



# Crofters (Scotland) Act 1955 (repealed 5.1.1994)

1955 CHAPTER 21 3 and 4 Eliz 2

*Miscellaneous and General Provisions*

## **39 Transitional provisions and savings.**

- (1) The tenancy of a crofter under this Act shall, in the case of every person who at the commencement of this Act became a crofter, be deemed, so far as is consistent with the provisions of this Act, to be a continuance of his tenancy as a landholder or a statutory small tenant, and all contracts and other instruments shall be read and construed accordingly.
- (2) The book (heretofore called the “Landholders Holdings Book”) kept in pursuance of section twenty-seven of the Act of 1886, shall in the crofting counties be called the “Crofters Holdings Book”.
- (3) Where the rent payable for a croft which was immediately before the commencement of this Act a holding to which the provisions of the Landholders Acts relating to statutory small tenants applied was last fixed by the Land Court before the commencement of this Act, it may, notwithstanding anything in the proviso to subsection (3) of section five of this Act, be altered by the Land Court at any time after the commencement of this Act.
- (4) Notwithstanding anything in this Act, the right of any person to succeed to the tenancy of a holding, whether by virtue of a bequest made by the tenant thereof or by virtue of the right to the tenancy having devolved upon the heir-at-law of the tenant, shall, if the tenant died before the commencement of this Act, be determined as if this Act had not passed.
- (5) Save as expressly provided in this Act, nothing in this Act shall affect any order, rule, regulation, record, application, reference, appointment, loan, agreement, finding or award made, approval, consent or direction given, decree or instrument granted, proceeding taken, notice served or given, condition imposed, rent or amount of compensation fixed, or thing done in the crofting counties or in relation to land

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Crofters (Scotland) Act 1955 (repealed 5.1.1994), Section 39. (See end of Document for details)*

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therein, under any enactment relating to landholders, statutory small tenants or cottars which by virtue of this Act has ceased to apply to the crofting counties or to any land therein, but any such order, rule, regulation, record, application, reference, appointment, loan, agreement, finding, award, approval, consent, direction, decree, instrument, proceeding, notice, condition, rent or amount of compensation or thing which is in force at the commencement of this Act shall continue in force and, so far as it could have been made, given, granted, taken, served, imposed, fixed or done under the corresponding provision of this Act, shall have effect as if it had been made, given, granted, taken, served, imposed, fixed or done under that corresponding provision.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Crofters (Scotland) Act 1955 (repealed 5.1.1994), Section 39.