



Crofting Reform (Scotland) Act 2010

2010 asp 14

PART 2

THE CROFTING REGISTER

Consequential amendments of the 1993 Act

23 Registration of new crofts

- (1) Section 3A of the 1993 Act (new crofts) is amended as follows.
- (2) In subsections (1) and (2), the words from “by entering” to the end are, in both subsections, repealed.
- (3) Subsection (4) is repealed.
- (4) After section 3A insert—

“3AA Registration of new crofts

- (1) This section applies where the Commission make a determination to exercise their power under section 3A(1) or, as the case may be, (2), to constitute land or, as the case may be, a holding as a croft.
- (2) The application for registration of the land or holding in the Crofting Register must not be forwarded to the Keeper under section 7(3)(b) of the Crofting Reform (Scotland) Act 2010 (asp 14)—
 - (a) until the period mentioned in section 52A(2)(b) has expired without any appeal to the Land Court being made; or
 - (b) where such an appeal is made, until it is abandoned or the Court confirms the Commission’s determination under section 3A(1) or, as the case may be, (2).
- (3) In the case of an application for registration of a holding in relation to which a determination under section 3A(2) is made, the Commission must not forward the application unless they are satisfied—

Status: This is the original version (as it was originally enacted).

- (a) that agreement has been reached between the applicant and the owner of the land as to an amount to be paid by the applicant to the owner in compensation for the holding being constituted as a croft and that the amount has been duly paid;
 - (b) that the applicant and the owner have agreed that no amount in compensation is to be so payable; or
 - (c) that any such amount found, by virtue of section 3B, to be so payable has been duly paid.”
- (5) In section 3B of the 1993 Act (compensation for constituting holding as a croft), in subsection (1), for “subsection (4)(b)(i) or (ii) of that section” substitute “section 3AA(3)(a) or (b)”.