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*Changes to legislation: There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Paragraph 11. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### CASES WHERE CONSENT OF TRIBUNAL TO OPERATION OF NOTICE TO QUIT IS NOT REQUIRED

##### PART II

##### SUPPLEMENTARY PROVISIONS APPLICABLE TO CASES A, B, C, D, E AND G

###### *Provisions applicable to Case E*

- 11 (1) Where—
- (a) the landlord is a smallholdings authority, or
  - (b) the landlord is the Minister and the holding is on land held by him for the purposes of smallholdings,
- then, in considering whether the interest of the landlord has been materially prejudiced as mentioned in Case E, regard shall be had to the effect of the breach in question not only on the holding itself but also on the carrying out of the arrangements made by the smallholdings authority or the Minister (as the case may be) for the letting and conduct of smallholdings.
- (2) For the purposes of Case E any provision such as is mentioned in paragraph 9(2) above shall (if it would not otherwise be so regarded) be regarded as a term or condition of the tenancy which is not inconsistent with the tenant's responsibilities to farm in accordance with the rules of good husbandry.
- [<sup>F1</sup>(3) For the purposes of that Case compliance with any obligation accepted by or imposed on the tenant under [<sup>F2</sup>section 94 or 95 of the Water Resources Act 1991] shall not be capable of constituting a breach by the tenant of the terms or conditions of his tenancy.]

##### Textual Amendments

- F1** Sch. 3 Pt. II paras.10(3), 11(3) inserted by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 189(4)–(10), 190, 193(1), Sch. 25 para. 75(b), Sch. 26 paras. 57(6), **58**
- F2** Sch. 3 Pt. II para. 11: words substituted (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 2(1), 4(2), **Sch. 1 para. 43**

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