

## SCHEDULE 4 MINOR AND CONSEQUENTIAL MODIFICATIONS

### *Small Landholders (Scotland) Act 1911*

- 1 (1) The Small Landholders (Scotland) Act 1911 (c.49) is amended as follows.
- (2) In section 10 (additional statutory conditions), after subsection (2) insert—
  - “(2A) Where the holding of a new holder as mentioned in the further proviso to subsection (2) is situated in an area designated by order under section 3A(1)(b) of the Crofters (Scotland) Act 1993 (c.44) (new crofts), the reference to the Board in that subsection is to be construed as a reference to the Crofting Commission.”.
- (3) In section 16 (amendment of law as to enlargement of holdings)—
  - (a) in the proviso to subsection (1)—
    - (i) after “Board”, where it first occurs, insert “(or, in the case of applications mentioned in subsection (1A), the Crofting Commission)”; and
    - (ii) after “Board”, where it second occurs, insert “(or, as the case may be, the Crofting Commission)”; and
  - (b) after that subsection, insert—
    - “(1A) The applications referred to in subsection (1) which are to be made to the Crofting Commission are those for enlargement of holdings situated in an area designated by order under section 3A(1)(b) of the Crofters (Scotland) Act 1993 (c.44) (new crofts).”.
- (4) In section 17 (amendment of law as to vacant holdings)—
  - (a) the existing provision becomes subsection (1) of that section; and
  - (b) after that subsection add—
    - “(2) In the application of subsection (1) to holdings situated in an area designated by order under section 3A(1)(b) of the Crofters (Scotland) Act 1993 (c.44) (new crofts), references to the Board are to be construed as references to the Crofting Commission.”.
- (5) In section 32 (provisions as to statutory small tenants)—
  - (a) in subsection (3), after “Board” insert “or, in the case of a holding mentioned in subsection (3A), the Crofting Commission”;
  - (b) after that subsection, insert—
    - “(3A) The holding referred to in subsection (3) is a holding situated in an area designated by order under section 3A(1)(b) of the Crofters (Scotland) Act 1993 (c.44) (new crofts).”; and
  - (c) after subsection (12), insert—
    - “(12A) In the application of subsection (12) to landlords and tenants of holdings situated as mentioned in subsection (3A), the reference to the Board is to be construed as a reference to the Crofting Commission.”.