



Crofting Reform etc. Act 2007

2007 asp 7

PART 2

CROFTS

9 Exchange of crofts or parts of crofts

After section 4 of the 1993 Act, there is inserted—

“Exchange of crofts

4A Exchange of crofts or parts of crofts

- (1) A crofter may not exchange his croft (or any part of his croft) for another croft (or part of another croft) unless—
 - (a) he obtains the consent of—
 - (i) the landlord of his croft; and
 - (ii) the Commission;
 - (b) the exchanging crofters have the same landlord; and
 - (c) that landlord is the owner of any common grazing in which the crofters share.
- (2) The consent of the Commission shall not be given unless they are satisfied that the consent mentioned in paragraph (a)(i) of subsection (1) above has been obtained.
- (3) In the case of an application made by virtue of subsection (1) above, the special condition which applies for the purposes of section 58A(6)(b)(ii) of this Act is that there are reasonable grounds for concern that the proposed exchange would be unfair to either (or as the case may be any) of the crofters who are parties to the proposed exchange.
- (4) A new croft is not created by virtue only of such exchange.”.