SCHEDULE 2

Transitory, transitional and savings provisions

Enforcement of duties of crofters and certain owner-occupiers

- **5.**—(1) Where an unregistered croft or owner-occupied croft is divided by the Commission before 30th November 2013, section 26G(3)(a) of the 1993 Act is to be read as if the reference to the date of registration in consequence of an application under section 4 of the 2010 Act were a reference to the date on which the Commission enters in the Register of Crofts in accordance with section 41 of the 1993 Act any information to be entered in that register as regards the division(1).
- (2) The coming into force of section 37 of the 2010 Act for the purpose of inserting section 26G(4) into the 1993 Act on 30th November 2012 by virtue of article 3(1)(b) has no effect in relation to a new croft created by the division of an unregistered croft or owner-occupied croft by the Commission before 30th November 2013.
- (3) The coming into force of section 37 of the 2010 Act for the purpose of inserting section 26J(5) into the 1993 Act on 30th November 2013 by virtue of article 3(1)(c) has no effect in relation to the letting of an unregistered owner-occupier croft in accordance with proposals submitted under section 26J(1) of the 1993 Act where the letting occurred before that date(2).
- (4) The coming into force of section 37 of the 2010 Act for the purpose of inserting section 26J(9) into the 1993 Act on 30th November 2013 by virtue of article 3(1)(c) has no effect in relation to the letting of an unregistered owner-occupier croft pursuant to a decision under section 26J(8) of the 1993 Act where the letting occurred before that date.

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⁽¹⁾ Section 26G was inserted by section 37 of the 2010 Act. Section 41 was amended by section 5 of and paragraph 2(9) of schedule 1 to the Crofting Reform etc. Act 2007 and by paragraph 3(25) of schedule 4 to the 2010 Act.

⁽²⁾ Section 26J was inserted by section 37 of the 2010 Act.