

CROFTING REFORM (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Part 2 – the Crofting Register

Registration

Section 7: Applications for registration

22. **Section 7** outlines the process for registering a croft or, where a croft has already been registered, the process for amending this registration. Subsection (1) states that an application to register a croft must be submitted to the Crofting Commission along with registration payment unless the application is being made by the Commission.
23. Subsection (2) provides that an application for first registration of a new croft must be submitted at the same time as the application to constitute the land as a croft.
24. Subsection (3) requires the Commission, as soon as reasonably practicable after receiving the registration application, to check the information contained in the registration application against the Register of Crofts if the application is for first registration (except where the application relates to a new croft or is a result of a reorganisation scheme) and, to forward the application with any comments and the registration payment to the Keeper. Subsection (4) enables the Commission, before forwarding the registration to the Keeper, to request further information in relation to the application.
25. Subsection (5) outlines the circumstances in which the Commission can refuse to forward an application. These are: the applicant has not provided the Commission with further information as requested under subsection (4); the application is frivolous or vexatious; the applicant has not submitted payment for registration; there is a material inaccuracy in the application; or the Commission consider that the Keeper would otherwise not accept the application under section 8(2). Where the Commission refuses to forward an application, the applicant may appeal against that decision to the Land Court. Subsection (7) disapplies section 7 to applications for registration by the Commission. Subsection (8) defines “material inaccuracy” as an inaccuracy relating to any matter mentioned in section 11(2), which are the matters to be included in the registration schedule of a croft.