



Crofting Reform (Scotland) Act 2010

2010 asp 14

PART 4

FURTHER AMENDMENTS OF THE 1993 ACT

Letting of vacant crofts

44 Requirements to submit proposals for re-letting crofts

- (1) Section 11 of the 1993 Act (intestacy) is amended as follows.
- (2) In subsection (8)(a), after “them” insert “, before the expiry of the period of 4 months beginning with the day on which the notice is given,”.
- (3) Section 23 of the 1993 Act (vacant crofts) is amended as follows.
- (4) In subsection (5)—
 - (a) after “them” where it first occurs insert “, before the expiry of the period of 2 months beginning with the day on which the notice is given,”; and
 - (b) the words from “, and if,” to the end are repealed.
- (5) After that subsection insert—
 - (5ZA) No more than three proposals may be submitted to the Commission in response to a notice given under subsection (5).
 - (5ZB) Where a proposal for letting the croft is submitted to the Commission in response to a notice given under subsection (5), they must approve or reject the proposal—
 - (a) in a case where the croft is declared vacant under section 11(8), within the period of 5 months beginning with the day on which the notice under section 11(8)(a) is given; or
 - (b) in any other case, within the period of 3 months beginning with the day on which the notice under subsection (5) was given.
 - (5ZC) The Commission must (as soon as is reasonably practicable) proceed in accordance with subsections (5B) and (5C) if—

*Changes to legislation: There are currently no known outstanding effects for the
Crofting Reform (Scotland) Act 2010, Section 44. (See end of Document for details)*

- (a) no proposals for letting the croft are submitted by the landlord before the expiry of the period of 2 months mentioned in subsection (5);
 - (b) the landlord has submitted one or two proposals for letting the croft within the period of 2 months mentioned in subsection (5) and—
 - (i) all such proposals are rejected by the Commission; and
 - (ii) the period of 2 months mentioned in subsection (5) has expired; or
 - (c) the landlord has submitted three proposals for letting the croft (within the period of 2 months mentioned in subsection (5)) and the Commission have rejected all three.”.
- (6) For subsection (5A) substitute—

“(5A) Where a croft is declared vacant under section 11(8), the Commission must (as soon as is reasonably practicable) proceed in accordance with subsections (5B) and (5C) if—

- (a) no proposals for letting the croft are submitted by the landlord before the expiry of the period of 4 months mentioned in section 11(8)(a);
- (b) the landlord has submitted one or two proposals for letting the croft within the period of 4 months mentioned in section 11(8)(a) and—
 - (i) all such proposals are rejected by the Commission; and
 - (ii) the period of 4 months mentioned in section 11(8)(a) has expired; or
- (c) the landlord has submitted three proposals for letting the croft (within the period of 4 months mentioned in section 11(8)(a)) and the Commission have rejected all three.”.

Commencement Information

II S. 44 in force at 1.10.2011 by S.S.I. 2011/334, art. 3(1)(a)(2), **Sch. Pt. 1** (with art. 4)

Changes to legislation:

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