

STATUTORY RULES AND ORDERS,  
1919.

LANDLORD AND TENANT, SCOTLAND.

SMALL LANDHOLDERS ACT.

Order by the Board of Agriculture for Scotland, dated 17th October 1919, under Section 7 (7) of The Small Landholders (Scotland) Act, 1911 (1 & 2 Geo. 5, c. 49), prescribing Conditions to which the provision of Assistance from The Agriculture (Scotland) Fund for Facilitating the Constitution of New Holdings shall be subject.

Whereas by Sub-section 7 of Section 7 of The Small Landholders (Scotland) Act, 1911, it is enacted as follows:—

“Where, with a view to, or as incidental to, the registration of a new holder or holders in respect of any land, whether by agreement or otherwise, the Board are of opinion, upon consideration of a report by the Commissioner for Small Holdings, that assistance should be provided for the purpose of dividing, fencing, or otherwise preparing or adapting the land, making occupation roads, or executing other works, such as works for the provision of drainage or water supply, or erecting or adapting a dwelling house or dwelling houses or other buildings, or for any similar purpose, the Board may provide such assistance by way of loan or (except as regards dwelling houses or other buildings) by way of gift, and subject to such conditions as they may prescribe. Conditions so prescribed and the provisions for their enforcement or for the case of their violation shall be as effectual as if they were contained in this Act.”

And whereas the Board of Agriculture for Scotland made two Orders, dated 17th March 1913 and 4th September 1915, prescribing conditions to which the provision of assistance from The Agriculture (Scotland) Fund for facilitating the constitution of new holdings shall be subject.

The Board of Agriculture for Scotland in pursuance of the provisions of the said sub-section hereby revoke the two Orders made by them on 17th March 1913 and 4th September 1915 respectively, and prescribe the following conditions, which shall be applicable to any agreements to provide assistance from the Agriculture (Scotland) Fund for the purpose of facilitating the constitution of any new landholders' holdings in accordance with schemes approved by the Secretary for Scotland after the date of this Order, and which may be applied, at the discretion of the Board, in special circumstances to agreements to provide assistance in accordance with schemes approved by the Secretary for Scotland prior to the date of this Order, provided that the conditions governing the execution of the relative works are, in the opinion of the Board, such as to warrant the application of the terms and conditions of this Order.

*Provision of Fencing.*

Assistance to new holders for the purpose of fencing will be provided by means of loans to the holders repayable within a period not less than seven years and not greater than

fourteen years, according to the stability of the material employed in such fencing.

The Board may provide the whole cost of erecting fences as a free gift in exceptional cases, where, in their opinion, such assistance is necessary for the formation of settlements of landholders. Provided that in areas outwith the parishes declared Congested Districts previous to the 13th April 1911, the provisions of this paragraph shall apply only to boundary fences enclosing landholders' holdings.

*The Making of Occupation Roads.*

The Board will provide assistance solely for the purpose of making access roads to the holdings. Such assistance will be given as a free gift.

*Drainage.*

Assistance to new holders for the purpose of field drainage will be provided by means of loans to the holders repayable within a period of twenty-five years.

*Water Supply.*

Where the Board consider it necessary to give assistance for the provision of a water supply with a view to the registration of a new holder or holders they will provide such assistance as a free gift.

*The Erection and Adaptation of Dwelling Houses and other Buildings.*

The repayment of loans advanced after the date of this Order under Section 7 (7) of The Small Landholders (Scotland) Act, 1911, for buildings may be spread over a period of eighty years or for such shorter periods as may be prescribed by the Board when desired by the Borrower, or where it appears to the Board that the materials to be used are not sufficiently durable to permit of the buildings being serviceable for eighty years. Loans in these cases will be payable by terminable annuities payable half yearly at the terms of Whitsunday and Martinmas in each year, and the half yearly payments may include premiums for the insurance of the buildings against fire to the amount of the loan. The premium payable by the Borrower for such insurance will be at the rate of 8d. for every £100 of loan, and proportionately for other amounts.

*Rate of Interest on Loans.*

Interest will be charged on loans advanced for buildings as specified in the preceding paragraph headed “The erection and adaptation of dwelling houses and other buildings” at the nominal rate of 1½ per cent. per annum and on all other loans at the nominal rate of 3½ per cent. per annum.

This Order may be cited as the Constitution of New Holdings (Provision of Assistance), Scotland, Order of 1919.

In witness whereof the Board of Agriculture for Scotland have hereunto fixed their Official Seal this seventeenth day of October nineteen hundred and nineteen.

L. S.

ROBERT P. WRIGHT,  
Chairman.

CHAS. WEATHERILL,  
Secretary.