

SCHEDULES.

SCHEDULE 5

Section 16.

MODIFICATIONS OF PART II FOR STATUTORY SMALL TENANTS IN SCOTLAND.

- 1 In section 9(3), at the end there shall be added the words " and the reference to compensation for disturbance becoming payable to the tenant of an agricultural holding under the principal Scottish Act shall include a reference to the like compensation becoming payable to a statutory small tenant under section 13 of the Small Landholders and Agricultural Holdings (Scotland) Act 1931 ".
- 2 In section 11(5), after the words "Scottish Act ", there shall be inserted the words " and that Act as read with section 32 of the Act of 1911 " and for the words " that Act " there shall be substituted the words " the principal Scottish Act ".
- 3 In section 11(6), in paragraph (b) after the word " lease ", there shall be inserted the words " , or of the holding or part of the holding of a statutory small tenant on being so authorised by the Scottish Land Court under section 32(15) of the Act of 1911, ".
- 4 In section 15(1), at the end there shall be added the following subsection—

“(1A) Except where compensation assessed in accordance with this subsection would be less than if this subsection were disregarded, in assessing the compensation payable by an acquiring authority to a statutory small tenant as defined in the Act of 1911 in connection with such an acquiring of an interest or taking of possession as is mentioned in section 12(1) of this Act, any authorisation of resumption of the holding or part thereof by the Scottish Land Court under section 32(15) of the Act of 1911 for any purpose (not being an agricultural purpose) specified therein shall—

 - (a) in the case of an acquisition, be treated as if it became operative only on the expiration of twelve months from the end of the year of the tenancy current when notice to treat in respect of the acquisition was served or treated as served on the tenant; and
 - (b) in the case of a taking of possession, be disregarded.”.
- 5 In section 15(3), after the word " section " there shall be inserted the words " or the landlord of the holding of a statutory small tenant resumes the holding or part thereof on being so authorised by the Scottish Land Court under section 32(15) of the Act of 1911 ".
- 6 In Schedule 4, in paragraph 2 after the words " Scottish Act ", there shall be inserted the words " or in the case of a statutory small tenant was not fixed by the Scottish Land Court in pursuance of subsections (7) and (8) of section 32 of the Act of 1911 ".
- 7 In Schedule 4, in paragraph 3(a) after the word " Act " there shall be inserted the words " or in the case of a statutory small tenancy, the equitable rent which in their opinion would be fixed by the Scottish Land Court in pursuance of the said subsections (7) and (8) ".

Status: This is the original version (as it was originally enacted).

- 8 In this Schedule, " the Act of 1911 " means the Small Landholders (Scotland) Act 1911.