



# Crofters (Scotland) Act 1993

## 1993 CHAPTER 44

### *Reorganisation schemes*

#### **[<sup>F1</sup>38A Appeal to Land Court: special provision as respects reorganisation schemes**

- (1) Any crofter who is the tenant of a croft situated in the township in relation to which a reorganisation scheme is made or the landlord of any such croft or [<sup>F2</sup>any owner-occupier crofter whose croft is situated in the township or] the owner of any common grazing associated with the township or the owner of any land included in the scheme by virtue of subsection (3)(a) of section 38 of this Act may, within 42 days after the Commission serve a copy of the reorganisation scheme on him under subsection (8)(b) of that section, appeal <sup>F3</sup>..., on one or more of the grounds mentioned in section 52A(3) of this Act, to the Land Court against—
  - (a) the Commission's decision to reorganise the township; or
  - (b) the scheme.
- (2) For the purposes of this section, the references in section 52A(3) to a “direction” and to “making” a direction are to be construed as including, respectively, references to a reorganisation scheme and to preparing such a scheme.
- (3) In an appeal under this section, the Court may—
  - (a) confirm the decision and the scheme;
  - (b) confirm the decision and require the Commission to—
    - (i) make, by a date specified by the Court, such modifications to the scheme as the Court directs; and
    - (ii) serve a copy of the modified scheme on each of the persons mentioned in section 38(10) of this Act; or
  - (c) revoke the Commission's decision.]

#### **Textual Amendments**

**F1** S. 38A inserted (25.6.2007) by [Crofting Reform etc. Act 2007 \(asp 7\)](#), ss. **20(3)**, 43(3) (with ss. 40, 43(2)); S.S.I. 2007/269, art. 2, sch.

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*Changes to legislation: There are currently no known outstanding effects for the Crofters (Scotland) Act 1993, Section 38A. (See end of Document for details)*

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- F2** Words in s. 38A(1) inserted (1.10.2011) by Crofting Reform (Scotland) Act 2010 (asp 14), s. 57(2), **sch. 4 para. 3(22)** (with s. 57(4)); S.S.I. 2011/334, art. 3, sch. Pt. 1 (with art. 4)
- F3** Words in s. 38A(1) repealed (1.2.2011) by Crofting Reform (Scotland) Act 2010 (asp 14), **ss. 50(1)(b), 57(2)** (with s. 57(4)); S.S.I. 2010/437, art. 3, sch. (with arts. 4, 5(3))

**Changes to legislation:**

There are currently no known outstanding effects for the Crofters (Scotland) Act 1993, Section 38A.