



Small Landholders (Scotland) Act 1911

1911 CHAPTER 49

8 Provisions regulating loans to landholders

- (1) The agreement for any assistance given to a landholder by way of loan under the immediately preceding section shall be recorded in the Landholders Holdings Book, and, as recorded, shall have the effect of transferring to the Board all rights of the landholder and his statutory successors to compensation for permanent improvements up to the amount of any outstanding liability owing to the Board ; provided that the amount of such compensation when claimed shall, in such case in the event of dispute, be assessed by the Land Court, and provided further that any amount due to the Board from a landlord under this section may, if the Board on the application of the landlord so determine, be deemed to be a loan to the landlord (secured on the holding and on any buildings thereon) within the meaning of section six of the Congested Districts (Scotland) Act, 1897, to which the provisions of that section shall apply.
- (2) In the event of breach by a landholder of the conditions of repayment of any loan under the immediately preceding section, the Land Court may, on the application of the Board, and after consideration of any objections stated by the landlord, make an order for the removal of the landholder from the holding as if he had broken a statutory condition, and for the assignation of the holding to some one person (being an applicant therefor) subject to such conditions as they see fit, and such person shall thereupon succeed to the holding of the landholder and shall be deemed to be his statutory successor.
- (3) All moneys received for payment of interest or repayment of principal or otherwise in respect of any loan made by the Board under the immediately preceding section shall be paid to the fund out of which the loan was made.
- (4) The Land Court shall, on the application of the Board or of the landlord or the landholder, append to their order fixing a fair rent for a holding a record specifying the condition of the cultivation of the holding, and of the buildings and other permanent improvements thereon, and by whom such permanent improvements have been executed or paid for.