



Land Reform (Scotland) Act 2003

2003 asp 2

PART 3

THE CROFTING COMMUNITY RIGHT TO BUY

CHAPTER 1

GENERAL EXTENT OF CROFTING COMMUNITY RIGHT TO BUY

68 Land which may be bought: eligible croft land

(1) The land which may be bought under this Part of this Act is eligible croft land.

[^{F1}(1A) But subsection (1) above is subject to section 69A below.]

(2) In this Part of this Act, “eligible croft land” means—

- (a) land within the meaning of “croft” given by section 3 (meaning of “croft” and “crofter”) of the Crofters (Scotland) Act 1993 (c. 44) (“the 1993 Act”) together with any land or right which is deemed by subsections (4) or (5) of that section to be a croft or part thereof (including arable machair and scattalds);
- (b) any land in which a tenant of a croft, whether alone or in common with others, has a right of pasture or grazing;
- (c) any land—
 - (i) comprising any part of a common grazing held by a tenant of a croft;
or
 - (ii) held runrig by a tenant of a croft,
which has not been apportioned for the exclusive use of a tenant of a croft under section 52 of the 1993 Act; and
- (d) any land which consists of salmon fishings in inland waters within or contiguous to, or mineral rights (other than rights to oil, coal, gas, gold or silver) in, land referred to in paragraphs (a) to (c) above (including any such fishings or rights which are owned separately from that land).

(3) Eligible croft land does not, however, include any croft occupied or worked by its owner or a member of its owner’s family.

*Changes to legislation: There are currently no known outstanding effects for the
Land Reform (Scotland) Act 2003, Section 68. (See end of Document for details)*

- (4) In subsection (3) above, the reference to a croft being occupied includes—
- (a) a reference to its being occupied otherwise than permanently; and
 - (b) a reference to its being occupied by way of the occupation by its owner of any dwellinghouse on or pertaining to it.
- (5) In this Part of this Act, “inland waters” has the same meaning as in [F2section 69(1) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003].

Textual Amendments

- F1** S. 68(1A) inserted (25.6.2007) by [Crofting Reform etc. Act 2007 \(asp 7\)](#), ss. 39, 43, [Sch. 1 para. 5\(2\)](#) (with ss. 40, 43(2)); S.S.I. 2007/269, [art. 2](#), Sch.
- F2** Words in s. 68(5) substituted (15.4.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), s. 142(1), [Sch. 4 para. 8\(5\)](#); S.S.I. 2015/399, art. 2, Sch. (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the Land Reform (Scotland) Act 2003, Section 68.