



Law Reform (Miscellaneous Provisions) (Scotland) Act 1985

1985 CHAPTER 73

Procedures relating to crofting tenure and the valuation of sheep stocks

30 Interest on awards of compensation by Scottish Land Court

- (1) In section 12 of the Crofters (Scotland) Act 1955, after subsection (1) (which provides, amongst other things, for compensation of a crofter whose croft, or part thereof, has been resumed by the landlord) there shall be inserted the following subsection—

“(1A) A sum awarded as compensation under subsection (1) above shall, if the Land Court so determine, carry interest as from the date when such sum is payable at the same rate as would apply (in the absence of any such statement as is provided for in Rule 66 of the Act of Sederunt (Rules of Court, consolidation and amendment) 1965) in the case of decree or extract in an action commenced on that date in the Court of Session if interest were included in or exigible under that decree or extract;

Provided that this subsection shall not affect any case in which the hearing has begun before the coming into force of section 30 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985.”.

- (2) In section 9 of the Crofting (Reform) (Scotland) Act 1976 (which entitles a crofter whose croft, or part thereof, has been resumed by the landlord to a share in the value of the land so resumed) after subsection (5) there shall be inserted the following subsection—

“(5A) A sum awarded under this section shall, if the Land Court so determine, carry interest as from the date when such sum is payable at the same rate as would apply (in the absence of any such statement as is provided for in Rule 66 of the Act of Sederunt (Rules of Court, consolidation and amendment) 1965) in the case of a decree or extract in an action commenced on that date in the Court of Session if interest were included in or exigible under that decree or extract :

Provided that this subsection shall not affect any case in which the hearing has begun before the coming into force of section 30 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985.”.

31 Restriction of duty to record notice of cesser of conditions relating to croft

In section 22(4) (e) of the Crofters (Scotland) Act 1955 (by virtue of which the Secretary of State must, when appropriate, record in the Register of Sasines, a notice of cesser of the conditions which applied to a croft in respect of which financial assistance had been given) after the word " apply ", where thirdly occurring, there shall be inserted the words " by virtue of such a payment to the Secretary of State as is referred to in paragraph (c) above. ".

32 Rules as to valuation of sheep stocks

In section 28 of the Hill Farming Act 1946 (which makes provision as to the valuation of sheep stocks in Scotland) after subsection (1) there shall be inserted the following subsections—

“(1A) The Secretary of State may by order made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament, vary the provisions of the said Schedule.

(1B) A variation made under subsection (1A) above shall not apply for the purposes of a valuation made in respect of a lease entered into before the variation was made.”.