

2012 No. 295

CROFTERS, COTTARS AND SMALL LANDHOLDERS
REGISTERS AND RECORDS

The Crofting Register (Fees) (Scotland) Order 2012

<i>Made</i>	- - - -	<i>30th October 2012</i>
<i>Laid before the Scottish Parliament</i>		<i>1st November 2012</i>
<i>Coming into force</i>	- -	<i>30th November 2012</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 19(2) and (3) and 53(2)(a) of the Crofting Reform (Scotland) Act 2010^(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Crofting Register (Fees) (Scotland) Order 2012 and comes into force on 30th November 2012.

(2) In this Order—

“the Act” means the Crofting Reform (Scotland) Act 2010; and

“township” means the township allocated to a croft entered in the Register of Crofts^(b) by the Crofters Commission^(c) or the Commission.

Fees

2. The fee payable to the Keeper in respect of a matter specified in column 1 of the Table of Fees in the Schedule is the fee specified in the corresponding entry in column 2 of that table.

Reduction

3.—(1) The fee payable in respect of the first registration^(d) of a croft is reduced by £20 where the application for its registration is—

(a) submitted under section 7(1) of the Act jointly with applications for registration of—

(i) 9 or more other crofts in the same township; or

(ii) all of the crofts in the same township where that township comprises more than 1 but less than 10 crofts; and

(a) 2010 asp 14 (“the 2010 Act”). Section 19(2) and (3) is applied, with modifications, to common grazings by section 28 of, and paragraph 12 of schedule 3 to, the 2010 Act and to land held runrig by section 32 of that Act.

(b) The Register of Crofts is compiled and maintained by the Crofting Commission under section 41(1) of the Crofters (Scotland) Act 1993 (c.44).

(c) The Crofters Commission is renamed the Crofting Commission under section 1 of the 2010 Act.

(d) “First registration” of a croft (in the Crofting Register) has the meaning given by section 4(10) of the 2010 Act.

- (b) received by the Commission prior to 30th November 2013.
- (2) The reduction provided for in paragraph (1) does not apply to an application where—
 - (a) the Commission makes a requirement under section 7(4) of the Act in relation to it; and
 - (b) the requirement is not complied with within 12 weeks from the date on which that requirement is made.

St Andrew's House,
Edinburgh
30th October 2012

PAUL WHEELHOUSE
Authorised to sign by the Scottish Ministers

SCHEDULE

Article 2

Table of Fees

<i>Column 1</i>	<i>Column 2</i>
Applications for registration and updating a registration schedule	Fee
Registration of a croft under section 4(1) or (2) of the Act	£90
Updating the registration schedule of a registered croft following an event under section 5(1) of the Act	£90
Registration of a common grazing under section 24(1) of the Act	£90
Updating a registration schedule for a registered common grazing following an event under section 25(1) of the Act	£90
Registration of a new common grazing under section 26(1) of the Act	£90
Registration of land held runrig under section 32(1) of the Act	£90
Updating a registration schedule for a registered land held runrig following an event under section 32(5) of the Act	£90
Requests for searches, reports, copies of documents or information	Fees
Search request submitted by email or letter	£8 plus VAT
Search request made in person at a Registers of Scotland Customer Service Centre(a)	£12 plus VAT
Copy registration schedule of a croft, common grazing or land held runrig	£16 plus VAT
Office Copy of a registration schedule of a croft, common grazing or land held runrig	£30 plus VAT
Copy of an Ordnance Survey map supplied for the purpose of registration	£16 plus VAT
Information provided by the Keeper regarding the suitability of an applicant's map for registration purposes	£30 plus VAT

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order sets the fees payable for the registration of a croft, common grazing or land held runrig in the Crofting Register, the updating and rectification of registration schedules in that register and in respect of provision by the Keeper of the Registers of Scotland of searches, reports, certificates, copies or information from the Crofting Register.

Article 2 and the Schedule provide for the fees. No fee is charged in relation to electronic access to the Crofting Register, updating the registration schedule of a registered croft after the Crofting Commission have notified the Keeper of the Registers of Scotland of the taking of a step under section 4(4)(a) to (o) or (q) of the Crofting Reform (Scotland) Act 2010 or rectification of a registration schedule of a registered croft, common grazing or land held runrig under section 16(2) to (4) of that Act. Article 3 provides for a reduction in fees in relation to the voluntary registration of crofts where either 10 or more applications for registration of crofts in the same township, or all the crofts in the same township comprising more than one but less than 10 crofts, are submitted jointly to the Crofting Commission. Such joint applications must be received by the Crofting Commission prior to 30th November 2013. The fee is then reduced by £20 in respect of each application. Where further information required by the Crofting Commission is not supplied by the applicant within 12 weeks, the reduction will not apply.

A business and regulatory impact assessment has not been produced for this instrument as no impact on the private, voluntary or public sector is foreseen.

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