



Crofters (Scotland) Act 1993

1993 CHAPTER 44

[^{F1}Enforcement of duties

[^{F1}26E Circumstances where the Commission may not take action under section 26H or 26J

The Commission may not take any action under section 26H or 26J if—

- (a) the period for giving an undertaking under section 26D has not expired;
- (b) an undertaking has been given under section 26D and the period for complying with the undertaking has not expired;
- (c) an undertaking given under section 26D has been complied with;
- (d) in the case of a crofter—
 - (i) the Commission have consented to the sublet of the croft under section 27;
 - (ii) an application for consent to sublet has been made under section 27 and has not been determined;
- (e) in the case of an owner-occupier crofter—
 - (i) the Commission have consented to the let of the owner-occupier's croft on a short lease (within the meaning of section 29A(4));
 - (ii) an application for consent to a lease has been made under section 29A and has not been determined;
- (f) in the case of failure to comply with a duty mentioned in section 5AA or 19C(2)(a)—
 - (i) the Commission have consented to the absence under section 21B;
 - (ii) an application for consent for absence, to extend a period of absence or to vary a condition imposed in respect of such absence has been made under section 21B, 21C or, as the case may be, 21D and has not been determined.]

Changes to legislation: There are currently no known outstanding effects for the Crofters (Scotland) Act 1993, Section 26E. (See end of Document for details)

Textual Amendments

- F1** Ss. 26A-26K and cross-heading inserted (1.10.2011 for specified purposes, 30.11.2012 for specified purposes, 30.11.2013 in so far as not already in force) by Crofting Reform (Scotland) Act 2010 (asp 14), ss. 37, 57(2) (with s. 57(4)); S.S.I. 2011/334, art. 3, sch. Pt. 1 (with arts. 45(3)); S.S.I. 2012/288, art. 3(1)(b)(c)(2), sch. 1 Pt. 2 (with sch. 2 para. 5(1)(2)(3)(4))

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