



Crofter Forestry (Scotland) Act 1991

1991 CHAPTER 18

2 Supplementary

- (1) After subsection (3) of section 12 of the Crofters (Scotland) Act 1955 (resumption of all or part of croft by landlord), there shall be inserted the following subsection—
 - “(3A) Where a grazings committee have, under section 25(1C) of this Act, planted trees on land forming part of a common grazing, it shall not be competent for an application to be made under subsection (1) above in respect of that land while it continues to be used as woodlands.”
- (2) In subsection (1A) of section 25 of that Act (powers and duties of grazings committees)
 - (a) after the words “subsection (1)(b) above” there shall be inserted “, or to plant trees under subsection (1C) below,”; and
 - (b) after the word “works” in the second place where it occurs there shall be inserted “or, as the case may be, that planting”.
- (3) In section 26(2)(b) of that Act (common grazings regulations), for the words “section 25(1)(b) of this Act” there shall be substituted “subsection (1)(b) and the exercise of their powers under subsection (1C) of section 25 of this Act”.
- (4) In section 27 of that Act (Commission’s power to apportion common grazings)—
 - (a) in subsection (1), for the words “the last foregoing section” there shall be substituted “section 26”; and
 - (b) in subsection (4), after the word “grazing” there shall be inserted “, other than a part on which the grazings committee have planted trees and which they are using as woodlands under section 25(1C) of this Act,”.
- (5) In paragraph 12 of the Second Schedule to that Act (statutory conditions relating to crofting tenure), in the definition of “cultivate”—
 - (a) the word “and” where it first occurs shall be omitted; and
 - (b) at the end there shall be added “and the planting of trees and use of the land as woodlands”.

Status: This is the original version (as it was originally enacted).

- (6) In the Fifth Schedule to that Act (definition of permanent improvements), at the end of paragraph 7 there shall be added the words “other than under section 25(1C) of this Act”.
- (7) In subsection (2) of section 3 of the Crofters (Scotland) Act 1961 (Register of Crofts), after paragraph (b) there shall be inserted the following paragraph—
- “(bb) any consent of the landlord of a croft under section 26A(1)(b) of the Act of 1955;”.