



Crofting Reform etc Bill passes the first hurdle at Scottish Parliament

The Crofting Reform etc. Bill was approved by MSPs at Stage 1 in the Scottish Parliament on 27 September 2006. This means that the Parliament has agreed to the general principles of the Bill, with 96 MSPs voting in favour and 17 voting against. However, this approval was only given following a commitment from the Scottish Executive to propose amendments to the Bill at Stage 2 to address serious concerns raised by the Parliament's Environment and Rural Development Committee in its Stage 1 Report.

The future of the Scottish Executive's crofting legislation has been in question in recent months following the highly critical report from the Environment and Rural Development Committee, published on 5 July 2006. The Committee had concluded that it was unable to recommend to Parliament that the general principles of the Bill be agreed to following concerns over the plans for reform of the Crofters Commission.

The Scottish Executive published its response to the Committee's Report on 21 September 2006. In summary, The Scottish Executive has agreed to:

- drop the sections of the Bill relating to the constitution, status and role of the Crofters Commission;
- drop the sub-sections of the Bill referring to market value of a croft;
- drop the proper occupier proposals; and
- instigate a wide-ranging inquiry into crofting issues including the market for crofts, and the status, role, functioning and powers of the Crofters Commission.

The Executive has confirmed that the following proposals received sufficient support for them to remain in the current Bill:

- interposed leases which would enable crofting communities to purchase these leases as part of crofting community buy-outs;
- permitting the Crofters Commission to challenge neglect of a croft in place of the landlord;
- allowing the extension of crofting tenure outwith the crofting counties;
- enabling the creation of new crofts without a crofters right to buy that croft; and
- ensuring that the Register of Crofts will be accurate and comprehensive.

On the basis of these commitments, MSPs agreed that the Bill should progress to Stage 2 to allow the Executive to propose the necessary amendments.

Next steps

The Bill now passes to Stage 2 and returns to the Environment and Rural Development Committee for detailed scrutiny. The clerk to the Committee has indicated that this detailed consideration is likely to commence towards the end of October 2006, at the earliest.

The principal role of the Committee at Stage 2 is to consider and dispose of amendments to the Bill. The Executive will move the amendments, as detailed above, and these will be voted on by the Committee. It is also open to the Committee, within the timescales available, to take further evidence at Stage 2. The Bill, as amended, will then return to the Parliament sitting in plenary session for the (final) Stage 3 debate.

Reference

- To view the Crofting Reform etc Bill, as introduced, please click [here](#).
- To view the Environment and Rural Development's Stage 1 Report on the Crofting Reform etc. Bill, please click [here](#).
- To view the Official Report from the Stage 1 Debate on the Crofting Reform etc Bill, please click [here](#).

Further information

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