



# Agriculture (Scotland) Act 1948

## 1948 CHAPTER 45

### PART VII

#### GENERAL.

##### *Provision of Goods and Services.*

#### **75 Schemes for provision of agricultural goods and services.**

- (1) For the purpose of promoting efficiency in agriculture or facilitating food production, the Secretary of State may with the approval of the Treasury make schemes for providing goods and services to persons managing or farming agricultural land.

Any scheme under this section shall be embodied in a statutory instrument which shall be laid before Parliament after being made.

- (2) A scheme under this section shall not authorise the provision of goods after the expiration of five years from the first day of October, nineteen hundred and forty-seven or such longer period as may be prescribed.
- (3) The Secretary of State may make such reasonable charges, if any, as he thinks fit in respect of goods and services provided in pursuance of a scheme under this section.
- (4) The Secretary of State may acquire by agreement any land which he requires for the purposes of a scheme under this section.
- (5) Section one hundred and three of the Agriculture Act, 1947, shall, in so far as it applies to Scotland, cease to have effect, and anything done by the Secretary of State or any scheme made under that section shall be deemed to have been done or made under this section.

#### **76 Provision of machinery for agricultural drainage works.**

Without prejudice to any powers competent to him under the last foregoing section, the Secretary of State may at the request of and by agreement with the owner or the

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occupier of any agricultural land carry out agricultural drainage works by means of mechanical excavators or otherwise as may be agreed, and may recover from such owner or occupier the cost of carrying out the works.

**77 Grants towards provision of houses to for landholders and cottars in Highlands and Islands.**

- (1) The Secretary of State may provide 'assistance by way of grants towards the erection or improvement or rebuilding of dwelling-houses and other buildings for landholders and cottars in the Highlands and Islands.
- (2) The powers of the Secretary of State under this section shall be exercised in accordance with arrangements made by him with the approval of the Treasury
- (3) Regulations shall be made by the Secretary of State—
  - (a) for securing that where a grant has been made towards the erection, improvement or rebuilding of a house or other building, conditions with respect to the occupation and maintenance thereof shall apply thereto for such period from the completion of the work (not being longer than forty years) as may be specified in the regulations;
  - (b) for securing that in the event of a breach of any of the conditions the Secretary of State may recover from such person as may be specified in the regulations a sum bearing the same proportion to the grant made as the period between the date of the breach of the condition and the expiration of the period specified under paragraph (a) of this subsection bears to the last-mentioned period, together with interest on such sum from the date on which the grant was made at such rate as may be specified in the regulations;
  - (c) for providing that the conditions applied by the regulations to a house or building shall cease to apply on payment to the Secretary of State by such person as may be specified in the regulations of such amount as may be so specified;
  - (d) for applying, subject to any necessary modifications, in relation to a house or building towards the erection, improvement or rebuilding of which a grant has been made under this section, the provisions of section seven of the Housing (Agricultural Population) (Scotland) Act, 1938 (which restricts the compensation payable in respect of improvements, and prohibits increases in the rents of houses, in respect of which assistance has been granted under Part II of that Act);
  - (e) for such other incidental and supplementary matters as appear to the Secretary of State to be requisite or expedient for the purposes aforesaid.
- (4) No assistance by way of grant shall be given under this section towards the erection, improvement or rebuilding of any house in respect of which assistance under section four of the Housing (Agricultural Population) (Scotland) Act, 1938, has been given.
- (5) In this section the expressions " landholder " and " cottar " have the like meanings as in the Small Landholders (Scotland) Acts, 1886 to 1931, and the expression " Highlands and Islands " has the like meaning as in the Housing (Agricultural Population) (Scotland) Act, 1938.

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**78 Extension of time for applying for assistance under s. 4 of the Housing (Agricultural Population) (Scotland) Act, 1938.**

- (1) Subsection (3) of section four of the Housing (Agricultural Population) (Scotland) Act, 1938 (which, as amended by the Housing (Agricultural Population) (Scotland) Act, 1943, provides among other things that applications for assistance in the replacement of unsatisfactory houses must be made within ten years after the passing of the said Act of 1938) shall have effect as if for the words " ten years " there were substituted the words " fifteen years. "
- (2) Subject to the provisions of any amending scheme made after the commencement of this section by a local authority with the approval of the Secretary of State, so much of any scheme in force at the commencement of this section under section four of the said Act of 1938 as specifies the date before which applications for assistance must be received by the local authority shall have effect subject to such modifications as may be required to give effect to the foregoing provisions of this section.
- (3) No assistance shall be given under section four of the said Act of 1938 in respect of any house in respect of which a grant has been made under the last foregoing section of this Act.
- (4) Any increase attributable to the provisions of this section in the sums payable out of moneys provided by Parliament by virtue of sections eight and nine of the said Act of 1938 shall be defrayed out of moneys so provided.
- (5) Subsection (2) of section one of the Housing (Agricultural Population) (Scotland) Act, 1943, shall cease to have effect.
- (6) This section shall come into operation on the passing of this Act.