



# Hill Farming Act 1946

1946 CHAPTER 73 9 and 10 Geo 6

## *General*

### **39 Provisions as to Scotland.**

(1) This Act shall, in its application to Scotland, have effect subject to the following modifications:—

- (a) ..... F1
- (c) ..... F2
- (d) ..... F3

(e) in section thirty-five the word “summarily” and the words from “and a complaint” to the end of the section shall be omitted;

(f) unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them respectively, that is to say—

“lease” in relation to a common pasture of grazing includes regulations made or approved by the Land Court under the Small Landholders (Scotland) Acts, 1886 to 1931;

“making muirburn” includes setting fire to or burning any heath or muir; and

“tenant” means a tenant for agricultural or pastoral purposes, and, in the case of a common pasture or grazing, includes the committee appointed under the Small Landholders (Scotland) Acts, 1886 to 1931.

(2) The provisions of the Small Landholders (Scotland) Acts, 1886 to 1931, with regard to the Land Court shall, with any necessary modifications, apply for the purpose of the determination of any matter which they are required by or under this Act to determine, in like manner as those provisions apply for the purpose of the determination by the Land Court of matters referred to them under those Acts.

#### **Textual Amendments**

**F1** S. 39(1)(a)(b) repealed by [Agriculture Act 1970 \(c. 40\)](#), ss. 35(1), 113(3), [Sch. 5 Pt. II](#)

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**Changes to legislation:** *There are currently no known outstanding effects for the Hill Farming Act 1946, Section 39. (See end of Document for details)*

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- F2** S. 39(1)(c) repealed with savings by [Agricultural Holdings \(Scotland\) Act 1949 \(c. 75\)](#), ss. 97-99, [Sch. 8](#)
- F3** S. 39(1)(d) repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. II](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Hill Farming Act 1946, Section 39.