

SCOTTISH STATUTORY INSTRUMENTS

2006 No. 214

The Croft House Grant (Scotland) Regulations 2006

PART 2

GRANTS IN RESPECT OF OPERATIONS

Payment of grant

3.—(1) The Scottish Ministers may make a grant of such amount as they may determine, but subject to the relevant limit specified in regulations 4 and 5, of these Regulations to an applicant for an operation.

(2) The operation must be carried out, in the case of a crofter, on the croft, in the case of a cottar, on the holding occupied by the cottar, and, in the case of an eligible occupier, on the croft or holding or part of a croft, as the case may be, occupied by that eligible occupier.

Commencement Information

I1 Reg. 3 in force at 15.5.2006, see [reg. 1\(1\)](#)

Amount of grant

4.—(1) The amount of grant, payable by the Scottish Ministers under regulation 3 for the erection of a dwellinghouse—

- (a) in a low level priority area shall not exceed £11,500;
- (b) in a standard level priority area shall not exceed £17,000;
- (c) in a high level priority area shall not exceed £22,000.

5. The amount of grant payable at the discretion of and by the Scottish Ministers under regulation 3 towards the approved cost of an operation, other than the erection of a dwellinghouse—

- (a) in a low level priority area, shall not exceed the lesser of 20% of the cost of the operation and £11,500;
- (b) in a standard level priority area, shall not exceed the lesser of 30% of the cost of the operation and £17,000;
- (c) in a high level priority area, shall not exceed the lesser of 40% of the cost of the operation and £22,000.

Commencement Information

I2 Reg. 4 in force at 15.5.2006, see [reg. 1\(1\)](#)

I3 Reg. 5 in force at 15.5.2006, see [reg. 1\(1\)](#)

Application for grant

6.—(1) Any application for grant under these Regulations shall be in such form and shall provide such information as the Scottish Ministers specify, and shall be approved by the Scottish Ministers prior to the commencement of any work on the operation.

(2) The Scottish Ministers may, as they think fit, either refuse to approve an application or approve it in whole or in part, and any such approval may be given, subject to such conditions as the Scottish Ministers think fit.

(3) Any approval of cost for the purposes of a grant under this Part may be varied or withdrawn by the Scottish Ministers.

(4) In approving an application, the Scottish Ministers may specify the date by which work may start on the operation, the date by which the first payment of grant shall be claimed and the date by which the final payment of grant shall be claimed by the applicant.

(5) Where the applicant is a crofter or cottar, the Scottish Ministers shall notify the applicant's landlord of the application and if the landlord, within 14 days of being so notified, objects in writing to the making of the grant, the Scottish Ministers shall, before making any decision on the application, afford to the applicant and the landlord an opportunity of making representations thereon in writing to them, or to a person appointed by them to hear the representations and report thereon to them.

(6) After considering any such application and any representations or report thereon, as specified in paragraph (5), the Scottish Ministers shall give to the applicant notice in writing of their decision and if the applicant is a crofter or a cottar, shall also give notice of their decision to the applicant's landlord.

(7) Where the Scottish Ministers approve the application they shall, at the same time as they give to the applicant notice of their approval, inform the applicant that the proposed work may be carried out subject to such modifications or conditions as the Scottish Ministers may specify.

Commencement Information

I4 Reg. 6 in force at 15.5.2006, see [reg. 1\(1\)](#)

Claims for payment of grant

7. The applicant shall make a claim for payment of the grant in such form as the Scottish Ministers may specify and shall afford to the Scottish Ministers or their duly authorised officers such facilities as are reasonably required to enable the Scottish Ministers to satisfy themselves that any conditions subject to which approval was given have been complied with.

Commencement Information

I5 Reg. 7 in force at 15.5.2006, see [reg. 1\(1\)](#)

Conditions of grant

8.—(1) Upon the payment of a grant the Scottish Ministers shall forthwith cause to be recorded in the Register of Sasines or registered in the Land Register of Scotland a notice in the form set out in Schedule 2, or a form to the like effect, specifying the conditions which, by virtue of regulation 9, apply.

(2) Subject to paragraph (3), upon completion of the work to the satisfaction of the Scottish Ministers, they shall make payment of the grant to the applicant or a nominee of the applicant.

(3) The Scottish Ministers may make payment of the grant in instalments at such times, either during the progress of the work or after its completion, and subject to such conditions as the Scottish Ministers may specify.

(4) Where an instalment of a grant has been paid in accordance with paragraph (3) and the work in respect of which the grant was to be made is not thereafter completed to the satisfaction of the Scottish Ministers or any condition of payment of the instalment of the grant is not complied with, the amount of the instalments paid may be recovered from the applicant in accordance with regulation 10 as if there had been a failure to comply with a condition such as mentioned in that regulation.

(5) Where the grant is for part of an operation and the maximum amount of grant has been paid, no further grant will be payable for the same operation.

9.—(1) Where a grant is paid under these Regulations in respect of any operation on a dwellinghouse, that dwellinghouse shall, unless the Scottish Ministers otherwise agree, be—

- (a) occupied by the applicant or his family;
- (b) maintained by the applicant, his family or his successors to the satisfaction of the Scottish Ministers; and
- (c) kept insured against destruction or damage by fire for such sum and with such insurance company as the Scottish Ministers may from time to time approve, and the receipts for the premiums in respect of the renewal of insurance shall be exhibited to the Scottish Ministers on demand.

(2) The applicant who proposes to give up the tenancy of a croft shall inform the Scottish Ministers of that intention in writing and provide the name and address of any proposed new tenant.

(3) The applicant shall not let, sell or otherwise dispose of the croft, or the croft house site without the consent of the Scottish Ministers.

(4) The applicant shall permit any person duly authorised by the Scottish Ministers to enter and inspect any such dwellinghouse as referred to in paragraph (1) at all reasonable times for the purpose of ascertaining whether any provision of these Regulations, including conditions attached to the payment of grant applicable to the dwellinghouse, is being complied with and any person so authorised shall, if requested, produce a document showing his authority to do so.

(5) The Scottish Ministers may require the applicant to provide at such times as they may determine a certificate stating that the conditions of these Regulations are being complied with and to provide such other relevant information as they may require.

(6) These Regulations and the conditions attached to the payment of grant shall be observed in respect of the dwellinghouse—

- (a) where a grant has been made for erection of a dwellinghouse, for a period of fifteen years;
- (b) where a grant has been made for any of the operations specified in Schedule 1, other than the erection of a dwellinghouse, for a period of ten years.

Commencement Information

I6 Reg. 8 in force at 15.5.2006, see [reg. 1\(1\)](#)

I7 Reg. 9 in force at 15.5.2006, see [reg. 1\(1\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Croft House Grant (Scotland) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.S.I. 2016/63 reg. 8\(1\)](#)