

Crofting Reform (Scotland) Act 2010

2010 asp 14

PART 2

THE CROFTING REGISTER

Challenge to first registration

14 Challenge to first registration

- (1) Subject to subsection (3), any person to whom notice is given under section 12(1), or who otherwise is aggrieved by the registration of the croft to which the notice relates, may apply before the end of the period mentioned in section 12(5) to the Land Court for an order under subsection (4)(a) or (b).
- (2) Where an application under subsection (1) is made after the end of the period mentioned in section 12(5), the Court may, on cause shown, deal with the application as if it had been made before the end of that period.
- (3) Subsection (1) does not apply as respects the registration of a croft as a result of the taking of the step mentioned in section 4(4)(p).
- (4) On receipt of an application under subsection (1), the Court may—
 - (a) make an order that the entry in the register relating to the croft be removed;
 - (b) make an order that the entry in the register relating to the croft be modified;
 - (c) make no order.
- (5) Where subsection (6) applies, the Court must, if making an order such as is mentioned in subsection (4)(b), declare the boundary of the croft to be that which, in all the circumstances, it considers appropriate.
- (6) This subsection applies where—
 - (a) the application challenging the registration raises a question as to the boundaries of the croft; and
 - (b) the evidence available to the Court is insufficient to enable any boundary to be clearly determined.

Changes to legislation: There are currently no known outstanding effects for the Crofting Reform (Scotland) Act 2010, Cross Heading: Challenge to first registration. (See end of Document for details)

- (7) Where the Court makes an order under subsection (4)(a) or (b), the Keeper must make such amendment to the registration schedule of the croft and to the register as is necessary.

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Commencement Information

- I1** S. 14(1)(2)(4)-(7) in force at 30.11.2012 by S.S.I. 2012/288, art. 3(1)(b)(2), **Sch. 1 Pt. 2**
- I2** S. 14(3) in force at 30.11.2013 by S.S.I. 2012/288, **art. 3(1)(c)**

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