



**CROFTING COMMISSION  
COIMISEAN NA CROITEARACHD**

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Inverness IV3 8NW

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## **Intestate Succession – Transfer by Executor Notice to Landlord(s)**

### **Notaichean Stiùiridh air gluasad còir-sheilbh gun tiomnadh leis an neach-gnìomha**

There is a requirement to register your croft land,  
please read Section 2 in the guidance notes:

#### **Requirement to Register your Croft Land**

## PRIVACY NOTICE

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The Crofting Commission acts as the 'Controller' of the personal data you provide us with when you complete a Regulatory Application. Under the Crofters (Scotland) Act 1993 we are obliged to collect this information in order to facilitate the processing of your application. Please note that the Commission will be unable to process your application if you do not provide the information requested.

Any data provided by you is part of an open process and may be made available to other parties involved (unless told otherwise). These could include:

- The tenant / owner-occupier crofter / landlord of a vacant croft
- The proposed tenant/sub-tenant
- The landlord of the croft
- The owner of the common grazings
- The area assessor
- The grazings committee
- The owner of any adjacent non-croft land
- The occupier of any adjacent non-croft land
- Any member of the local crofting community
- Any other person with a significant interest
- Third Party Organisations – *RPID (Rural Payments & Inspections Directorate) and the Registers of Scotland*.

Your data will be used to update the Register of Crofts and it may also be released under a Freedom of Information enquiry, subject to any disclosure exemptions under Data Protection Laws.

Your information will be stored in the format received and electronically in the Commission's Crofting Information System (CIS). We will not keep your personal data for any longer than is necessary to complete the relevant processing and in line with our Retention Policy.

If at any point you believe the data we process on you is not accurate, you can request to see it and have it corrected or deleted. If you wish to raise a complaint about how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter. Our Data Protection Officer can be contacted by e-mailing [DataProtection@crofting.gov.scot](mailto:DataProtection@crofting.gov.scot). Further details on the Crofting Commission's Data Protection Policy can be found at [www.crofting.scotland.gov.uk/data-protection-act](http://www.crofting.scotland.gov.uk/data-protection-act).

For information on submitting a complaint to the Crofting Commission, please visit our website at [www.crofting.scotland.gov.uk/complaints](http://www.crofting.scotland.gov.uk/complaints). For details of how to complain to the Information Commissioner, please visit [www.ico.org.uk](http://www.ico.org.uk).

# CROFT AND CONTACT DETAILS

ALL FIELDS MUST BE COMPLETED

## 1 Croft/Grazing Share and Deceased Crofter

Croft/Grazing Share:

Parish:

Crofting Commission Register Number

Registers of Scotland

Register Number (where registered):

Main Location

Code: (MLC)

Name of Deceased Crofter:

Date of Death (please give day, month and year):

## 2 Executor Details

Surname:

Title:

Forename(s):

Main Residential Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes ☐

No ☐

## 3 Executor's Agent (if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes ☐

No ☐

☐ I confirm that I am authorised to act as agent for the applicant in relation to their application.

☐ I confirm that, as agent, I am not a direct beneficiary of the application.

☐ I understand this authorisation is only valid while the application is under consideration and will end when the application is concluded.

**Important:** If you are not a solicitor or professional agent (Crofting/Rural Consultant or Adviser) you and the applicant must separately complete a **Mandate Agent Authorisation Form** which will enable you to act on the applicants behalf. This form can be found on the Commission Website here: [www.crofting.scotland.gov.uk/agency-and-mandate](http://www.crofting.scotland.gov.uk/agency-and-mandate)

**4 Does the transferee occupy any other land?  
(for example another croft, holding or farm)**

☐ Yes ☐ No

If **'Yes'**, please give details below:

Main Location Code (MLC)	Croft/ Grazing Share Holding Name	Any Common grazing rights? (Yes/No)	Area in Hectares	Status eg owner, tenant/subtenant or short lease tenant

**5 Landlord Details (additional landlord/owner of common grazings details can be entered on Appendix 1)**

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

## DETAILS OF CONFIRMATION & TRANSFER

**6a** When did you obtain Confirmation of Estate of the deceased crofter?

Date (please give day, month and year):

**6b** In what way was the tenancy transferred? (e.g. by a Docket added on the confirmation)

**6c** On what date was the notice of the transfer given to the landlord(s)?

### 7 Transferee

Surname:

Title:

Forename(s):

Date of Birth:

Main Residential Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

**I agree to communication regarding this application by e-mail**

**Yes**

**No**

### 8 Transferee's Agents (if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

**I agree to communication regarding this application by e-mail**

**Yes**

**No**

- ☐ I confirm that I am authorised to act as agent for the applicant in relation to their application.
- ☐ I confirm that, as agent, I am not a direct beneficiary of the application.
- ☐ I understand this authorisation is only valid while the application is under consideration and will end when the application is concluded.

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## 9 DECLARATION

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I hereby declare that I have transferred the tenancy of the aforementioned croft in terms of the details provided in sections 6 and 7 of the foregoing Notice.

