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STATUTORY INSTRUMENTS

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**1992 No. 1972**

**LANDLORD AND TENANT,  
ENGLAND AND WALES**

**The Agricultural Holdings (Units of Production) Order 1992**

*Made* - - - - *5th August 1992*  
*Laid before Parliament* *21st August 1992*  
*Coming into force* - - *12th September 1992*

The Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State in relation to Wales, in exercise of the powers conferred on them by paragraph 4 of Schedule 6 to the Agricultural Holdings Act 1986(1), and of all other powers enabling them in that behalf, hereby make the following Order:—

**Title, commencement and interpretation**

1.—(1) This Order may be cited as the Agricultural Holdings (Units of Production) Order 1992 and shall come into force on 12th September 1992.

(2) Any reference in this Order to “the Schedule” shall be construed as a reference to the Schedule to this Order, and the reference to column 3 of the Schedule shall be construed as including a reference to the note to that column.

**Assessment of productive capacity of land**

2.—(1) Paragraph (2) of this article has effect for the purpose of the assessment of the productive capacity of a unit of agricultural land, in order to determine whether that unit is a commercial unit of agricultural land within the meaning of subparagraph (1) of paragraph 3 of Schedule 6 to the Agricultural Holdings Act 1986.

(2) Where the land in question would be capable, when farmed under competent management, of carrying or producing any such livestock, crop, etc, as is mentioned in any entry in column 1 of the Schedule—

- (a) the unit of production prescribed in relation to that use of the land shall be the unit specified in column 2 of the Schedule opposite to that entry, and

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(1) 1986 c. 5; section 96(1) of the Act defines “the Minister” in the sense here expressed.

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- (b) the amount which, for the period of 12 months beginning with 12th September 1992, is to be regarded for the purposes of the said paragraph 3 as the net annual income from that unit of production in that period shall be the amount so specified in column 3 of the Schedule.

**Revocation**

3. The Agricultural Holdings (Units of Production) Order 1991(2) is hereby revoked.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

4th August 1992.

*Derek Andrews*  
Permanent Secretary, Ministry of Agriculture,  
Fisheries and Food

5th August 1992

*David Hunt*  
Secretary of State for Wales

## SCHEDULE

Articles 1(2) and 2

PRESCRIBED UNITS OF PRODUCTION AND  
DETERMINATION OF NET ANNUAL INCOME

Column 1 Farming use	Column 2 Unit of production	Column 3 Net annual income from unit of production
		£
<b>Livestock</b>		
<b>1. Dairy cows:</b>		
Channel Islands breeds	cow	190
Other Breeds	cow	240
Beef breeding cows:	cow	63
On land which is severely disadvantaged land or disadvantaged land under the Hill Livestock (Compensatory Allowances) Regulations 1992(3)		
On other land	cow	27
Beef fattening cattle (intensive)	head	40 <sup>(1)</sup>
Dairy replacements	head	54 <sup>(1)</sup>
Other cattle	head	26 <sup>(1)</sup>
Ewes:	ewe	7
On land which is severely disadvantaged land or disadvantaged land under the Hill Livestock (Compensatory Allowances) Regulations 1992		
On other land	ewe	5.60
Store lambs (including ewe lambs sold as shearlings)	head	0.70
Pigs: Sows and gilts in pig	sow or gilt	99

(1) This amount relates to an animal (irrespective of age) which would be kept for 12 months. In the case of an animal which would be kept for less than 12 months a pro-rata adjustment of the amount is to be made.

(3) [S.I. 1992/269](#).

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Column 1 Farming use	Column 2 Unit of production	Column 3 Net annual income from unit of production
Porker	head	4
Cutter	head	5.40
Bacon	head	5.90
Poultry:	bird	1.50
Laying hens		
Broilers	bird	0.20
Point-of-lay pullets	bird	0.37
Turkeys	bird	1.57
<b>Farm arable crops</b>	hectare	51
<b>2. Barley</b>		
Beans	hectare	39
Herbage seed	hectare	120
Linseed	hectare	109
Oats	hectare	49
Oilseed rape	hectare	120
Peas:	hectare	51
Dried		
Vining	hectare	151
Potatoes:		
First early	hectare	553
Maincrop (including seed)	hectare	590
Sugar Beet	hectare	275
Wheat	hectare	127
<b>Outdoor horticultural crops</b>	hectare	501
<b>3. Broad beans</b>		
Brussels sprouts	hectare	1239
Cabbage, Savoys and sprouting broccoli	hectare	1272
Carrots	hectare	1824
Cauliflower and winter broccoli	hectare	1146
Celery	hectare	5077

(1) This amount relates to an animal (irrespective of age) which would be kept for 12 months. In the case of an animal which would be kept for less than 12 months a pro-rata adjustment of the amount is to be made.

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Column 1 Farming use	Column 2 Unit of production	Column 3 Net annual income from unit of production
Leeks	hectare	2948
Lettuce	hectare	3244
Onions:	hectare	1504
Dry Bulb		
Salad	hectare	4034
Outdoor bulbs	hectare	799
Parsnips	hectare	1016
Rhubarb-natural	hectare	2367
Turnips and swedes	hectare	738
<b>Protected crops</b>	1000 square metres	4379
<b>4. Forced narcissus</b>		
Forced tulips	1000 square metres	5149
Mushrooms	1000 square metres	7795
<b>Orchard fruit</b>	hectare	480
<b>5. Apples:</b>		
Cider		
Cooking	hectare	1642
Dessert	hectare	1960
Cherries	hectare	893
Pears	hectare	1499
Plums	hectare	1039
<b>Soft fruit</b>	hectare	1299
<b>6. Blackcurrants</b>		
Gooseberries	hectare	1329
Raspberries	hectare	2485
Strawberries	hectare	3761
<b>Miscellaneous</b>	hectare	1000
<b>7. Hops</b>		

(1) This amount relates to an animal (irrespective of age) which would be kept for 12 months. In the case of an animal which would be kept for less than 12 months a pro-rata adjustment of the amount is to be made.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes units of production for the assessment of the productive capacity of agricultural land and sets out the amount which is to be regarded as the net annual income from each such unit for the year 12th September 1992 to 11th September 1993 inclusive. This Order supersedes the Agricultural Holdings (Units of Production) Order 1991 (S.I. 1991/1888).

An assessment of the productive capacity of agricultural land is required in determining whether or not the land in question is a “commercial unit of agricultural land” for the purposes of the succession provisions in the Agricultural Holdings Act 1986 (“the 1986 Act”) (see, in particular sections 36(3) and 50(2)). A “commercial unit of agricultural land” is land which, when farmed under competent management, is capable of producing a net annual income which is not less than the aggregate of the average annual earnings of two full-time male agricultural workers aged 20 years and over (paragraph 3 of Schedule 6 to the 1986 Act). In determining this annual income figure, neither the system of farming carried out on a particular holding nor historical data from that holding will necessarily be used. Instead, whenever a particular farming use mentioned in column 1 of the Schedule to this Order is relevant to this determination, the units of production and the net annual incomes specified in columns 2 and 3 respectively will form the basis of the assessment of the productive capacity of the land in question.

The net annual income figures in column 3 of the Schedule specify the net annual income from one unit of production. In some cases the net annual income is derived from a unit which will be on the land for the full twelve month period. In other cases the net annual income is derived from a unit which will be on the land for only part of the year, and there may be more than one production cycle in the twelve month period. The assessment of the productive capacity of the land will take account of the total production in the course of a year.