

CROFTING REFORM ETC. ACT 2007

EXPLANATORY NOTES

BACKGROUND

The Act

Part 7: General and Miscellaneous

Schedule 2

198. This Schedule gives details of provisions of the Crofters (Scotland) Act 1993 and the Succession (Scotland) Act 1964 which are being repealed.
199. The repeal in section 4 of the 1993 Act means that that the rental value of a holding is no longer relevant to Commission consideration of enlargements of crofts. The effect is that in future the Commission will not be able to agree to an enlargement of a croft where the effect of doing so would be to create a croft holding substantially in excess of 30 hectares.
200. The repeal of the proviso to section 15(3) reflects the fact that the provisions inserted into section 13 by schedule 1 paragraph 2(5) means that the provisions as to the payment of the landlords conveyancing expenses in connection with the right to buy the croft under section 12 will be the same as those that apply to the right to buy the house and garden ground under section 15.
201. The repeal in section 30(2) of the 1993 Act reflects the change to section 44 effected by paragraph 2(11) of schedule 1.
202. The repeal in section 39 of the 1993 Act removes a constraint on the Land Court when fixing rents on crofts formed under a reorganisation scheme.
203. The repeal of the proviso to section 41(2) of the 1993 Act is required because it is inconsistent with the provisions of new section 58A and new section 41(3).
204. The repeal of section 54 of the 1993 Act is consequential on the new section 41(5) which is inserted into the 1993 Act by section 5 of the Act.
205. The repeals to parts of section 16 of the 1964 Act reflect the new provisions which the Act inserts into section 10 of the 1993 Act.