



Crofters (Scotland) Act 1955

1955 CHAPTER 21

Cottars

28 Provisions as to cottars

- (1) When a cottar if not paying rent is removed from his dwelling and any land or buildings occupied by him in connection therewith, or if paying rent renounces his tenancy or is removed, he shall be entitled to compensation for any permanent improvement if—
 - (a) the improvement is suitable to the subject; and
 - (b) the improvement was executed or paid for by the cottar or any of his predecessors in the same family ; and
 - (c) either the improvement was executed otherwise than in pursuance of a specific agreement in writing under which the cottar was bound to execute the improvement, or, if the improvement was executed in pursuance of such an agreement, the cottar has not received, by way of reduction of rent or otherwise, fair consideration for the improvement.
- (2) The amount of the compensation payable under the foregoing subsection shall, failing agreement, be fixed by the Land Court, and the provisions of subsections (3), (4) and (5) of section fourteen of this Act (which relates to compensation to crofters for improvements) shall apply in relation to cottars as it applies in relation to crofters.
- (3) The Secretary of State shall have the like powers to provide assistance by way of loan, grant and the supply of building or other materials for the erection, improvement or rebuilding of dwelling-houses and other buildings for cottars as he has to provide assistance for the erection, improvement or rebuilding of dwelling-houses and other buildings for crofters, and subsections (2), (4), (5) and (7) of section twenty-two of this Act shall apply accordingly.
- (4) In this section—

" cottar " means the occupier of a dwelling-house situate in the crofting counties with or without land who pays no rent, or the tenant from year to year of a dwelling-house situate as aforesaid who resides therein and who pays therefor an annual rent not exceeding six pounds in money, whether with or without garden ground but without arable or pasture land;

Status: This is the original version (as it was originally enacted).

" predecessors in the same family " means in relation to a cottar the wife or husband of the cottar and any person to whom the cottar or the wife or husband of the cottar might, failing nearer heirs, have succeeded in case of intestacy.