



**CROFTING COMMISSION  
COIMISEAN NA CROITEARACHD**

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# **Testate Succession Bequest of Croft Tenancy Notification to Landlord(s)**

## **Dìleab gabhaltas croite le còir-sheilbh tiomnaichte**

OFFICE USE ONLY CASE No:

## 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 CROFTER DETAILS

## ALL FIELDS MUST BE COMPLETED

(to be completed by Legatee or Executor authorised by Legatee)

### 1 Croft/Grazing Share and Deceased Crofter

Croft:

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 Legatee Details

Surname:

Title:

Forename(s):

Date of Birth<sup>1</sup>:

Main Residential Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes ☐

No ☐

### 3 Agent Details for Legatee (only if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

I agree to communication regarding this application by e-mail

Yes ☐

No ☐

<sup>1</sup> The Act was amended on 1 October 2011 to include the requirement that the age and date of birth of the tenant of each croft shall be entered in the Register.

☐ 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 legatee occupy any other land? ☐ Yes ☐ No  
(for example another croft/grazing share, holding or farm)

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

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

**5 Executor Details (Executor details only need to be given if Executor is completing and signing this form on behalf of the Legatee)**

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

**6 Landlord Details** (additional landlord or agent details can be entered on Appendix 1)

Name:

Surname:

Title:

Forename(s):

Date of Birth:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

# LEGATEE/EXECUTOR/AGENT PLEASE SIGN THIS DECLARATION

## 7 Declaration

This Notice is sent to you, as Landlord of the above croft/grazing share, in terms of s.10(2) of the Crofters (Scotland) Act 1993. I confirm that the Deceased Crofter noted in section 1 bequeathed the tenancy of the above croft/grazing share *\*to me as the Legatee noted above/\*to the Legatee noted above*, in terms of a Will or other testamentary writing. I further confirm that *\*I/\*the Legatee accept/s* the bequest and that a copy of this Notice has been sent to the Crofting Commission.

*\*Delete as appropriate*

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

Signed

Date

\_\_\_\_\_  
Legatee or Agent authorised by Legatee

Signed

Date

\_\_\_\_\_  
Executor/Agent

## Note

*The Executor or Legatee must send this notification form to the croft/grazing share landlord(s). Copies of this notification and appendices should be sent to the Commission. Notification must be done within 12 months of the date of death of the crofter.*

*If the required notification is not duly done, within the 12 month timescale, the bequest cannot take effect and the tenancy will fall to be dealt with under intestate succession.*

*By acceptance of the bequest, the legatee may be liable to contribute to the expenses of administration and any debts of the deceased crofter's estate.*

# APPENDIX 1

## Additional Landlord Details

Name of Organisation/Company/Estate:

Surname:

Title:

Forename(s):

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

## Additional Agent Details for Landlord (if applicable)

Name:

Postal Address:

Postcode:

Telephone:

Alternative Telephone:

E-mail Address:

## APPENDIX 2: RESIDENCY AND LAND USE

This information is required by the Commission for administrative purposes and should be sent to us together with a copy of the notification form.

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### Data required by the Commission

1 Does the legatee live:

- |                                                               |                              |                             |
|---------------------------------------------------------------|------------------------------|-----------------------------|
| • on the croft?                                               | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • within 32 kilometres (20 miles) of the croft/grazing share? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the legatee does not live within 32 kilometres of the croft/grazing share, give details of:

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

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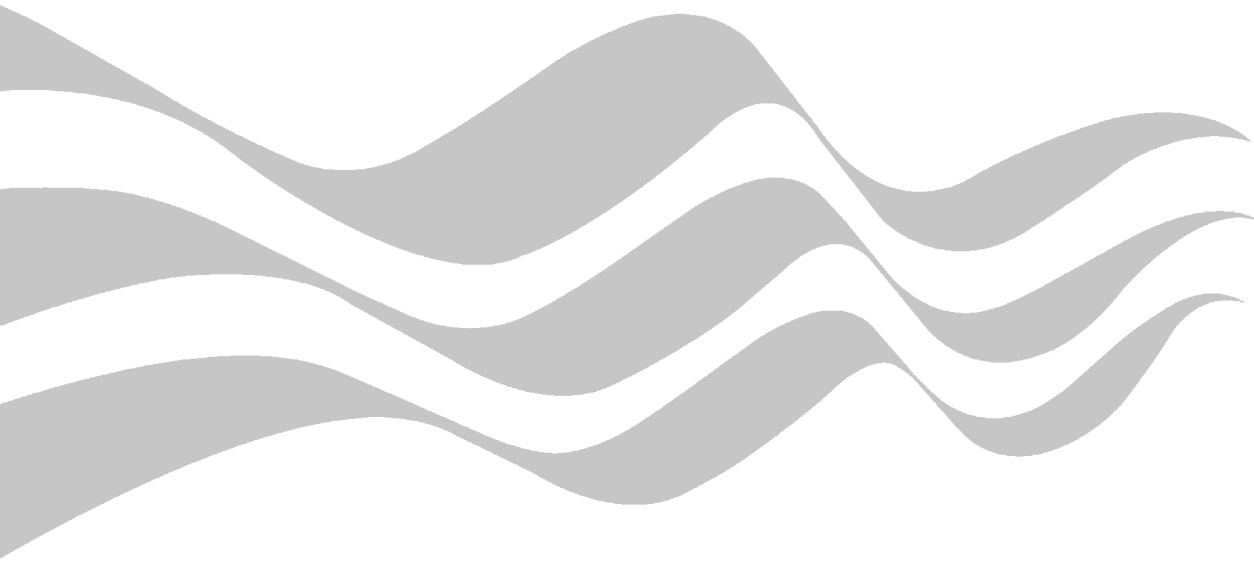
- how the croft/grazing share will be worked in the legatee's absence?

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