



Hill Farming Act 1954

1954 CHAPTER 23

1 Amendments of s.10 of Hill Farming Act, 1946.

- (1) Section ten of the Hill Farming Act, 1946 (which requires regulations to be made by the appropriate Minister for attaching conditions as to the occupation and maintenance of cottages in respect of which improvement grants are made under that Act, as amended by subsequent enactments, and for the recovery of such grants in the event of a breach of those conditions) shall have effect subject to the following provisions of this section.
- (2) So much of paragraph (a) of subsection (1) of the said section ten as requires that the conditions to be applied to a cottage by regulations made thereunder shall include a condition prohibiting the occupation of the cottage otherwise than by the owner or a tenant thereof shall cease to have effect; but in relation to a cottage which is for the time being occupied in pursuance of a contract of service by a person who is not a tenant of the cottage, the said conditions shall include a condition corresponding—
 - (a) in the case of regulations for England and Wales or Northern Ireland, with the condition set out in subsection (4) of section two of the Housing Act, 1952 (which secures the possession of the occupier for four weeks if the contract of service is determined by the employer or by death);
 - (b) in the case of regulations for Scotland, with the condition set out in subsection (2) of section six of the Housing (Scotland) Act, 1952 (which makes corresponding provision in Scotland).
- (3) Regulations made for the purposes of paragraph (b) of the said subsection (1) (which provides for the recovery of sums paid on account of grant in the event of a breach of conditions) shall provide—
 - (a) for enabling the appropriate Minister to suspend the operation of the regulations in respect of any such breach which appears to that Minister to be capable of being remedied, and to except therefrom any such breach which is remedied to the satisfaction of that Minister within such period as he may allow or which appears to that Minister not to have been due to any act, default or connivance on the part of the person from whom any sums would be recoverable thereunder;

Status: This is the original version (as it was originally enacted).

- (b) for limiting the amount recoverable under the regulations in the case of any other breach of conditions in respect of a cottage by reference to the extent to which the period for which those conditions were applied to the cottage remains unexpired at the date of the breach.
- (4) In any case where sums on account of an improvement grant in respect of a cottage are paid to a person not being the owner of the cottage, regulations made for the purposes of the said paragraph (b) may provide for recovery from that person, or his successors in title, instead of from the owner; and the said paragraph shall have effect as if for the words " payable to him " there were substituted the words " payable on account of the grant ".
- (5) Regulations made under the said section ten may be made so as to apply (subject to such modifications, if any, as may be specified therein) to cottages in respect of which improvement grants have been made before the date on which the regulations come into force, and shall be so made so far as necessary for giving effect to subsections (2) and (3) of this section.