

CROFTING REFORM (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Part 2 – the Crofting Register

Lands held runrig

Section 32: Lands held runrig

63. **Section 32** provides for the Crofting Commission to apply to the Keeper for the first registration of unregistered land held runrig. Subsection (3) requires the Commission to consult the owner of the land and notify all holders of the land before submitting an application for first registration. Subsection (4) allows any person notified to make representations to the Commission. Subsection (5) provides that the regulatory trigger events of apportionment or an extension of an apportionment of registered land held runrig must be registered. Subsection (6) requires an application for subsequent registration to be submitted to the Commission, and subsection (7) requires the Commission to forward the application and associated fee to the Keeper. Subsection (8) allows the Commission to ask the applicant for further information. Subsection (9) sets out the circumstances in which the Commission may refuse to forward an application for registration, including in the case of a material inaccuracy in the application. Subsection (10) enables an appeal to the Land Court to be made where the Commission refuse to forward an application for registration.
64. Subsection (11) excludes section 7 of this Act from applying to applications for the registration of land held runrig. Subsections (12) and (13) apply sections 8 to 21 with such modifications as are necessary, in relation to lands held runrig as they apply in relation to common grazings (as noted, those sections are modified by virtue of Schedule 3 in their application to common grazings). Subsection (14) defines “material inaccuracy” in subsection (9)(d) as meaning an inaccuracy in any matter mentioned in section 11(2) which is to be included in the registration schedule for registered land held runrig. Subsection (15) provides the Scottish Ministers with an order-making power to modify subsection (5) to add, modify or remove a regulatory event which triggers subsequent registration. Subsection (16) defines “first registration” in subsection (2) as meaning the registration of unregistered land held land runrig.