



Crofting Reform (Scotland) Act 2010

2010 asp 14

PART 2

THE CROFTING REGISTER

Lands held runrig

32 Lands held runrig

- (1) Unregistered land held runrig may be registered on an application being made by the Commission.
- (2) An application for first registration of land held runrig is to be submitted to the Keeper.
- (3) Before submitting such an application the Commission must—
 - (a) consult the owner of the land; and
 - (b) notify, in such manner as they consider appropriate (including by means of advertisement), all persons who are holders of the land held runrig.
- (4) Any person notified under subsection (3) may make representations to the Commission in respect of the application.
- (5) The following events in relation to registered land held runrig must be registered, that is—
 - (a) the apportionment of the land under section 52(8) of the 1993 Act;
 - (b) the extension, under subsection (11) of section 52 of that Act, of any period for which a part of the land is apportioned under subsection (10) of that section.
- (6) An application for registration of an event mentioned in subsection (5), and the fee payable in respect of such registration, is to be submitted to the Commission.
- (7) In respect of such an application, the Commission must, subject to subsections (8) and (9), forward—
 - (a) the application, together with any comments they may have on it; and
 - (b) the fee payable in respect of it,to the Keeper as soon as reasonably practicable.

Changes to legislation: There are currently no known outstanding effects for the Crofting Reform (Scotland) Act 2010, Section 32. (See end of Document for details)

- (8) The Commission may, before forwarding an application for registration to the Keeper, require the applicant to provide them with such further information relating to the application as they consider appropriate.
- (9) The Commission may refuse to forward an application for registration if—
- (a) a requirement under subsection (8) is not complied with;
 - (b) the application is frivolous or vexatious;
 - (c) the fee payable in respect of registration has not been tendered;
 - (d) there is a material inaccuracy in the application; or
 - (e) they consider that the Keeper would otherwise not accept the application under section 8(2).
- (10) Where the Commission refuse to forward an application for registration, section 52A of the 1993 Act applies as if that refusal were a decision of the Commission on an application to them under that Act.
- (11) Section 7 does not apply to applications for registration of land held runrig.
- (12) Sections 8 to 21 apply, with such modifications as may be necessary, in relation to land held runrig as they apply in relation to common grazings.
- (13) The reference to sections in subsection (12) is, where those sections are modified for the purposes of their application in relation to common grazings, to those sections as so modified.
- (14) In subsection (9)(d), “material inaccuracy” means an inaccuracy relating to any matter mentioned in section 11(2) (as that section applies, by virtue of subsection (12), to lands held runrig).
- (15) The Scottish Ministers may, by order, modify subsection (5) so as to—
- (a) add an event to;
 - (b) modify the description of an event in;
 - (c) remove an event from,
- that subsection.
- (16) In subsection (2), “first registration” means the registration of unregistered land held runrig.

Commencement Information

- I1** S. 32 in force at 30.10.2012 for specified purposes by S.S.I. 2012/288, art. 3(1)(a)(2), **Sch. 1 Pt. 1**
- I2** S. 32 in force at 30.11.2012 in so far as not already in force by S.S.I. 2012/288, art. 3(1)(b)(2), **Sch. 1 Pt. 2**

Changes to legislation:

There are currently no known outstanding effects for the Crofting Reform (Scotland) Act 2010, Section 32.