



Crofters Holdings (Scotland) Act 1886

1886 CHAPTER 29 49 and 50 Vict

PART IV

COMPENSATION FOR IMPROVEMENTS

8 Compensation to crofter for improvements on removal.

When a crofter renounces his tenancy or is removed from his holding, he shall be entitled to compensation for any permanent improvements, provided that—

- (a) The improvements are suitable to the holding;
- (b) The improvements have been executed or paid for by the crofter or his predecessors in the same family;
- (c) The improvements have not been executed in virtue of any specific agreement in writing under which the crofter was bound to execute such improvements.

Modifications etc. (not altering text)

- C1 S. 8 explained by [Small Landholders and Agricultural Holdings \(Scotland\) Act 1931 \(c. 44\), s. 9](#); amended by [Small Landholders and Agricultural Holdings \(Scotland\) Act 1931 \(c. 44\), s. 12](#); restricted by [Crofters \(Scotland\) Act 1955 \(3 & 4 Eliz. 2 c. 21\), s. 38\(3\), Sch. 6 Pt. I](#)
- C2 S. 8(a) modified by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\), ss. 95\(4\), 335, Sch. 8 Pt. II para. 13\(3\)\(b\)](#)

9 Compensation to cottar for improvements on removal.

When a cottar if not paying rent is removed from his dwelling and any land or buildings occupied by him in connexion therewith, or if paying rent renounces his tenancy or is removed, he shall be entitled to compensation for any permanent improvements, provided that—

- (a) such improvements are suitable to the subject;
- (b) such improvements shall have been executed or paid for by the cottar or his predecessors in the same family;

Changes to legislation: There are currently no known outstanding effects for the Crofters Holdings (Scotland) Act 1886, Part IV. (See end of Document for details)

- (c) such improvements have not been executed in virtue of any specific agreement in writing under which the cottar was bound to execute such improvements.

The provisions of the preceding section and of this section shall not apply to any buildings erected by a crofter or a cottar in violation of any interdict or other judicial order.

Modifications etc. (not altering text)

- C3** S. 9 explained by [Small Landholders and Agricultural Holdings \(Scotland\) Act 1931 \(c. 44\), s. 9](#); amended by [Small Landholders and Agricultural Holdings \(Scotland\) Act 1931 \(c. 44\), s. 12](#); restricted by [Crofters \(Scotland\) Act 1955 \(3 & 4 Eliz. 2 c. 21\), s. 38\(3\)](#), **Sch. 6 Pt. I**

10 Principle of valuation.

Improvements shall be valued under this Act at such sum as fairly represents the value of the improvement to an incoming tenant, provided that in fixing the amount of compensation payable, the value of any assistance or consideration which may be proved to have been given by the landlord or his predecessors in title, in respect of such improvements shall be taken into account, and deducted from such compensation, and the value of any deterioration committed or permitted by the tenant within the four years preceding shall also be deducted from the said compensation.

Modifications etc. (not altering text)

- C4** S. 10 restricted by [Crofters \(Scotland\) Act 1955 \(3 & 4 Eliz. 2 c. 21\), s. 38\(3\)](#), **Sch. 6 Pt. I**

Changes to legislation:

There are currently no known outstanding effects for the Crofters Holdings (Scotland) Act 1886, Part IV.