



Crofting Reform etc. Act 2007

2007 asp 7

PART 1

THE CROFTERS COMMISSION

4 Obtaining of information by Commission

In section 40 of the 1993 Act (obtaining of information by the Commission)—

- (a) in subsection (1)—
 - (i) for the words “The Commission may by notice” there is substituted “Without prejudice to any other provision of this Act whereby information may or shall be obtained by them, the Commission may by notice under this section”; and
 - (ii) after the words “any holding” insert “, or on the executor of the person who most recently was the owner or occupier of any holding”;
- (b) in subsection (2), for the words “owner or occupier” there is substituted “owner, occupier or executor”; and
- (c) after subsection (2) there is added—
 - “(3) Where the Commission impose a requirement under subsection (1) above, to provide information on any person making an application under this Act (the requirement being for the purposes of the application), the Commission may if they think fit decline to do anything in relation to the application until they are satisfied either that the requirement has been complied with or that it is not practicable to comply with the requirement.
 - (4) If the Commission are satisfied that it is not practicable to comply with the requirement (the “original requirement”) they may modify it; and subsection (3) above shall apply in relation to the modified requirement as that subsection applies to the original requirement.
 - (5) This section applies in relation to a common grazing as it applies in relation to a holding except that for the purposes of that application references in the section to an occupier of a holding are to be construed as references to a crofter who shares in the common grazing.”