



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART XIII

LOCAL AUTHORITY GRANTS FOR IMPROVEMENT, REPAIR AND CONVERSION

Agricultural tenants, etc.

256 Application of this Part to agricultural tenants, etc.

- (1) For the purposes of the provisions of this Part, a tenant, crofter, landholder or statutory small tenant shall be deemed to be the owner of any house, building or other land on his farm, croft or holding if in respect of the execution thereon of improvement works he would, on the termination of his tenancy, be entitled to compensation under [^{F1}the Agricultural Holdings (Scotland) Act 1991 or the [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#) (as the case may be)] or the [^{F2}Crofters (Scotland) Act 1993 (c.44)] or the Small Landholders (Scotland) Acts, 1886 to 1931 (as the case may be) as for an improvement.
- (2) Where by virtue of subsection (1) an improvement grant or a repairs grant is made to a crofter, a landholder or a statutory small tenant in respect of a house on his croft or holding, the local authority shall forthwith intimate to the landlord of the croft or holding that an improvement grant or a repairs grant has been so made, and shall inform him of the amount thereof.
- (3) If at any time within the period during which conditions are required by section 246 to be observed with respect to a house provided on a farm, croft or holding otherwise than by the landlord thereof, compensation becomes payable in respect of the house, or of any improvement works executed in relation thereto, as for an improvement under [^{F1}the Agricultural Holdings (Scotland) Act 1991 or the [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#) (as the case may be)] or the [^{F2}Crofters (Scotland) Act 1993 (c.44)] or the Small Landholders (Scotland) Acts 1886 to 1931 (as the case may be), so much of the value of the house or works as is attributable to the sum paid by way of improvement grant or repairs grant, shall be taken into account in assessing the compensation so payable and shall be deducted therefrom.

Status: Point in time view as at 27/11/2003.

Changes to legislation: Housing (Scotland) Act 1987, Cross Heading: Agricultural tenants, etc. is up to date with all changes known to be in force on or before 02 June 2024. 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)

- (4) The landlord of a farm, croft or holding on which there is a house with respect to which conditions are for the time being required to be observed by virtue of section 246, shall not at any time within the period during which those conditions are so required to be observed be entitled to obtain any consideration by way of rent or otherwise in respect of so much of the value of the house, or of any improvement works executed in relation thereto, as is attributable to the sum paid by way of improvement grant or repairs grant.

Textual Amendments

- F1** Words in s. 256 substituted (27.11.2003) by [Agricultural Holdings \(Consequential Amendments\) \(Scotland\) Order 2003 \(S.S.I. 2003/583\)](#), art. 1, **sch. para. 10(a)**
- F2** Words in s. 256(1)(3) substituted (1.10.2003) by [Housing \(Scotland\) Act 2001 \(asp 10\)](#), s. 113(1), **sch. 10 para. 13(34)(a)**; S.S.I. 2003/434, art. 2, sch. (with arts. 3, 4)

[^{F3}256A Application of this Part to the Scottish Ministers

Any power of a local authority to make grants, and any function of a local authority in relation to the making of grants, under this Part is exercisable by the Scottish Ministers as it is by the local authority.]

Textual Amendments

- F3** S. 256A substituted (1.11.2001) by [2001 asp 10](#), s. 112, **Sch. 10 para. 13(35)**; S.I. 2001/336, art. 2(2), **Sch. Pt. II** Table (subject to art. 3)

Status:

Point in time view as at 27/11/2003.

Changes to legislation:

Housing (Scotland) Act 1987, Cross Heading: Agricultural tenants, etc. is up to date with all changes known to be in force on or before 02 June 2024. 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.