STATUTORY INSTRUMENTS

1961 No. 2267 (S. 127)

CROFTERS, COTTARS AND SMALL LANDHOLDERS, SCOTLAND

The Crofters Livestock Purchase Loans (Scotland) Scheme, 1961

Made - - - - 22*nd November*, 1961
Laid before Parliament 30*th November*, 1961
Coming into Operation 1*st December*, 1961

In exercise of the powers conferred on me by subsection (1) of section 22 of the Crofters (Scotland) Act, 1955(a), and of all other powers enabling me in that behalf and after consultation with the Crofters Commission and with the approval of the Treasury, I hereby make the following scheme :—

1.—(1) This scheme may be cited as the Crofters Livestock Purchase Loans (Scotland) Scheme, 1961, and shall come into operation on the 1st day of December, 1961.

(2) The Interpretation Act, 1889(b), applies for the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

2.—(1) Subject to the provisions of this scheme, the Secretary of State may, by making a loan of money to him, assist a crofter to whom this scheme applies to purchase livestock or to acquire a share in a sheep stock club or in a sheep stock club co-operative credit society.

(2) This scheme shall apply to a crofter :—

(*a*) who is the incoming tenant of a croft ; or

(*b*) whose croft, or whose share in a sheep stock club, or a sheep stock club co-operative credit society, is to be or has been materially enlarged ; or

(*c*) the grazing capacity of whose croft (exclusive of any common pasture or grazing land held therewith) has been materially increased by means of reseeding or other works of improvement ; or

(*d*) who, as tenant of his croft, has a share in a common grazing, the grazing capacity of which has been materially increased by such means as aforesaid.

3. The Secretary of State may require any crofter who desires to obtain a loan under this scheme to make written application therefor in such form and to furnish such information as the Secretary of State may see fit.

4. A loan shall not be made under this scheme to a crofter in respect of the cost of livestock which he proposes to purchase or has purchased unless, before purchasing the livestock, he has obtained the Secretary of State's written approval to the purchase.

5.—(1) A loan made to a crofter under this scheme shall not exceed £500 in amount or one-half of the cost of the livestock purchased with the approval of the Secretary of State obtained in accordance with the provisions of the last foregoing article, whichever is the less:

(a) 3 & 4 Eliz. 2. c. 21. (b) 52 & 53 Vict. c. 63.

Provided that where one-half of the said cost is less than £50 no such loan shall be made.

(2) Any such loan as aforesaid shall be repayable over such period not exceeding 15 years as may be determined by the Secretary of State having regard to the circumstances of the particular case and shall bear interest at such a rate as may be determined from time to time by the Secretary of State with the approval of the Treasury.

6. A crofter to whom a loan has been made under this scheme shall enter into such an agreement in writing or grant such a bond providing for repayment of the loan and for payment of interest thereon and containing such other appropriate provisions all as the Secretary of State may require.

7.—(1) The Secretary of State hereby appoints the Crofters Commission to be his agents for the purpose of the administration of any loan applied for or made under this scheme:

Provided that nothing in this paragraph shall be construed as enabling the Crofters Commission to make payment of any such loan.

(2) In carrying out their functions as agents of the Secretary of State under this scheme, the Crofters Commission shall have the like powers, rights and duties as are conferred by it upon the Secretary of State.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

21st November, 1961.

St. Andrew's House,
Edinburgh, 1.

We approve,

22nd November, 1961.

John Hill,
W. Whitelaw,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Scheme, but is intended to indicate its general purport.)

This Scheme has been made with the approval of the Treasury under Section 22 of the Crofters (Scotland) Act, 1955. It provides that the Secretary of State may make loans, repayable with interest within fifteen years, to crofters to assist them in the purchase of livestock. The Scheme applies to crofters in the seven crofting counties in Scotland who are the incoming tenants of crofts or whose crofts have been materially enlarged or the grazing capacity of whose crofts or common grazings have been materially increased as a result of works of improvement.