



Crofters (Scotland) Act 1993

1993 CHAPTER 44

Financial assistance to crofters, cottars and certain owner- occupiers etc

43 Supplementary provisions as to loans under s.42

- (1) Where assistance is given under section 42(4) or (5) of this Act by way of loan, the following provisions of this section shall have effect.
- (2) The Secretary of State shall give notice to the landlord of the giving of any such assistance as aforesaid.
- (3) The agreement for the loan shall be sent to the principal clerk of the Land Court to be recorded in the Crofters Holdings Book and as recorded shall have the effect of transferring to the Secretary of State all rights of the crofter and his statutory successors to compensation for permanent improvements up to the amount of any outstanding liability to the Secretary of State.
- (4) Any amount due by virtue of subsection (3) above to the Secretary of State by the landlord may, if the Secretary of State on the application of the landlord so determines, be deemed to be a loan by the Secretary of State to the landlord, and Schedule 5 to this Act shall apply in relation thereto.
- (5) Where the outgoing tenant of a croft is under any liability to the Secretary of State in respect of a loan made to him, the Secretary of State and the incoming tenant may agree that the latter shall assume such liability, and if they so agree the amount thereof shall be deemed to be a loan made to the incoming tenant under section 42(5) of this Act and this section shall have effect accordingly.
- (6) Schedule 5 to this Act shall apply in relation to any loan made by virtue of section 42(9) of this Act.