

SCHEDULES

SCHEDULE 2

GROUND S FOR CONSENT TO OPERATION OF NOTICES TO QUIT A TENANCY WHERE SECTION 25(3) APPLIES

PART III

SUPPLEMENTARY

- 1 For the purposes of section 25 of this Act and this Schedule—
 - “amalgamation” means a transaction for securing that agricultural land which is comprised in a holding to which a notice to quit relates and which together with other agricultural land could form an agricultural unit, shall be owned and occupied in conjunction with that other land (and cognate expressions shall be construed accordingly);
 - “near relative” in relation to a deceased tenant of an agricultural holding means a surviving spouse or child of that tenant, including a child adopted by him in pursuance of an adoption order (as defined in section 23(5) of the Succession (Scotland) Act 1964); and
 - “two-man unit” means an agricultural unit which in the opinion of the Land Court is capable of providing full-time employment for an individual occupying it and at least one other man.
- 2 For the purposes of determining whether land is a two-man unit, in assessing the capability of the unit of providing employment it shall be assumed that the unit is farmed under reasonably skilled management, that a system of husbandry suitable for the district is followed and that the greater part of the feeding stuffs required by any livestock kept on the unit is grown there.
- 3 For the purposes of Case 7 of this Schedule, occupation of agricultural land—
 - (a) by a company which is controlled by the tenant shall be treated as occupation by the tenant; and
 - (b) by a Scottish partnership shall, notwithstanding section 4(2) of the Partnership Act 1890, be treated as occupation by each of its partners.