



Isle of Man

Ellan Vannin

AT 1 of 1924

THE AGRICULTURAL CREDITS ACT 1924



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**Isle of Man***Ellan Vannin*

THE AGRICULTURAL CREDITS ACT 1924

Received Royal Assent: 25 July 1924
Passed: 7 October 1924
Commenced: 7 October 1924

AN ACT [*concerning agricultural credits.*]

1 Short title

This Act may be cited as “The Agricultural Credits Act, 1924”.

2 Definitions

In this Act, unless the context otherwise requires, the following terms and expressions shall have the meanings hereby assigned to them respectively, that is to say: —

The “**Board**” [Repealed]¹

The “**Department**” means the Department of Environment, Food and Agriculture.²

A “**society**” means a society approved by the Department and registered under the *Industrial and Building Societies Act, 1892*, having for its objects, or one of its objects, the making of advances to members of the Society, repayable within a period not exceeding five years, for such agricultural purposes as may be approved by the Department.³

The “**improvement of land**” means and includes all or any of the following matters: —

- (1) The drainage of land and the straightening, widening, deepening or otherwise improving the drains, streams, and watercourses of any land;
- (2) the enclosing of lands, and the making and straightening of fences and re-division of fields;
- (3) the reclamation of land, including all operations necessary thereto;
- (4) the clearing of land;

- (5) the erection of farm houses, labourers' cottages and farm buildings, and the improvement of or addition to farm houses, labourers' cottages and farm buildings, so as such improvements or additions be of a permanent nature;
- (6) the erection of glass houses and other buildings used in connection with the trade of market gardening and the improvement of or additions to such glass houses and other buildings so long as such improvements or additions be of a permanent nature.⁴

“**The owner**” shall mean and include the freeholder, life tenant, tenant in dower or by curtesy.

PART I

3 Applications to Department

Where the owner of agricultural land shall be desirous of borrowing money under this Act for the improvement of his land, he shall make an application to the Department to sanction the proposed improvements, in such manner and form and stating such particulars as the Department shall from time to time direct. The Department may from time to time frame and circulate forms indicating the particulars of the information to be furnished to the Department for the purposes of this Act.⁵

4 Investigation of applications

If the Department think fit to entertain an application so made to the Department, they may cause the land to be examined by a surveyor or person appointed by them, who shall report on such application, and also whether, in his judgment, the improvements will effect the permanent increase of the yearly value of the land, and the Department may, if they so determine, themselves make such inspection.⁶

5 Notice to interested parties

If the application is made by an owner who is a life tenant or tenant by dower or curtesy, the Department shall give notice to the persons of full age who appear to the Department to be interested in such land in remainder, reversion or expectancy of such application, and fix a time within which any objections by such persons may be sent to the Department. If any persons not in being or under age are interested in such land, the Department may appoint a person to represent such interested parties, and notice may be given to such person on behalf of such parties.⁷

6 Approval of applications

On consideration of the report and of any objections made on behalf of interested parties, the Department may sanction the improvements submitted to them, or any of them, and authorise the same to be carried into effect.⁸

7 Loans towards cost

The Department may, out of moneys provided by Tynwald, authorise the Treasury to advance to the owner, by way of loan, such sum of money, not exceeding 80 per cent. of the cost of any improvements approved by the Department, on the completion of such improvements; and, during the erection or making of such improvements, may authorise the Treasury, out of such moneys, to make advances on account of such loan of sums not exceeding 70 per cent. of the actual expenditure in respect thereof, such advances to be made on account of the approved loan on completion of the improvements.⁹

8 Charge

Any sum of money advanced under the provisions of the last preceding section of this Act shall be secured by deed of bond and security, charged upon the property on which such improvements are made, and such deed, when recorded, shall rank after all prior recorded charges thereon, and charges thereon created by a will which has been duly proved in the Isle of Man. No loans shall be authorised by the Department unless in their opinion the property when improved is of a value not less than 25 per cent. more than the total amount of all charges thereon, including the amount of any loan under this part of this Act.¹⁰

9 Interest and repayment of loan

Any sum of money advanced under this part of this Act shall bear interest at such rate as the Treasury, after consultation with the Department, may from time to time by order determine, and shall be repayable by annual instalments over a period of not more than twenty years from the date of the loan. The Department shall fix the period of repayment, having regard to the nature and permanence of the improvements. Should any instalment of principal or any interest be not paid within two months after the same respectively fall due, the amount of such loan, or the balance outstanding, shall immediately become payable. The deed of bond and security shall contain such provisions for carrying into effect this part of this Act as the Attorney-General may consider necessary.¹¹

10 Deed of bond and security

A deed of bond and security under this part of this Act shall create an effective charge on the property if passed by the owner, notwithstanding that he has a

limited interest only in such property, in all respects as if he were the absolute owner thereof.

