



# Hill Farming Act 1946

## 1946 CHAPTER 73

### *Valuation of Sheep Stocks (Scotland)*

#### **28 Rules as to valuation of sheep stocks**

- (1) In any arbitration in pursuance of any lease of an agricultural holding in Scotland entered into after the commencement of this Act as to the value of sheep stock to be taken over at the termination of the tenancy by the landlord or the incoming tenant, the arbiter shall fix the value of the sheep stock in accordance, in the case of a valuation made in respect of a tenancy terminating at Whitsunday in any year, with the provisions of Part I of the Second Schedule to this Act, or in the case of a valuation made in respect of a tenancy terminating at Martinmas in any year, with the provisions of Part II of the said Schedule.
- (2) Subsection (1) of section one of the Sheep Stocks Valuation (Scotland) Act, 1937 (which requires certain particulars to be given in an arbiter's award) shall, in relation to an arbitration to which subsection (1) of this section applies, have effect as if for the words from " show the basis " to the end of the subsection there were substituted the words " state separately the particulars set forth in Part III of the Second Schedule to the Hill Farming Act, 1946. "

#### **29 Valuation by Land Court of sheep stocks**

- (1) Section three of the Sheep Stocks Valuation (Scotland) Act, 1937 (which relates to the determination by the Land Court of questions as to the value of sheep stocks) shall, in relation to any question or difference as to the value of sheep stock required in terms of a lease entered into after the commencement of this Act to be taken over at the termination of the tenancy by " the landlord or the incoming tenant, have effect as if for the words " may, if both parties agree " and the words " on the joint application of the parties" there were substituted respectively the words " shall, if either party so desires " and the words " on the application of that party ".
- (2) The Land Court shall determine any question or difference which they are required to determine under the said section three as amended by the last foregoing subsection in accordance with the appropriate provisions of the Second Schedule to this Act.

**30 Production of documents for purposes of valuation of sheep stocks**

Where any question as to the value of any sheep stock has been submitted for determination to the Land Court or to an arbiter, the outgoing tenant shall, not less than twenty-eight days before the determination of the question, submit to the Court or to the arbiter, as the case may be, a statement of the sales of sheep from such stock during the preceding three years in the case of a valuation made in respect of a tenancy terminating at Whitsunday, or during the current year and in each of the two preceding years in the case of a valuation made in respect of a tenancy terminating at Martinmas. The outgoing tenant shall also submit such sale-notes and other evidence as may be required by the Court or the arbiter to vouch the accuracy of such statement.

Any document submitted by the outgoing tenant in pursuance of this section shall be open to inspection by the other party to the valuation proceedings.

**31 Construction and citation of ss. 27 to 29**

The three last preceding sections and the Second Schedule to this Act shall be construed as one with the Sheep Stocks Valuation (Scotland) Act, 1937, and may be cited with that Act as the Sheep Stocks Valuation (Scotland) Acts, 1937 and 1946.