



Agriculture (Scotland) Act 1948

CHAPTER 45

AGRICULTURE (SCOTLAND) ACT 1948

PART I

AGRICULTURAL HOLDINGS

Compensation to tenant for improvements and to landlord for deterioration

1—4

Compensation for disturbance, and provisions as to notices to quit

5—7

8

Supplementary provisions as to compensation

9—10

Variation and ascertainment of terms of leases

11—16

General

17—24

25

PART II

GOOD ESTATE MANAGEMENT AND GOOD HUSBANDRY

26 Duties of good estate management and good husbandry

27—34

Changes to legislation: Agriculture (Scotland) Act 1948 is up to date with all changes known to be in force on or before 24 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Special directions to secure production

- 35 Special directions to secure production.
36—38

PART III CONTROL OF INJURIOUS ANIMALS, BIRDS AND WEEDS

Prevention of damage by injurious animals and birds

- 39 Control of injurious animals and birds.
40 Prevention of escape of captive animals.
41 Supplementary Provisions as to s. 39 and s. 40.
42 Provision by Secretary of State of equipment and services for pest control.
42A Meaning of “animals” for purposes of section 40 to 42.

Prevention of Damage by Deer

- 43 (1)
44—47

Amendments of Law relating to Killing of Hares and Rabbits

- 48 Amendment of 43 & 44 Vict. c. 47, s. 1.
49 Provision as to use of poisonous substances.
50 Prohibition of night shooting, and use of spring traps.
50A Open trapping of hares and rabbits.

Injurious Weeds

- 51

Supplementary

- 52 Saving of right to compensation for damage by game.
53 Persons acting under this Part of this Act not required to obtain game licences.
54 Interpretation of Part III.

PART IV ACQUISITION OF LAND

General powers of acquisition and management of land by the Secretary of State

- 55 Powers of Secretary of State to acquire land by agreement.
56 Acquisition by Secretary of State of land for research, experiment and demonstration.
57 Acquisition of land by Secretary of State to ensure full and efficient use thereof.
58
59 Transfer to Secretary of State of land vested in other government departments.
60 Power of Secretary of State to appropriate land.
61 Powers of management etc., of land acquired by Secretary of State.
62 Repeal of 21 & 22 Geo. 5. c. 41, ss. 1 to 4.

Changes to legislation: Agriculture (Scotland) Act 1948 is up to date with all changes known to be in force on or before 24 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Provisions as to compulsory acquisition of land

- 63 Procedure for compulsory purchase of land.

PART V

LAND SETTLEMENT

Provision of holdings by the Secretary of State

- 64 Power of Secretary of State to provide and equip holdings.

Provisions as to loans.

- 65 Loans to tenants of holdings.
66 Recovery of loans in the event of failure of statutory successor.

Agriculture (Scotland) Fund

- 67 Winding-up of Agriculture (Scotland) Fund.

PART VI ADMINISTRATIVE

- 68—69

The Land Court

- 70 Provisions as to the appointment of additional members of the Land Court.
71
72 Proceedings of the Land Court.

Agricultural Advisory Committees

- 73 Establishment and functions of Agricultural Advisory Committees.

PART VII GENERAL

Minor Arterial Drainage

- 74

Provision of Goods and Services.

- 75 Schemes for provision of agricultural goods and services.
76 Provision of machinery for agricultural drainage works.
77
78
79

Supplementary

- 80 Provisions as to representations.
81 Expenses and receipts.
82 Provisions as to entry and inspection.
83 Service of notices.
84 Nomination of arbiter in cases to which the Secretary of State is a party.
85 Regulations and orders.

Changes to legislation: Agriculture (Scotland) Act 1948 is up to date with all changes known to be in force on or before 24 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 86 Interpretation.
- 87
- 88 †Short title, commencement and extent.

FIRST SCHEDULE —

SECOND —
SCHEDULE

THIRD SCHEDULE — Provisions where permanent pasture directed to be ploughed up or other cultivations to be carried out

- 1 Where the Secretary of State gives to a person a...
- 2 Where in the case of an occupier who is a...
- 3 (1) Notwithstanding anything in the provisions of Part I of...
- 4 ... paragraph 1 of this Schedule shall have...
- 5 Where the ploughing-up of permanent pasture or the carrying out...

FOURTH — Matters for which provision is to made in written leases.
SCHEDULE.

- 1 The names of the parties.
- 2 Particulars of the holding with sufficient description, by reference to...
- 3 The term or terms for which the holding or different...
- 4 The rent and dates on which it is payable.
- 5 An undertaking by the landlord in the event of damage...
- 6 An undertaking by the tenant, in the event of the...

FIFTH SCHEDULE — Rules of Good Estate Management

- 1 For the purposes of this Act, the owner of agricultural...
- 2 In determining whether the management of land is such as...

SIXTH SCHEDULE — Rules of Good Husbandry

- 1 For the purposes of this Act, the occupier of an...
- 2 In determining whether the manner in which a unit is...

SEVENTH —

ULE.....

EIGHTH SCHEDULE —

Part I — AGRICULTURAL EXECUTIVE COMMITTEES AND
SUB-COMMITTEES

- 1—10

Proof of Instruments

- 11 Any document purporting to be a document duly executed or...
- 12

Part II — AGRICULTURAL ADVISORY COMMITTEES

- 1 An Agricultural Advisory Committee shall consist of not more than...
- 2 The nominated members shall be persons nominated—
- 3 If in relation to any appointment of a nominated member...
- 4 A Committee shall be deemed to be duly constituted and...

Changes to legislation: Agriculture (Scotland) Act 1948 is up to date with all changes known to be in force on or before 24 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 5 Each Committee shall appoint a Chairman from among their members,...
- 6 The term of office of any member of a Committee...
- 7 Any member of a Committee may resign his membership by...
- 8 A Committee shall have power to regulate their own procedure,...
- 9 The director of education and the medical officer of health...
- 10 The Secretary of State may, with the approval of the...
- 11 The expenses up to such amount as may be approved...
- 12 In this Schedule the expression “appropriate agricultural college” in relation...

NINTH SCHEDULE —

TENTH SCHEDULE —

Changes to legislation:

Agriculture (Scotland) Act 1948 is up to date with all changes known to be in force on or before 24 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 6 applied by 2003 asp 11, s. 7D(6) (as inserted) by [2016 asp 18 s. 106\(2\)](#)
- Sch. 6 applied by 2003 asp 11, s. 8G(7) (as inserted) by [2016 asp 18 s. 94\(2\)](#)