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.”.