



# Land Compensation (Scotland) Act 1973

## 1973 CHAPTER 56

### PART III

#### PROVISIONS FOR BENEFIT OF PERSONS DISPLACED FROM LAND

##### *Farm loss payments*

#### **31 Right to farm loss payment where person displaced from agricultural unit**

- (1) Where land constituting or included in an agricultural unit is land in respect of which the person in occupation of the unit has an owner's interest, then if—
  - (a) in consequence of the compulsory acquisition of his interest in the whole of that land (" the land acquired ") he is displaced from the whole of that land ; and
  - (b) not more than three years after the date of displacement he begins to farm another agricultural unit (" the new unit") elsewhere in Great Britain,he shall, subject to the provisions of this section and section 33 below, be entitled to receive a payment (hereafter referred to as a " farm loss payment") from the acquiring authority.
- (2) In subsection (1) above " owner's interest" means the interest of an owner or a lessee under a lease, being a lease the unexpired period of which on the date of displacement is not less than three years, or the interest of a crofter or a landholder;
- (3) For the purposes of this section a person is displaced from land in consequence of the compulsory acquisition of his interest therein if, and only if, he gives up possession thereof—
  - (a) on being required to do so by the acquiring authority;
  - (b) on completion of the acquisition ; or
  - (c) where the acquiring authority permit him to remain in possession of the land under a lease, or a right or permission relating to land but not amounting to an estate or interest therein, of a kind not making him a tenant as defined in

---

*Status: This is the original version (as it was originally enacted).*

---

the Agricultural Holdings (Scotland) Act 1949, on the expiration of that lease or right or permission ;

and references in this section and section 32 below to the date of displacement are references to the date on which the person concerned gives up possession as aforesaid.

- (4) No farm loss payment shall be made to any person unless on the date on which he begins to farm the new unit he is in occupation of the whole of that unit in right of an interest as owner thereof or a lease thereof, not having been entitled to any such interest or lease before the date on which the acquiring authority were authorised to acquire his interest in the land acquired.
- (5) No farm loss payment shall be made by virtue of the displacement of a person from any land if he is entitled to a payment under section 12 of the Agriculture (Miscellaneous Provisions) Act 1968 in consequence of the acquisition of an interest in, or the taking of possession of, that land.
- (6) No farm loss payment shall be made to any person displaced from land in consequence of the compulsory acquisition of his interest therein if the acquisition of his interest in the whole or any part of that land is in pursuance of the service by him of a blight notice within the meaning of section 181 of the Town and Country Planning (Scotland) Act 1972 or a notice under section 11 of the New Towns (Scotland) Act 1968.
- (7) This section applies if the date of displacement is on or after 17th October 1972.