



# Crofters (Scotland) Act 1993

## 1993 CHAPTER 44

### *Common Grazings*

#### **[<sup>F1</sup>50A Joint forestry ventures etc.**

- (1) A crofter who holds a right in a common grazing, or a grazings committee, may, with the agreement of the Commission, enter into a written agreement with the owner of the common grazing that they shall engage in a joint forestry venture to use woodlands as part of the common grazing concerned; and subject to subsection (4) below that agreement shall bind the parties to it and their successors.
- (2) Subject to the terms of any agreement under subsection (1) above, where there are, on part of a common grazing which is to be used as woodlands by virtue of section 50 of this Act, trees other than such as are mentioned in paragraph 11(d) of Schedule 2 to this Act, the owner and the grazings committee may agree—
  - (a) that those trees are to be sold to the committee at current value; or
  - (b) that the owner is to be entitled to a share of the timber obtained from such use, being a share which is proportionate having regard to the numbers, respectively, of those trees and of the trees planted (or obtained from planned natural regeneration of the trees planted) in the course of such use.
- (3) Where an agreement is entered into under subsection (1) or (2) above, a copy of that agreement shall be lodged with the Commission.
- (4) The persons who for the time being are bound by the agreement in question may by written agreement lodged with the Commission under this subsection amend the agreement lodged under subsection (3) above (or as the case may be that agreement as last amended under this subsection).
- (5) Any person who is for the time being bound by an agreement under subsection (2) above may appeal to the Land Court against a valuation carried out by virtue of paragraph (a), or the assessment of a share entitlement carried out by virtue of paragraph (b), of that subsection.
- (6) In an appeal under subsection (5) above, the Land Court may reassess the value or entitlement in question.

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*Changes to legislation: There are currently no known outstanding effects for the Crofters (Scotland) Act 1993, Section 50A. (See end of Document for details)*

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- (7) The valuer whose valuation is appealed against may be a witness in the appeal proceedings.
- (8) In subsection (2)(b) above “planned natural regeneration” means regeneration which takes place in accordance with—
- (a) an agreement entered into under or by virtue of this Act or of any other enactment; or
  - (b) the conditions of—
    - (i) any grant for purposes which include such regeneration and which is paid out of the Scottish Consolidated Fund; or
    - (ii) such other grant of a public nature as may be prescribed.]

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#### **Textual Amendments**

- F1** S. 50A, 50B inserted (25.6.2007 for the insertion of s. 50A, 28.1.2008 in force in so far as not already in force) by [Crofting Reform etc. Act 2007 \(asp 7\)](#), **ss. 26(2), 43(3)** (with [ss. 40, 43\(2\)](#)); [S.S.I. 2007/269](#), art. 2, sch.; [S.S.I. 2007/568](#), art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Crofters (Scotland) Act 1993, Section 50A.