PART II

11 Formation of agricultural credit societies

- (1) The Department shall take such steps as are practicable to promote the formation or extension of agricultural credit societies.¹²
- (2) The Department may, at any time within three years after the passing of this Act, or during such further period as Tynwald may by resolution determine, subject to the provisions of any regulations made by the Treasury, make advances to any such society out of moneys provided for such purpose by Tynwald, but so that the total sum advanced to a society shall not exceed an amount equal to one pound for every one pound share held by members of the society on which a sum of 25p has been paid.¹³
- (3) The Treasury shall yearly cause an account to be prepared and laid before Tynwald, showing the sums paid by the Treasury under this part of this Act, and the sums received by it by way of repayment and interest.¹⁴
- (4) The provisions set forth in Part I of the Schedule to this Act shall apply to every agricultural credit society to which this section applies as if they formed part of the *Industrial and Building Societies Act, 1892*, and if an advance is made to such a society under this section, the provisions set forth in Part II of that Schedule shall also apply to the society so long as any part of the advance remains outstanding.

12 Regulations

All regulations made by the Treasury for the purpose of this part of this Act shall be laid before Tynwald, as soon as may be after they are made.¹⁵

13 Commencement of Act

This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald, and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.

SCHEDULE

Section 11

PART I

Provisions applicable to an Agricultural Credit Society to which this Act applies

1. A society shall not be deemed for the purposes of the *Industrial and Building Societies Act, 1892* (in this Schedule referred to as “**the Act of 1892**”), to carry on the business of banking.
2. Section 6 of the Act of 1892, so far as it provides that no member, other than a registered society, shall have or claim any interest in the shares of a society exceeding £200 shall not apply to a society, and the First Schedule to the Act of 1892 shall apply as if it were modified accordingly.
3. [Repealed]¹⁶

PART II

Additional Provisions applicable to such Society if in receipt of financial assistance

1. The Registrar may, under the Act of 1892, cancel the registration of a society on the application of the Treasury.¹⁷
2. The rules of a society shall comprise such rules as the Treasury may require for the purposes of this Act, and shall not be altered without the consent of the Treasury.¹⁸
3. The books of a society shall be open to inspection by any person appointed for such purpose by the Treasury.¹⁹
4. The Registrar, on the application of the Treasury, may, under section 22 of the Act of 1892, appoint an inspector to examine into and report on the affairs of a society.²⁰
5. Advances to members may be made without any security on real or personal property, and may be of such amount as the society thinks fit, but so that an advance to any member shall not exceed one-tenth part of the share capital of the society for the time being issued, or more than an amount equal to five pounds for every one pound share held by the member on which a sum of 25p has been paid.²¹
6. A society shall not accept deposits and shall not borrow money without the consent of the Treasury.²²

7. Not more than 25p shall, without the consent of the Treasury, be called up in respect of each pound of the share capital except for the purposes of winding up or dissolving the society.²³

8. The rules of the society shall provide for the limitation or restriction of the division of the profits of the society by way of dividends or bonus on the share capital of the society in such manner as the Treasury may approve.²⁴

ENDNOTES

Table of Endnote References

¹ Definition of “Board” repealed by GC121/86.

² Definition of “Department” inserted by GC121/86 and amended by SD155/10 Sch 3.

³ Definition of “society” amended by GC121/86.

⁴ Para (6) substituted by Agricultural Credits Act 1963 s 1.

⁵ S 3 amended by GC121/86.

⁶ S 4 amended by GC121/86.

⁷ S 5 amended by GC121/86.

⁸ S 6 amended by GC121/86.

⁹ S 7 amended by Treasury Act 1985 Sch 2 and by GC121/86.

¹⁰ S 8 amended by GC121/86.

¹¹ S 9 amended by Statute Law Revision Act 1982 Sch 1 (amendment not to apply to advances before 13 July 1982), by Treasury Act 1985 Sch 2 and by GC121/86.

¹² Subs (1) amended by GC121/86.

¹³ Subs (2) amended by Decimal Currency (Isle of Man) Act 1970 s 9, by Treasury Act 1985 Sch 2 and by GC121/86.

¹⁴ Subs (3) amended by Treasury Act 1985 s 7 and Sch 2.

¹⁵ S 12 amended by Treasury Act 1985 Sch 2.

¹⁶ Para 3 repealed by Moneylenders Act 1991 Sch 3.

¹⁷ Para 1 amended by Treasury Act 1985 Sch 2.

¹⁸ Para 2 amended by Treasury Act 1985 Sch 2.

¹⁹ Para 3 amended by Treasury Act 1985 Sch 2.

²⁰ Para 4 amended by Treasury Act 1985 Sch 2.

²¹ Para 5 amended by Decimal Currency (Isle of Man) Act 1970 s 9.

²² Para 6 amended by Treasury Act 1985 Sch 2.

²³ Para 7 amended by Decimal Currency (Isle of Man) Act 1970 s 9 and by Treasury Act 1985 Sch 2.

²⁴ Para 8 amended by Treasury Act 1985 Sch 2.