



Allotments (Scotland) Act 1892

1892 CHAPTER 54

8 Recovery of rent and possession of allotments.

- (1) The rent for an allotment let in pursuance of this Act, and the possession of such allotment in the case of any warning to remove, or failure to deliver up possession of the same as required by law, may be recovered by the local authority as landlords, in the like manner as in any other case of landlord and tenant.
- (2) If the rent for any allotment is in arrear for not less than forty days, or if it appears to the local authority that the tenant of an allotment not less than three months after the commencement of the tenancy thereof has not duly observed the regulations affecting such allotment made by or in pursuance of this Act, or is resident more than one mile out of the burgh or parish for which the allotments are provided, the local authority may serve upon the tenant, or if he is residing out of the burgh or parish, leave at his last known place of abode in the burgh or parish, or fix in some conspicuous manner on the allotment, a written notice determining the tenancy at the expiration of one month after the notice has been so served or affixed, and thereupon such tenancy shall be determined accordingly: Provided that in every such case the local authority in default of agreement between the incoming and outgoing tenant shall on demand pay to the tenant whose tenancy is so determined any compensation due to him as an outgoing tenant; and such compensation shall be assessed by an arbiter appointed by the local authority, or, if the tenant so elect, by a reference under the Agricultural Holdings (Scotland) Act, 1883.
- (3) Upon the ejectment of any tenant from an allotment, the court ordering the ejectment may stay proceedings until payment of the compensation, if any, due to the outgoing tenant has been made or secured to the satisfaction of the court.