



Crofters (Scotland) Act 1993

1993 CHAPTER 44

Enlargement of crofts

[^{F14} Enlargement of crofts

- (1) This section applies where an owner of land—
 - (a) which is not a croft; and
 - (b) which does not form part of a croft,agrees to grant a tenancy of that land to a crofter.
- (2) The owner and the crofter may apply jointly to the Commission for a direction that the land is to form part of a croft of which the crofter is tenant.
- (3) Where a croft such as is mentioned in subsection (2) is an unregistered croft, the Commission—
 - (a) must not make a direction under subsection (4) unless an application for first registration of the croft is submitted before the expiry of the period of 6 months beginning with the date on which the application for the direction is made;
 - (b) need not, during that 6 month period, consider the application for the direction until an application for first registration of the croft is submitted.
- (4) The Commission may make a direction if they are satisfied that the enlargement of the croft—
 - (a) would be of benefit to the croft or to the crofter;
 - (b) would not result in the area of the enlarged croft substantially exceeding 30 hectares.
- (5) Where the Commission make a direction in relation to an unregistered croft or a first registered croft, the land forms part of the croft with effect from the later of—
 - (a) the date of the direction; or
 - (b) the date of entry under the tenancy.
- (6) Where the Commission make a direction in relation to a registered croft (other than a first registered croft)—

Changes to legislation: There are currently no known outstanding effects for the Crofters (Scotland) Act 1993, Section 4. (See end of Document for details)

- (a) the direction expires at the end of the period of 3 months beginning with the date on which the direction is made unless an application for registration of the enlargement of the croft is submitted by virtue of section 5 of the 2010 Act before the expiry of that period;
 - (b) the enlargement takes effect on the date of registration.
- (7) For the purposes of section 6 and paragraph 1 of schedule 2, the rent payable for the enlarged croft is the rent agreed by the landlord and the crofter.
- (8) In subsections (5) and (6), “first registered croft” means a croft mentioned in section 5(2) of the 2010 Act.]

Textual Amendments

- F1** S. 4 substituted (1.10.2011 for specified purposes, 30.11.2012 for specified purposes, 30.11.2013 in force in so far as not already in force) by [Crofting Reform \(Scotland\) Act 2010 \(asp 14\)](#), **ss. 46, 57(2)** (with [s. 57\(4\)](#)); [S.S.I. 2011/334](#), **art. 3**, **sch. Pt. 1** (with [arts. 45\(3\)](#)); [S.S.I. 2012/288](#), **art. 3(1)(b), (2)**, **Sch. 1 Pt. 2** (with [sch. 2 para. 1\(k\), \(l\)](#)); [S.S.I. 2012/288](#), **art. 3(1)(c)** (with [sch. 2 para. 7](#))

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