



Agriculture (Scotland) Act 1948

1948 CHAPTER 45 11 and 12 Geo 6

PART V

LAND SETTLEMENT

Provision of holdings by the Secretary of State

64 Power of Secretary of State to provide and equip holdings.

- (1) For the purpose of providing agricultural holdings, being either holdings of which the area does not exceed [^{F1}thirty hectares] or holdings the annual rent of which does not exceed one hundred and fifty pounds, the Secretary of State shall have the like power to acquire land by agreement or compulsorily as he has for the purposes of the ^{M1}Small Holding Colonies Acts, 1916 ^{M2} and 1918, and those Acts and Part I of the ^{M3}Land Settlement (Scotland) Act, 1919, shall have effect as if the provision of such agricultural holdings as aforesaid were included among the purposes of the said Acts of 1916 and 1918.
- (2) The Secretary of State shall have, in relation to any land acquired or appropriated by him for the purpose first mentioned in the last foregoing subsection, the like powers of adaptation, equipment and management as he has in relation to land acquired by him for the purpose of providing smallholdings.

Textual Amendments

F1 Words substituted by [S.I. 1977/2007, reg. 2, Sch. 1](#)

Marginal Citations

M1 [1916 c. 38.](#)

M2 [1918 c. 26.](#)

M3 [1919 c. 97.](#)

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Scotland) Act 1948, Part V. (See end of Document for details)

Provisions as to loans.

65 Loans to tenants of holdings.

- (1) The Secretary of State may make loans to provide working capital to any person who after the commencement of this Part of this Act becomes the tenant of a holding provided by the Secretary of State on land vested in him of an amount not exceeding three-quarters of the estimated aggregate working capital required for the proper working of the holding.
- (2) The Secretary of State may make grants or loans to any body of persons, whether corporate or unincorporated, having for its object or one of its objects the promotion through co-operative methods of efficiency in the conduct of holdings.
- (3) The powers of the Secretary of State under this section shall be exercised in accordance with arrangements made by him with the approval of the Treasury.
- (4) In this section the expression “holding” means a holding within the meaning of the Agricultural Holdings (Scotland) Acts, 1923 to 1948, or a holding within the meaning of the Small Landholders (Scotland) Acts, 1886 to 1931.

66 Recovery of loans in the event of failure of statutory successor.

Section eight of the ^{M4}Small Landholders(Scotland) Act, 1911 (which contains provisions regulating loans to landholders) shall have effect as if after subsection (1) there were inserted the following subsection—

“(2) In the event of failure of a statutory successor taking place or being deemed under section twenty-two of this Act to have taken place the landlord shall be liable to repay to the Board the amount of any outstanding liability in respect of a loan made under the immediately preceding section:

Provided that the Board shall not be entitled to recover from the landlord under this subsection any sum in excess of such amount as may be agreed or, in the event of dispute, be assessed by the Land Court to be the amount which would have been due by the landlord by way of compensation for permanent improvements if the holding had been renounced at the date at which failure of a statutory successor took place or was deemed as aforesaid to have taken place.”

Modifications etc. (not altering text)

C1 The text of S. 66 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M4 1 & 2 Geo. 5. c. 49.

Agriculture (Scotland) Fund

67 Winding-up of Agriculture (Scotland) Fund.

The Agriculture (Scotland) Fund shall, in accordance with directions of the Treasury, be wound up as at such date as the Treasury may direct, being a date not later than

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the end of the financial year next after that in which this section comes into operation, and—

- (a) any balance in that Fund at that date shall be applied in repayment of the amounts outstanding of any loans made by the Public Works Loan Commissioners under section twenty-six of the ^{M5}Land Settlement (Scotland) Act, 1919, and any remainder shall be paid into the Exchequer;
- (b) any payments which apart from this section would be authorised to be paid out of that Fund shall, if falling due after that date, be defrayed out of moneys provided by Parliament;
- (c) any receipts of the Secretary of State after that date, being receipts which apart from this section would be authorised to be paid into that Fund, shall be paid into the Exchequer.

Marginal Citations

M5 1919 c. 97.

Changes to legislation:

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