

Changes to legislation: Agriculture (Miscellaneous Provisions) Act 1968 is up to date with all changes known to be in force on or before 20 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{F1}SCHEDULES 1, 2

Textual Amendments

F1 Schs. 1, 2 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XIX

SCHEDULE 3

Section 13(3)

SUPPLEMENTARY PROVISIONS WITH RESPECT TO PAYMENTS UNDER S. 12(1) IN ENGLAND AND WALES

- 1 Subject to paragraph 4 of this Schedule, any dispute with respect to any sum which may be or become payable by virtue of section 12(1) of this Act shall be referred to and determined by the Lands Tribunal.
- 2 If in any case the sum to be paid by virtue of the said section 12(1) to the tenant of an agricultural holding by an acquiring authority would, apart from this paragraph and paragraph 3 of this Schedule, fall to be ascertained in pursuance of [^{F2}section 9(2) of this Act][^{F2}section 60(4) of the Agricultural Holdings Act 1986] by reference to the rent of the holding at a rate which was not determined by arbitration under [^{F2}section 8 or section 9 of the principal Act][^{F2}section 12 or section 13 of the Agricultural Holdings Act 1986] and which the authority consider is unduly high, the authority may make an application to the Lands Tribunal for the rent to be considered by the tribunal.

Textual Amendments

F2 Words “section 60(4) of the Agricultural Holdings Act 1986” substituted (E.W.) for words “section 9(2) of this Act” and “section 12 or section 13 of the Agricultural Holdings Act 1986” substituted (E.W.) for “section 8 or section 9 of the principal Act” by Agricultural Holdings Act 1986 (c.5, SIF 2:3), ss. 99, 100, Sch. 13 para. 3, Sch. 14 para. 48(1)(2)(a)(b)

- 3 Where, on an application under paragraph 2 above, the tribunal are satisfied that—
 - (a) the rent to which the application relates is not substantially higher than the rent which in their opinion would be determined for the holding in question on a reference to arbitration duly made in pursuance of [^{F3}section 8 of the principal Act][^{F3}section 12 of the Agricultural Holdings Act 1986] on the date of the application (hereafter in this paragraph referred to as “the appropriate rent”); or

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- (b) the rent to which the application relates is substantially higher than the appropriate rent but was not fixed by the parties to the relevant contract of tenancy with a view to increasing the amount of any compensation payable, or of any sum to be paid by virtue of the said section 12(1), in consequence of the compulsory acquisition or taking of possession of any land included in the holding,

they shall dismiss the application; and if the tribunal do not dismiss the application in pursuance of the foregoing provisions of this paragraph they shall determine that, in the case to which the application relates, the sum to be paid by virtue of the said section 12(1) shall be ascertained in pursuance of the said [F3section 9(2)][F3section 60(4)] by reference to the appropriate rent instead of by reference to the rent to which the application relates.

Textual Amendments

- F3** Words “section 12 of the Agricultural Holdings Act 1986” substituted (E.W.) for words “section 8 of the principal Act” and words “section 60(4)” substituted (E.W.) for words “section 9(2)” by [Agricultural Holdings Act 1986 \(c.5, SIF 2:3\), ss. 99, 100, Sch. 13 para. 3, Sch. 14 para. 48\(1\)\(3\)\(a\)\(b\)](#)

- 4 The enactments mentioned in paragraph 5 of this Schedule shall, subject to any necessary modifications, have effect in their application to such an acquiring of an interest or taking of possession as is mentioned in subsection (1) of section 12 of this Act (hereafter in this paragraph referred to as “the relevant event”)—
- (a) in so far as those enactments make provision for the doing, before the relevant event, of any thing connected with compensation (including in particular provision for determining the amount of or the liability to pay compensation or for the payment of it into court or otherwise), as if references to compensation, except compensation for damage or injurious affection, included references to any sum which will become payable by virtue of the said subsection (1) in consequence of the relevant event; and
- (b) subject to sub-paragraph (a) above, as if references to compensation (except as aforesaid) included references to sums payable or, as the context may require, to sums paid by virtue of the said subsection (1) in consequence of the relevant event.
- 5 The enactments aforesaid are—
- (a) Part I and section 32 of the ^{M1}Land Compensation Act 1961;
- (b) the following provisions of the ^{M2}Compulsory Purchase Act 1965, that is to say, sections 6, 9, 11, 12, 20(4) and (5), 22 (except subsection (4)) and 26; in Schedule 1, paragraphs 6 to 8 and 10; Schedule 2 ^{F4}...;
- (c) any provision of the Lands Clauses Acts or of any other enactment or any instrument having effect by virtue of an enactment, being a provision corresponding to a provision mentioned in sub-paragraph (b) of this paragraph.

