



# Improvement of Land Act 1899

1899 CHAPTER 46 62 and 63 Vict

An Act to amend the enactments relating to the improvement of land. [9th August 1899]

## Textual Amendments

F1 Act: functions transferred (1.7.1999) by virtue of [S.I. 1999/672](#), [art. 2](#), [Sch. 1](#)

## Modifications etc. (not altering text)

- C1 Functions of Board of Agriculture now exercisable by Minister of Agriculture, Fisheries and Food (E.W.) and Secretary of State (S.): [Board of Agriculture and Fisheries Act 1903](#) (c. 31), [s. 1\(1\)](#), [Small Landholders \(Scotland\) Act 1911](#) (c. 49), [s. 4](#), [Ministry of Agriculture and Fisheries Act 1919](#) (c. 91), [s. 1](#), [Reorganisation of Offices \(Scotland\) Act 1928](#) (c. 34), [s. 1](#), [Reorganisation of Offices \(Scotland\) Act 1939](#) (c. 20), [s. 1](#) and [S.I. 1955/554](#) (1955 I, p. 1200)
- C2 Words of enactment omitted under authority of [Statute Law Revision Act 1948](#) (c. 62), [s. 3](#)
- C3 This Act is not necessarily in the form in which it has effect in Northern Ireland
- C4 Certain functions of the Minister of Agriculture, Fisheries and Food under this enactment transferred by [S.I. 1978/272](#), [art. 2](#), [Sch. 1](#)
- C5 The text of this Act was duplicated in Statutes in Force Groups 74:1 and 98:3

## Commencement Information

I1 Act not in force at Royal Assent. Act wholly in force at 1.1.1900, see [s. 9\(1\)](#)

## 1 Rentcharges for improvement of land.

- (1) Where under the <sup>M1</sup>Improvement of Land Act, 1864 (in this Act referred to as the principal Act), or under any special improvement Act, a charge is after the commencement of this Act authorised in respect of an improvement of land, the period for the repayment of the charge shall be such period not exceeding forty years as the Board of Agriculture, having regard in each case to the character and probable duration of the improvement, determine.
- (2) The land charged under any such Act may comprise not only the land improved, but also any other land which is shown to the satisfaction of the Board of Agriculture by statutory declaration to be held for the same estates or interests, and to be either

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subject to the same incumbrances (if any), or free from incumbrances, and which in the opinion of the Board of Agriculture may properly be included in the charge.

- (3) A resolution passed by three-fourths of the shareholders of an improvement company present at an extraordinary meeting specially summoned for the purpose may authorise the company to execute or advance money for the execution of all or any of the improvements mentioned in section nine of the principal Act or any enactment amending that section; and thereupon the company may execute or advance money for the execution of any improvement so authorised, in like manner, to the same extent, and subject to the same procedure, and with the same consequences and effects, as if the improvement were an improvement authorised by the special improvement Act relating to the company.

F2

- (4) Where, either before or after the passing of this Act, a rentcharge has been created by an absolute order under the principal Act or under any special improvement Act in respect of the planting of woods or trees, the Boards of Agriculture may, upon the application of the landowner, at any time not sooner than seven and not later than ten years from the date of the order, if they think fit and if they are satisfied that the character and probable duration of the improvement is such as to justify the extension, and with the consent of the persons entitled to the charge, extend the term of repayment within the limits authorised by this Act, and modify the order accordingly.

**Textual Amendments**

F2 Proviso repealed by [Improvement of Land Act \(1899\) Amendment Act 1925 \(c. 48\), s. 1](#)

**Marginal Citations**

M1 [1864 c. 114.](#)

**2 Extension to Scotland of enactments adding to list of authorised improvements.**

So much of the enactments mentioned in the First Schedule to this Act as make additions to the improvements authorised by section nine of the principal Act shall, subject to the restrictions contained in those enactments, have effect in Scotland.

**3 Recovery of rentcharges.**

Any rentcharge created either before or after the passing of this Act under the principal Act or under any special improvement Act shall, in England and Wales, be recoverable as regards any instalment accruing due after the commencement of this Act, by the like remedies as are provided by section forty-four of the <sup>M2</sup>Conveyancing and Law of Property Act, 1881, in respect of rentcharges created after the commencement of that Act, and not otherwise.

**Marginal Citations**

M2 [1881 c. 41.](#)

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**4 Notices in proceedings under improvement Acts.**

In any proceedings under a special improvement Act it shall not be necessary to give any notice which would not be required if the proceedings were under the principal Act.

**5 Closing of register of land improvement orders.**

- (1) ..... F3
- (2) Except under an express order of the High Court, no entry or search shall be made in any register kept at the Office of the Land Registry under section fifty-six or section sixty-nine of the principal Act.

**Textual Amendments**

F3 Ss. 5(1), 8, 9(1), Sch. 2 repealed by Statute Law Revision Act 1908 (c. 49)

**6 Application to Ireland.**

..... F4

**Textual Amendments**

F4 S. 6 repealed by Statute Law (Repeals) Act 1974 (c. 22), s. 1, Sch. Pt. VIII

**7 Definitions.**

In this Act—

The expression “improvement company” means a company authorised by any Act of Parliament to execute or advance money for the execution of improvements of land and

The expression “special improvement Act” means any such Act.

**8** ..... F5

**Textual Amendments**

F5 Ss. 5(1), 8, 9(1), Sch. 2 repealed by Statute Law Revision Act 1908 (c. 49)

**9 †Commencement and short title.**

- (1) ..... F6
- (2) This Act may be cited as the Improvement of Land Act, 1899, and the principal Act and this Act may be cited together as the Improvement of Land Acts, 1864 and 1899.

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**Textual Amendments**

**F6** Ss. 5(1), 8, 9(1), Sch. 2 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

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**Modifications etc. (not altering text)**

**C6** A dagger appended to a marginal note means that it is no longer accurate

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## FIRST SCHEDULE

### ENACTMENTS EXTENDING LIST OF AUTHORISED IMPROVEMENTS

Session and Chapter	Short Title
33 & 34 Vict c. 56.	The Limited Owners Residences Act, 1870.
34 & 35 Vict c. 84.	The Limited Owners Residences Act (1870) Amendment Act, 1871.
	...
	F7
45 & 46 Vict. c. 38.	The Settled Land Act, 1882.
53 & 54 Vict. c. 69.	The Settled Land Act, 1890.
53 & 54 Vict. c. 70.	The Housing of the Working Classes Act, 1890.

#### Textual Amendments

F7 Words repealed by [Statute Law Revision Act 1963 \(c. 30\)](#)

## F8<sup>8</sup> SECOND SCHEDULE

#### Textual Amendments

F8 Ss. 5(1), 8, 9(1), Sch. 2 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

F8

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