

Written submission from Cyril A Annal

I welcome the attempt to rectify the narrow difficulty arisen with the legislation in respect of owner-occupier crofters but this only goes a small way to it resolve the difficulties with the Act.

It does not address other aspects causing concern. I feel time should be taken after the Parliamentary recess to amend the act and I echo Mr Inkster's statement that "A commitment should be given by the Scottish Government to introduce a Bill following the Summer Recess to deal with the various other anomalies in crofting law created by the 2010 Act."

An act that is a readable document and can be easily understood is essential and a simplification of the 1993 Act should be considered by Parliament. The present Act is a rehash of older Acts, amendments to Acts and does not address the true issues of modern crofting.

A single approach does not suit the different characteristics of the different areas and the same criteria should not be applied to all the situations.

For example in Orkney, Caithness and Shetland there are more owner occupied crofts than in the Western Isles and the characteristics of crofting is different. The crofts in Orkney, Caithness and Shetland are larger units. In Orkney it is easy for a crofter to productively farm his croft while living or working more than 32 kilometres away from the croft. The 32 kilometres distance should not be considered in these areas.

Also owner-occupied crofts are heritable property with a valid and proper title with the area of land clearly defined on a map or by measurement. Crofts often do not have title deeds and on many occasions the crofter does not have any means of defining the area of his croft other than by hearsay, landlord's records or agreements. This clearly separates owner-occupied crofts from crofts and, for example, the differences in inheritance issues have not been properly addressed.