Crofting Reform (Scotland) Act 2010
2010 asp 14

PART 2

THE CROFTING REGISTER

Rectification and indemnity

16   Rectification of the register

(1) The Keeper—
- (a)   may rectify the register in accordance with subsections (2) to (4);
- (b)   must rectify the register on being ordered to do so by any court.

(2) Where a mistake in the register arises as a consequence of a mistake in an application for registration (not being a mistake to which subsection (3) applies), the Keeper may rectify the register to correct the mistake on the application of the person who made that application (the "original applicant").

(3) Where a mistake in the register arises as a consequence of a mistake made by the Commission when forwarding an application for registration under section 7(3)(b) or when submitting (on their own behalf) an application for registration, the Keeper may so rectify the register on the application of—
- (a)   in either case, the Commission; or
- (b)   in the case of an application so forwarded, the original applicant.

(4) Where a mistake in the register arises as a consequence of a mistake by the Keeper when making up or amending a registration schedule or making consequential amendments to the register, the Keeper may so rectify the register whether on the application of any person to do so or not.

(5) Without prejudice to any enactment or rule of law, the powers of the court include power to make orders for the purposes of subsection (1)(b).

(6) Where the Keeper rectifies the register under this section, the Keeper must give written notice of the rectification to—
- (a)   any person appearing to the Keeper to be affected by it;
- (b)   the Commission.

(7) In this section—

"court" means the Court of Session, the Land Court or the sheriff;

"mistake" includes something mistakenly omitted and something mistakenly included;

"rectify", in relation to the register, means to correct any inaccuracy in it by entering something in, amending something in or removing something from the register; and "rectification" is to be construed accordingly.