Where I am a non-professional agent for the applicant, the applicant and I have separately completed and included an Mandate Agent Authorisation Form.

Accordingly this Notice is sent to you, Landlord of the above croft, in terms of s.11(1) of the Crofters (Scotland) Act 1993 and s.16(2) of the Succession (Scotland) Act 1964.

Signed

Date

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Executor/ Agent

# APPENDIX 1

## Additional Landlord Details

Name of Organisation/Company/Estate:	
Surname:	Title:
Forename(s):	
Postal Address:	
	Postcode:
Telephone:	
Alternative Telephone:	
E-mail Address:	

## Additional Landlord/Owner of Common Grazings Details

Name of Organisation/Company/Estate:	
Surname:	Title:
Forename(s):	
Postal Address:	
	Postcode:
Telephone:	
Alternative Telephone:	
E-mail Address:	

## Additional Landlord/Owner of Common Grazings Details

Name of Organisation/Company/Estate:	
Surname:	Title:
Forename(s):	
Postal Address:	
	Postcode:
Telephone:	
Alternative Telephone:	
E-mail Address:	

# APPENDIX 2: RESIDENCY AND LAND USE

This information is required by the Commission and should be sent to us together with a copy of the foregoing Notice to Landlord.

1 Does the transferee live:

- on the croft?

☐ Yes

☐ No
- within 32 kilometres (20 miles) of the croft?

☐ Yes

☐ No

If the transferee does not live within 32 kilometres of the croft, give details of:

- the timescale of when he/she intends to do so?

- how the croft will be worked?



## APPENDIX 3

### SUCCESSION (SCOTLAND) ACT 1964

#### SCHEDULE 1 – FORM OF DOCKET

I, \_\_\_\_\_ (name and address of Executor),  
being by virtue of the within confirmation [or certificate of confirmation] the Executor on the estate  
of the deceased \_\_\_\_\_  
so far as specified in the confirmation hereby nominate \_\_\_\_\_  
\_\_\_\_\_ (name and address) as the person entitled:

- (a) in (part) satisfaction of his claim to prior rights, as a surviving spouse, on the death of the deceased;
- (b) in [part] satisfaction of his claim to legal rights on the death of the deceased;
- (c) in [part] satisfaction of his share in the said estate;
- (d) in [part] implement of a trust disposition and settlement, (or Will, or as the case may be) of the deceased dated, and registered in the Books of Council and Session.

To the following item of estate, that is to say \_\_\_\_\_ (description of croft)  
being number of the items of the estate specified in the said confirmation.

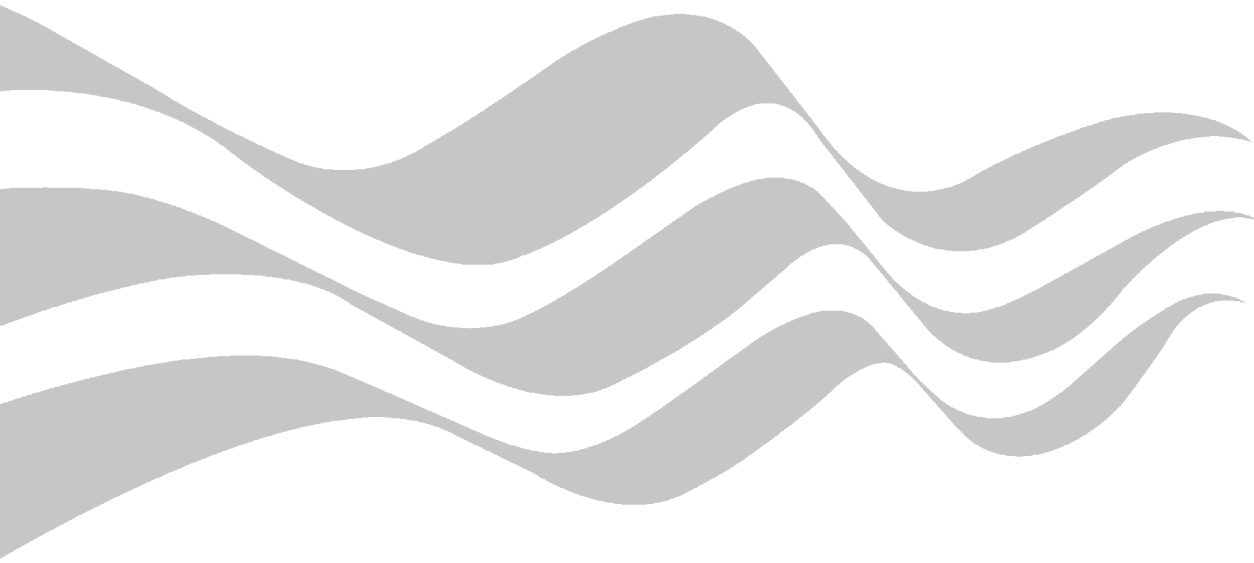
\_\_\_\_\_  
(Signature of Executor)

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Date) (Date)

\_\_\_\_\_  
(Address of Witness)

\_\_\_\_\_  
(Place Docket Signed)



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