

CROFTING REFORM (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Part 2 – the Crofting Register

Registration

Section 8: Acceptance of applications for registration

26. **Section 8** outlines the circumstances in which a registration application should be accepted by the Keeper. Whilst subsection (1) requires the Keeper to accept a registration application provided it is accompanied by any documents and other evidence that the Keeper requires, subsection (2) outlines the circumstances by which the Keeper must reject an application. The grounds for rejecting an application are that: the boundary of the croft is not sufficiently described by an Ordnance Survey map or such other map required by the Keeper; the information in or accompanying the application would not enable the Keeper to make up or amend the registration schedule of the croft; where the application is to amend the registration of a registered croft, the application does not refer to the registration schedule of that croft; or no registration fee has been tendered.
27. Subsection (3) allows the Keeper to accept an application for registration which includes land which is already registered as part of another croft, or a common grazing or land held runrig. Where the Keeper does accept such an application, section 11(3) provides that she must not include the land that is already registered elsewhere in the registration schedule for the croft.
28. Subsection (4) requires the Keeper to note the date of receipt of the application for registration. Subsection (5) states that this date will be deemed the date of registration where the application has been accepted by the Keeper and, in the case of first registration, there has been no challenge to the registration under section 14(1) or, where such a challenge was made, the application has been abandoned or the Court has decided to either make no order or make an order under section 14(4)(b) (requiring the Register to be modified). In the latter case, the Keeper will be informed of any amendment required to the registration.