

Draft Order laid before the Scottish Parliament under section 3A(13) of the Crofters (Scotland) Act 1993, for approval by resolution of the Scottish Parliament. This draft replaces the one laid on 19th November 2009.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2010 No.

**CROFTERS, COTTARS AND
SMALL LANDHOLDERS**

The Crofting (Designation of Areas) (Scotland) Order 2010

Made - - - - 2010

Coming into force in accordance with article 1(1)

The Scottish Ministers make the following Order in exercise of the powers conferred by section 3A(1)(b) of the Crofters (Scotland) Act 1993⁽¹⁾ and all other powers enabling them to do so. In accordance with section 3A(13) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Crofting (Designation of Areas) (Scotland) Order 2010 and comes into force on the day after the day on which it is made.

(2) In this Order “local government area” means a local government area established by section 1(2) and (4) of, and Schedule 1 to, the Local Government etc. (Scotland) Act 1994⁽²⁾.

Designation of Areas

2. The following areas are designated for the purposes of section 3A(1)(b) of the Crofters (Scotland) Act 1993—

- (a) that part of the local government area of Highland that is outwith the crofting counties⁽³⁾;
- (b) the local government area of Moray;
- (c) in the local government area of Argyll and Bute, the parishes of Kingarth, North Bute and Rothesay; and

(1) 1993 c.44 (“the 1993 Act”). Section 3A was inserted by the [Crofting Reform etc. Act 2007 \(asp 7\)](#), section 6.

(2) 1994 c.39.

(3) Section 61(1) of the 1993 Act defines “crofting counties” as comprising the former counties of Argyll, Caithness, Inverness, Orkney, Ross and Cromarty, Sutherland and Zetland. The local government area of Highland includes parts of the former counties of Argyll, Caithness, Inverness, Ross and Cromarty and Sutherland.

- (d) in the local government area of North Ayrshire, the islands of Arran (including Holy Island and Pladda), Great Cumbrae and Little Cumbrae.

St Andrew's House,
Edinburgh
Date

Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates areas for the purposes of section 3A(1)(b) of the Crofters (Scotland) Act 1993 (“the Act”). Section 3A(1)(b) of the Act enables the Scottish Ministers, by Order, to designate an area outwith the crofting counties. The effect of such designation enables the Crofters Commission to constitute the designated area as a croft, upon application by the owner of the land, in accordance with section 41 of the Act.

Regulation 2 designates the following areas for the purposes of section 3A(1)(b) of the Act—

- the local government area of Highland in so far as it is outwith the crofting counties;
- the local government area of Moray;
- in the local government area of Argyll and Bute, the parishes of Kingarth, North Bute and Rothesay; and
- in the local government area of North Ayrshire, the islands of Arran (including Holy Island and Pladda), Great Cumbrae and Little Cumbrae.

Maps of the areas designated by this Order can be seen at the following website:

<http://www.scotland.gov.uk/Topics/farmingrural/Rural/crofting-policy/new-crofting-areas>

Copies of the maps of the areas designated by this Order, marked “Map referred to in the Crofting (Designation of Areas) (Scotland) Order 2010” are available for inspection at the principal office of the Scottish Government Rural Directorate at Pentland House, 47 Robb’s Loan, Edinburgh, EH14 1TW.