

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Crofting Reform (Scotland) Act 1976, SCHEDULE 1. (See end of Document for details)

SCHEDULE 1 **S**

Section 11

AMENDMENT OF ENACTMENTS CONSEQUENTIAL ON SECTION 11

M1 The Town and Country Planning (Scotland) Act 1972.

Marginal Citations

M1 1972 c. 52

- 1 At the end of section 182 (power to serve blight notice), there shall be added the following subsection—

“(5) Where the claimant is a crofter or cottar, this section shall have effect as if—

- (a) in subsection (1)(c) for the word “sell” there were substituted the word “assign” ;
- (b) in subsection (1)(d) for the words from “sell it” to “to sell” there were substituted the words “assign it except at a price substantially lower than that for which he might reasonably have expected to assign it” ;
- (c) in subsections (1) and (4) for the word “purchase” there were substituted the words “take possession of” .”

Modifications etc. (not altering text)

C1 The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 2 In section 184 (reference of objections to Lands Tribunal), in subsection (6) after the word “treat” there shall be inserted the words “or, in a case where the claimant is a crofter or cottar, notice of entry”.

Modifications etc. (not altering text)

C2 The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 3 At the end of section 185 (effect of valid blight notice), there shall be added the following subsection—

“(5) Where the claimant is a crofter or cottar, this section shall have effect as if in subsections (1) and (3) for the words from “acquire” to “respect thereof” there were substituted the words “require the crofter or cottar to give up possession of the land occupied by him and to have served a notice of entry”

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in respect thereof under paragraph 3 of Schedule 2 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.””

Modifications etc. (not altering text)

- C3** The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 4 At the end of section 188 (effect on powers of compulsory acquisition of counter-notice disclaiming intention to acquire), there shall be added the following subsection—

“(5) Where the claimant is a crofter or cottar, this section shall have effect as if in subsections (2) and (4) for the words from “or by” to “claimant in” there were substituted the words “to require the crofter or cottar to give up possession of”.”

Modifications etc. (not altering text)

- C4** The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 5 In section 192(4) (meaning of “owner’s interest”), after the words “interest of” there shall be inserted the word “(a)” and after the word “years” there shall be inserted the words “and (b) a crofter or cottar therein”.

Modifications etc. (not altering text)

- C5** The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 6 In section 196(1) (general interpretation), after the definition of “the claimant” there shall be inserted the following definitions—

““cottar” has the same meaning as in section 28(4) of the Crofters (Scotland) Act 1955 ;

“crofter” has the same meaning as in section 3(2) of the Crofters (Scotland) Act 1955.”

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Modifications etc. (not altering text)

- C6** The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

M2 *The Land Compensation (Scotland) Act 1973*

Marginal Citations

- M2** 1973 c. 56

- 7 At the end of section 68 (land affected by orders relating to new towns), there shall be added the following subsection—

“(6) This section shall have effect where the service of the blight notice by virtue of subsection (1) above is by a crofter or cottar as if—

- (a) in subsection (4) for the words “acquire compulsorily any interest in land” and “acquires an interest” there were substituted respectively the words “take possession of any land occupied by the crofter or cottar” and “takes possession” and in paragraphs (a) and (b) for the word “interest” there were substituted the word “possession” ;
- (b) in subsection (5) for the words from “acquisition of” to “acquisition were” there were substituted the words “taking of possession of land by the Secretary of State under subsection (4) above as if the taking of possession were”.”

Modifications etc. (not altering text)

- C7** The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 8 At the end of section 74 (blight notice requiring purchase of whole agricultural unit), there shall be added the following subsection—

“(3) This section shall have effect where the blight notice is served by a crofter or cottar as if for subsection (1)(b) there were substituted the following paragraph—

“(b) a requirement that the appropriate authority shall take possession of the whole of the unit or, as the case may be, the whole of the part of it to which the notice relates.””

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Modifications etc. (not altering text)

- C8** The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 9 At the end of section 76 (effect of blight notice requiring purchase of whole agricultural unit), there shall be added the following subsection—

“(9) Where the claimant is a crofter or cottar this section shall have effect as if—

- (a) in subsections (2) and (4) for the words from “acquire compulsorily” to “interest” and for the words “to treat in respect thereof” there were substituted respectively the words “take possession compulsorily of the land” and the words “of entry in respect of that land under paragraph 3 of Schedule 2 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947” ;
- (b) in subsection (4)(a) for the word “acquire” there were substituted the words “take possession of”.

Modifications etc. (not altering text)

- C9** The text of Sch. 1 paras. 1–9, Sch. 2 paras. 1–25 and Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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