



# Crofting Reform (Scotland) Act 2010

## 2010 asp 14

### PART 4

#### FURTHER AMENDMENTS OF THE 1993 ACT

##### *Letting of vacant crofts*

#### **44 Requirements to submit proposals for re-letting crofts**

- (1) Section 11 of the 1993 Act (intestacy) is amended as follows.
- (2) In subsection (8)(a), after “them” insert “, before the expiry of the period of 4 months beginning with the day on which the notice is given,”.
- (3) Section 23 of the 1993 Act (vacant crofts) is amended as follows.
- (4) In subsection (5)—
  - (a) after “them” where it first occurs insert “, before the expiry of the period of 2 months beginning with the day on which the notice is given,”; and
  - (b) the words from “, and if,” to the end are repealed.
- (5) After that subsection insert—
  - “(5ZA) No more than three proposals may be submitted to the Commission in response to a notice given under subsection (5).
  - (5ZB) Where a proposal for letting the croft is submitted to the Commission in response to a notice given under subsection (5), they must approve or reject the proposal—
    - (a) in a case where the croft is declared vacant under section 11(8), within the period of 5 months beginning with the day on which the notice under section 11(8)(a) is given; or
    - (b) in any other case, within the period of 3 months beginning with the day on which the notice under subsection (5) was given.
  - (5ZC) The Commission must (as soon as is reasonably practicable) proceed in accordance with subsections (5B) and (5C) if—

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*Status: This is the original version (as it was originally enacted).*

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- (a) no proposals for letting the croft are submitted by the landlord before the expiry of the period of 2 months mentioned in subsection (5);
- (b) the landlord has submitted one or two proposals for letting the croft within the period of 2 months mentioned in subsection (5) and—
  - (i) all such proposals are rejected by the Commission; and
  - (ii) the period of 2 months mentioned in subsection (5) has expired; or
- (c) the landlord has submitted three proposals for letting the croft (within the period of 2 months mentioned in subsection (5)) and the Commission have rejected all three.”.

(6) For subsection (5A) substitute—

“(5A) Where a croft is declared vacant under section 11(8), the Commission must (as soon as is reasonably practicable) proceed in accordance with subsections (5B) and (5C) if—

- (a) no proposals for letting the croft are submitted by the landlord before the expiry of the period of 4 months mentioned in section 11(8)(a);
- (b) the landlord has submitted one or two proposals for letting the croft within the period of 4 months mentioned in section 11(8)(a) and—
  - (i) all such proposals are rejected by the Commission; and
  - (ii) the period of 4 months mentioned in section 11(8)(a) has expired; or
- (c) the landlord has submitted three proposals for letting the croft (within the period of 4 months mentioned in section 11(8)(a)) and the Commission have rejected all three.”.