupation of the dwelling-house on the croft and that the ownership thereof shall become vested in him; and
  - (c) that it is in the general interest of the crofting community in the district in which the croft is situate that he should be authorised to renounce the tenancy of his croft subject to the conditions aforesaid;the Commission may authorise him to renounce his tenancy accordingly. The Commission shall give notice to the landlord of any authorisation so granted.
- (2) Where in pursuance of an authorisation under the foregoing subsection a crofter renounces his tenancy, he shall be entitled, if, not later than one month before the term at which the renunciation takes effect, he gives notice in that behalf to the Commission and to the landlord, to obtain a conveyance in feu (under reservation of minerals) of the dwelling-house with the like pertinents and on the like terms and conditions and in the like manner as if an order terminating his tenancy had been made under subsection (1) of the last foregoing section, and subsections (5) to (10) of that section shall, subject to any necessary modifications, apply accordingly.
- (3) Where a conveyance in feu has been granted under this section the person to whom it is granted and the wife or husband of that person shall not, so long as either of them continues to occupy the subjects conveyed, be liable to pay by way of any rate levied by a county or town council in respect thereof any larger sum than would have been so payable if the subjects had continued to form part of the croft of which they formed part when the authorisation aforesaid was granted:

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*Status: This is the original version (as it was originally enacted).*

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Provided that nothing in this subsection shall affect the liability of any person in respect of any domestic water rate leviable under the Water (Scotland) Act, 1949.

- (4) Where a conveyance in feu has been granted under this section the person to whom it is granted and the wife or husband of that person shall, so long as either of them continues to occupy the subjects conveyed, continue to enjoy any right to cut and take peats for the use of those subjects which they enjoyed when the authorisation aforesaid was granted.