



Registers
of Scotland
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CROFTING COMMISSION
COIMISEAN NA CROITEARACHD

CROFTING
Register

Crofting Register: when to register a croft

Between 30 November 2012 and 29 November 2013 the Crofting Register was open for the registration of voluntary applications. These could be made by the owner of the land on which the croft is situated; the landlord; the crofter; or, where the croft is an owner-occupied croft, the owner-occupier crofter. If you hold one of these interests, this means that, during that period, it was up to you to decide if you wanted to apply to register a croft in which you have an interest.

The Crofting Register continues to be open for voluntary registrations after 29 November 2013.

On 30 November 2013 registration in the Crofting Register also became compulsory on the occurrence of certain events.

These events mainly relate to actions requiring a regulatory application to the Crofting Commission for approval to change some aspect of the croft land (for example, the assignation or division of a croft).

Please note that all applications for registration of a croft - both voluntary or as a result of one of the events described in the preceding paragraph - should be submitted to the Crofting Commission in the first instance. The following table summarises the provisions of the Crofting Reform (Scotland) Act 2010 that explain who is responsible for making an application for registration in the Crofting Register in the circumstances described.



Regulatory Activity

Person responsible for making the registration application

When to submit to the Commission

Registration of new crofts (constituting land as a croft)	The owner of the land on which the croft is situated	At the same time as a Section 3A(1) Application to constitute land as a croft
Registration of new crofts (constituting a holding as a croft)	The crofter making the application	At the same time as a Section 3A(2) Application to constitute land as a croft
Enlargement of Crofts	The crofter making the application	Within 6 months of the date of the application to enlarge the croft
Exchange of croft land	The crofter who is tenant of the croft at the time the application is made	Within 6 months of the date of the application to exchange
Assignment	The crofter making the application	Within 6 months of the date of the application to assign
Division of tenanted croft	The crofter making the application	Within 6 months of the date of the application to divide
Bequest	The legatee who gives notice of bequest to landlord and The Crofting Commission	Following the acceptance of the bequest by the legatee
Intestacy	The Executor transferring the tenancy of the croft	Following the notice of the transfer by the Executor
Division of owner-occupied croft	The owner-occupier crofter making the application	Within 6 months of the date of the application to divide
Resumption	The landlord making the application	Within 6 months of the date of the Scottish Land Court receiving an application to resume
Reversion of a resumption	Any relevant person as defined at 21A(6)	Prior to the application to reverse being submitted to the Scottish Land Court
Letting by landlord	The landlord making the application	Within 6 months of the date of the application to let
Reletting (following the serving of a Notice)	The person to whom the croft is re-let	Within 3 months of the date of the reletting
Letting (following public notification by Commission)	The person to whom the croft is let	Within 3 months of the date of the letting
Decrofting (following the termination of a tenancy)	The landlord making the application	Within 6 months of giving notice to the Commission directing that the croft will cease to be a croft
Decrofting (by landlord)	The landlord making the application	Within 6 months of the date of the application to decroft
Decrofting (by owner-occupier crofter)	The owner-occupier crofter making the application	Within 6 months of the date of the application to decroft
Decrofting (by tenant)	The crofter making the application	Within 6 months of the date of the application to decroft
Division of croft (prior to duties enforcement action)	The Crofting Commission	N/A
Owner-occupier crofters: letting procedure	The person to whom the croft is let	Within 3 months of the date of the letting
Owner-occupier crofters: letting procedure (by Commission)	The person to whom the croft is let	Within 3 months of the date of the letting
Letting of owner-occupied crofts (other than short term lease)	The owner-occupier crofter making the application	Within 6 months of the date of the application to let
Reorganisation schemes (which includes provision for forming a croft or making changes to a croft)	The Crofting Commission	Before putting the reorganisation scheme into effect
Apportionment	The crofter making the application	Within 6 months of the date of the application to apportion
Transfer of ownership of owner-occupied croft	The new owner-occupier of the croft	With the notification of transfer

We recommend that the application for registration be submitted to the Crofting Commission at the same time as you submit any related application for a regulatory decision. Although the application for registration can be submitted after the application for a regulatory decision is made, the Commission is prohibited from progressing an application for a regulatory decision until such time as the application for registration is submitted. The time period in which an application for registration has to be submitted varies depending on the regulatory decision required. If no application is forthcoming within that time period, the Commission will reject your application for a regulatory decision.

The information in this leaflet only relates to the registration of a croft in the Crofting Register for the first time. Once a croft is registered in the Crofting Register, certain events affecting that croft will require the register to be updated.

For further information on the registration process visit www.ros.gov.uk or www.crofting.scotland.gov.uk.