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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 269 (C. 24)**

**CROFTERS, COTTARS AND  
SMALL LANDHOLDERS**

The Crofting Reform etc. Act 2007  
(Commencement No. 1) Order 2007

Made - - - - 27th March 2007

The Scottish Ministers, in exercise of the powers conferred by section 43(3) and (4) of the Crofting Reform etc. Act 2007(1), hereby make the following Order:

**Citation**

1. This Order may be cited as the Crofting Reform etc. Act 2007 (Commencement No. 1) Order 2007.

**Commencement of provisions**

2. The day appointed for the coming into force of the provisions of the Crofting Reform etc. Act 2007 listed in the Schedule to this Order is 25th June 2007; but where a particular purpose is specified in relation to any such provision in column 3 of the Schedule, the provision shall come into force only for that purpose.

St Andrew's House, Edinburgh  
27th March 2007

*ROSS FINNIE*  
A member of the Scottish Executive

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Article 2

<i>Column 1 Provision</i>	<i>Column 2 Subject matter</i>	<i>Column 3 Purpose</i>
1	Discharge of functions	
2	Equal opportunities	
6	New crofts	
7(1)(c)	Statutory conditions	Only for the purpose of bringing into force subsections (3) to (6) of section 5 of the Crofters (Scotland) Act 1993
7(2)(e) to (h)	Statutory conditions	
8	Complaint as respects breach of the statutory conditions	
11(2) and (3)	Subletting	
18	Determination of the Land Court as to croft boundaries	
19	Access to croft	
20	Reorganisation schemes	
21	Meaning of croft	
22	Resumption and reversion	
23	Decrofting	
26(1)(a) to (d), (f) and (g)	Use of common grazing	
26(2)	Use of common grazing	Only for the purpose of bringing into force section 50A of the Crofters (Scotland) Act 1993
27	New common grazing	
29	Further amendment of section 52: apportionment	
30	Schemes for development	
31	Crofting community right to buy	
32	Regulations concerning loans	
33	Appeal to Land Court and jurisdiction of that court	
34	Further amendments in relation to the Land Court	
35	Public notification	
36	“Members of a family”	

<i>Column 1</i> <i>Provision</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
37	“Crofting community”	
39	Minor and consequential amendments	
42	Repeals	Only for the purpose of bringing into force the repeals to the Crofters (Scotland) Act 1993
Schedule 1	Minor and consequential amendments	
Schedule 2	Repeals	Only for the purpose of bringing into force the repeals to the Crofters (Scotland) Act 1993

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 25th June 2007 a number of the provisions of the Crofting Reform etc. Act 2007. These largely make amendments to the Crofters (Scotland) Act 1993 (“the 1993 Act”). The amendments deal with functions of the Crofters Commission, additional statutory conditions for croft tenancies, a complaints procedure for breaches of the statutory conditions, sub letting of crofts and determination of croft boundaries.

The 1993 Act is also amended as respects reorganisation schemes, the resumption and reversion of crofts, de crofting, common grazing and the definitions of “croft”, “members of a family” and “crofting community”.

New provisions are inserted into the 1993 Act to provide for the creation of new crofts, an application to court for access to a croft over land owned by the landlord, schemes for development on croft land or common grazings, appeals to the Land Court against decisions made by the Crofters Commission, regulations concerning loans and public notification.

The Land Reform (Scotland) Act 2003 is amended with respect to the crofting community right to buy to enable the acquisition of the tenant’s interest in leases.

The Scottish Land Court Act 1993 is amended with respect to the constitution of and other arrangements for the Land Court.

Schedule 1 makes minor and consequential amendments. Schedule 2 is brought into force to repeal some parts of the 1993 Act.