



Small Landholders And Agricultural Holdings (Scotland) Act 1931

1931 CHAPTER 44 21 and 22 Geo 5

PART I

AMENDMENT OF THE SMALL LANDHOLDERS (SCOTLAND) ACTS

1 Compensation to an outgoing holder.

- (1) In any case where a landholder renounces or is removed from his holding and the landlord is liable to pay compensation for permanent improvements, either to the landholder or to the Department of Agriculture for Scotland (hereafter in this Act referred to as the "Department") in virtue of a transfer to them under section eight of the Act of 1911 of the landholder's rights to compensation, and another person (hereinafter referred to as the "incoming holder") becomes the holder of the holding, and, with the consent of the landlord, pays to the outgoing holder any compensation due to him and agrees with the Department to assume any outstanding liability to them of the outgoing holder in respect of a loan granted to him, the incoming holder shall be deemed to have executed or paid for the improvements, and on renouncing or being removed from the holding shall be entitled to compensation accordingly. Where in any such case the landlord has not paid the compensation due either to the outgoing holder, or to the Department, or has not made application to the Department to determine under the said section that any compensation due to them in virtue of the said section eight shall be deemed to be a loan to him, he shall be deemed to have given the consent aforesaid.
- (2) In any such case as aforesaid the powers of the Department conferred by section seven of the Act of 1911 with regard to the provision of assistance with a view to the registration of a new holder shall include power to provide assistance to the incoming holder to enable him to pay to the outgoing holder the compensation due to him, and where the outgoing holder is under any liability to the Department in respect of a loan granted to him, the Department and the incoming holder may agree that he shall assume such liability, and the amount thereof shall then be deemed to be a loan granted

Changes to legislation: *There are currently no known outstanding effects for the Small Landholders And Agricultural Holdings (Scotland) Act 1931, Section 1. (See end of Document for details)*

to the incoming holder in pursuance of the aforesaid powers conferred by section seven of the Act of 1911.

- (3) Where a new holder or the Department on his behalf has made payment to the landlord of a sum representing the value to such holder of the existing buildings, such holder shall be deemed to have executed or paid for such buildings and shall be entitled to compensation accordingly, and any loan granted by the Department to such holder to enable him to make such payment, or any such payment made by the Department shall be deemed to be a loan granted to the landholder under section seven of the Act of 1911.
- (4) The provisions of this section shall be deemed to have come into operation at the commencement of the Act of 1911, and any reference in this section to the Department shall include a reference to the Board of Agriculture for Scotland.

Modifications etc. (not altering text)

C1 S. 1 restricted by [Crofters \(Scotland\) Act 1955 \(3 & 4 Eliz. 2 c. 21\)](#), s. 38(3), [Sch. 6 Pt. I](#)

Changes to legislation:

There are currently no known outstanding effects for the Small Landholders And Agricultural Holdings (Scotland) Act 1931, Section 1.