
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 294

The Crofting Register (Scotland) Rules 2012

Citation and commencement

1. These Rules may be cited as the Crofting Register (Scotland) Rules 2012 and come into force on 30th November 2012.

Interpretation

- 2.—(1) In these Rules, “the Act” means the Crofting Reform (Scotland) Act 2010.
(2) In these Rules, any reference to a lettered form is to the form bearing that letter in the Schedule.

Making up and keeping of the Crofting Register

- 3.—(1) The Crofting Register is to be kept in electronic form.
(2) The Keeper must take such steps as appear reasonable to the Keeper to protect the register from—
(a) interference;
(b) unauthorised access; and
(c) damage.
(3) The Crofting Register is to comprise—
(a) a list of crofts registered in order of receipt of application and distinguished by a unique alpha-numeric identifier⁽¹⁾; and
(b) a list of common grazings and land held runrig registered in order of receipt of application and distinguished by a unique alpha-numeric identifier⁽²⁾.

Public access to the Crofting Register

- 4.—(1) The Keeper must make the Crofting Register available for members of the public to view on a website.
(2) The Crofting Register must contain a statement confirming the date to which the Crofting Register is accurate.

Application for information from the Crofting Register

- 5.—(1) On payment of any fee that may be prescribed⁽³⁾, the Keeper is to provide to a person who so applies with—
(a) information on the Crofting Register which the person reasonably seeks;

(1) The first croft to be registered will be C1, the second will be C2, and so on.

(2) The first common grazing or land held runrig to be registered will be CG1, the second will be CG2, and so on.

(3) Under section 19(2) and (3) of the 2010 Act.

- (b) information which may be derived from information on the Crofting Register which the person reasonably seeks;
 - (c) an extract from the Ordnance Survey map which the person reasonably requires for the purpose of making an application for registration.
- (2) An application for the purposes of paragraph (1)—
- (a) may be made by email or letter or by attending at a public office maintained by the Keeper⁽⁴⁾;
 - (b) may be refused if it is not, in the opinion of the Keeper, framed with sufficient precision to enable the Keeper to give effect to it.

Forms of application for registration in the Crofting Register

6.—(1) An application for first registration of a croft (including a new croft) under section 4 of the Act is to be made in Form A.

(2) An application for registration of a subsequent event affecting a registered croft under section 5 of the Act is to be made in Form B.

(3) An application for first registration of a common grazing under section 24(1) of the Act, or land held runrig under section 32(1) of the Act, is to be made in Form C.

(4) An application for first registration of a new common grazing under section 26(1)(a) of the Act is to be made in Form D.

(5) An application for registration of a subsequent event affecting a registered common grazing under section 26(1)(b) of the Act, or land held runrig under section 32(5) of the Act, is to be made in Form E.

Form of rectification of the Crofting Register

7. An application for rectification under section 16 of the Act is to be made in Form F.

Form of notification by the Commission

8. Notification to the Keeper by the Commission under section 10(6) or (7) of the Act is to be made in Form G.

Procedure on application for registration

9.—(1) Forms A, B, D, E and F must be completed—

- (a) in writing on a paper form; or
- (b) electronically before being printed on paper,

then signed by the applicant.

(2) Forms C and G may be submitted by the Commission to the Keeper on paper or by electronic means.

(3) Where the Commission makes a requirement for further information under section 7(4) of the Act in relation to an application, it must be complied with within 12 weeks from the date on which that requirement is made.

(4) Meadowbank House, 153 London Road, Edinburgh EH8 7AV or Hanover House, 24 Douglas Street, Glasgow, G2 7NQ.

Plans

10.—(1) Forms A, B, D, E, F and G must be accompanied by a paper plan where a plan is necessary to enable the Keeper to—

- (a) identify a croft, a common grazing or land held runrig by reference to the Ordnance Survey map or such other map as the Keeper may require; or
- (b) amend the registration schedule of a croft, a common grazing or land held runrig.

(2) Where a plan accompanying a Form C is submitted to the Keeper by the Commission using electronic means, it must be in—

- (a) CAD (computer aided design) format;
- (b) GIS (geographical information system) format; or
- (c) digital image format.

St Andrew's House,
Edinburgh
30th October 2012

PAUL WHEELHOUSE
Authorised to sign by the Scottish Ministers