



Crofting Reform etc. Act 2007

2007 asp 7

PART 2

CROFTS

11 Subletting

- (1) In section 27 of the 1993 Act (provisions as to right to sublet)—
- (a) in subsection (1), after the words “his croft” there is inserted “, for a period not exceeding 10 years, ”; and
 - (b) for subsections (3) and (4) there is substituted—
 - “(3) In the case of any application for such consent, the following special conditions apply for the purposes of section 58A(6)(b)(ii) of this Act—
 - (a) that there are reasonable grounds for concern as regards the use which the proposed subtenant intends to make of the croft; and
 - (b) that the proposed subtenant will not reside on, or within 16 kilometres of, the croft.”.
- (2) Section 28 of that Act (special provisions regarding subletting of crofts not adequately used) is repealed.
- (3) In section 29 of that Act (miscellaneous provisions regarding subleases of crofts)—
- (a) after subsection (2) there is inserted—
 - “(2A) The conditions of let must specify that the crofter shall give the subtenant not less than 6 months written notice of any intention to assign, exchange or divide the croft and that the sublease shall come to an end on such assignation, exchange or division.”; and
 - (b) after subsection (3) there is inserted—
 - “(3A) Where the tenancy of a croft is terminated by virtue of the death of the crofter, the Commission shall, as part of their consideration in determining whether to make an order under the proviso to subsection (3) above and if so what period of occupation to permit—

Changes to legislation: There are currently no known outstanding effects for the Crofting Reform etc. Act 2007, Section 11. (See end of Document for details)

- (a) consult the deceased crofter's executor; and
- (b) have regard in particular to such hardship as might, according to what they decide, be occasioned—
 - (i) the former subtenant; or
 - (ii) an assignee or transferee of the interest of tenant.”.

Commencement Information

I1 S. 11(1) in force at 28.1.2008 by S.S.I. 2007/568, art. 2

I2 S. 11(2)(3) in force at 25.6.2007 by S.S.I. 2007/269, art. 2, Sch.

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