



Crofters (Scotland) Act 1955

1955 CHAPTER 21

Common Grazings

26 Common grazings regulations

- (1) Every grazings committee shall, as soon as may be after the commencement of this Act, and in any event within six months after being required by the Commission so to do, make and submit to the Commission new common grazings regulations.
- (2) Without prejudice to the generality of the power conferred on a grazings committee by paragraph (c) of subsection (1) of the last foregoing section, common grazings regulations shall make provision with respect to the following matters:—
 - (a) the recovery by the grazings committee from the crofters sharing in the common grazings of all expenses incurred by the committee in maintaining the common grazings and in maintaining or replacing any fixed equipment required in connection therewith;
 - (b) the recovery by the grazings committee from the crofters consenting to the carrying out of works for the improvement of the common grazings or the fixed equipment required in connection therewith of the expenses incurred by the grazings committee in carrying out such works ;
 - (c) the number and the kind of stock which each crofter is entitled to put on the common grazings ;
 - (d) the alteration of individual soumings where works for the improvement of the common grazings or the fixed equipment required in connection therewith have been carried out and all the crofters have not contributed to the expenses incurred in carrying out such works;
 - (e) where appropriate, the cutting of peats and the collection of seaweed ;
 - (f) subject to the provisions of this Act, the summoning of meetings of the grazings committee and the procedure and conduct of business at such meetings.
- (3) Common grazings regulations made by a grazings committee shall be of no effect unless confirmed by the Commission. The Commission may confirm with or without modification or refuse to confirm any common grazings regulations submitted to them

Status: This is the original version (as it was originally enacted).

for confirmation, and may fix the date on which the regulations are to come into operation; and if no date is so fixed, the regulations shall come into operation at the expiration of one month from the date of their confirmation.

- (4) If a grazings committee fail within the time limited by subsection (1) of this section to make and submit to the Commission common grazings regulations or to make and submit to the Commission common grazings regulations which in the opinion of the Commission are sufficient and satisfactory, the Commission may themselves make such common grazings regulations, which shall have the like force and effect as if they had been made by the grazings committee and confirmed by the Commission.
- (5) A grazings committee may from time to time, and, if so required by the Commission, shall within the time limited by such requirement, make further regulations amending the common grazings regulations for the time being in force, and the provisions of the last two foregoing subsections shall apply to any such amending regulations subject to any necessary modifications.
- (6) Before confirming, making or amending regulations in accordance with the foregoing provisions of this section, the Commission shall consult the landlord of the common grazings to which the regulations relate; and the Commission shall send a copy of any regulations so confirmed, made or amended to the landlord and to the grazings committee.
- (7) Common grazings regulations for the time being in force under this section shall have effect notwithstanding anything contrary thereto or inconsistent therewith contained in any lease or other agreement, whether entered into before or after the coming into force of such regulations.