Textual Amendments

- F4** Words in [Sch. 3 para. 5\(b\)](#) omitted (13.7.2016) by virtue of [Housing and Planning Act 2016 \(c. 22\), s. 216\(3\), Sch. 16 para. 8; S.I. 2016/733, reg. 3\(j\)](#)

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Marginal Citations

- M1** 1961 c. 33.
- M2** 1965 c. 56.

F⁵ SCHEDULE 4 . . .

Textual Amendments

- F5** Sch. 4 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), **Sch. 13**, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F⁶₁

Textual Amendments

- F6** Sch. 4 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), **Sch. 13**, Pt.I (with s. 45(3), Sch. 12 paras. 1, 3)

F⁷₂

Textual Amendments

- F7** Sch. 4 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), **Sch. 13**, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F⁸₃

Textual Amendments

- F8** Sch. 4 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), **Sch. 13**, Pt.I (with s. 45(3), Sch. 12 paras. 1, 3)

F⁹₄

Textual Amendments

- F9** Sch. 4 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), **Sch. 13**, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F¹⁰₅

Textual Amendments

- F10** Sch. 4 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), **Sch. 13**, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

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F11⁶

Textual Amendments
F11 Sch. 4 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F12 SCHEDULE 5 . . .

Textual Amendments
F12 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F13¹

Textual Amendments
F13 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F14²

Textual Amendments
F14 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F15³

Textual Amendments
F15 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F16⁴

Textual Amendments
F16 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F17⁵

SCHEDULE 6

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Textual Amendments

F17 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt.I (with s. 45(3), Sch. 12 paras. 1, 3)

F18 6

Textual Amendments

F18 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

F19 7

Textual Amendments

F19 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt.I (with s. 45(3), Sch. 12 paras. 1, 3)

F20 8

Textual Amendments

F20 Sch. 5 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88(2), 89(2), Sch. 13, Pt.I (with s. 45(3), Sch. 12 paras. 1, 3)

F21 SCHEDULE 6

Textual Amendments

F21 Sch. 6 repealed by Land Drainage Act 1976 (c. 70), Sch. 8

.....

F22 SCHEDULE 7

Textual Amendments

F22 Sch. 7 repealed (8.5.1998) by 1997 c. 66, s. 52, Sch. 4; S.I. 1998/1028, art. 2

.....

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X¹SCHEDULE 8

Section 52.

REPEALS.

Editorial Information

X1 The text of ss. 43(1)(2), 52, Schs. 7, 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short title	Extent of repeal
1944 c. 28.	The Agriculture (Miscellaneous Provisions) Act 1944.	Section 5, except in its application to Scotland.
1958 c. 47.	The Agricultural Marketing Act 1958.	In section 53(2), the words from “as subserving” to “them”.
1961 c. 48.	The Land Drainage Act 1961.	Sections 1(2) and (3), 2 and 4(2) and (4). In section 6(2), the words from “affixed” to “and”. Section 7. In section 8, sub-paragraph (ii) of subsection (1)(c), subsection (2), and in subsection (3) the words “or of the said subsection (2)” and the words “owner and”. Section 9(4). In section 10(3), the words “section 7 or”. Section 14. Section 22(3).
1963 c. 25.	The Finance Act 1963.	In Schedule 12, sub-paragraphs (1) to (6) of paragraph 24.
1964 c. 14.	The Plant Varieties and Seeds Act 1964.	Section 20(5). In section 21(1), the words “but which is not in the Index”. In Part II of Schedule 2, in paragraph 2(5), the words “which having been” and

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the words “has been found”
onwards.

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Changes and effects yet to be applied to :

- s. 7(1) words substituted by [2003 c. 44 Sch. 26 para. 21](#)