



Agriculture (Miscellaneous Provisions) Act 1963

1963 CHAPTER 11

[^{F1}22 Allowances to persons displaced from agricultural land. U.K.]

- (1) Where any interest in land is compulsorily acquired in pursuance of a notice to treat served after 31st October 1962 or is sold by agreement, in pursuance of a contract made after that date, to an authority possessing compulsory purchase powers, and
 - [the land—^{F2}(a)
 - (i) is used for the purposes of agriculture (within the meaning of the Agricultural Tenancies Act 1995) and is so used by way of a trade or business, or
 - (ii) is not so used but is comprised in a farm business tenancy (within the meaning of the Agricultural Tenancies Act 1995) and used for the purposes of a trade or business,]
 - (b) the person carrying on the trade or business is displaced from the land; the acquiring authority may pay to him such reasonable allowance as they think fit towards his removal expenses and the loss which, in their opinion, he will sustain by reason of the resulting disturbance of his trade or business.
- (2) In estimating that loss the authority shall have regard to the period for which the land might reasonably have been expected to be available for the purpose of the trade or business, and to the availability of other land suitable for that purpose.
- (3) The preceding provisions of this section shall have effect without prejudice to the operation of any other enactment authorising the making of payments to persons displaced from any land.
- (4) Section 39 of the ^{M1}Land Compensation Act 1961 (which makes provision as to the interpretation of that Act) shall apply in relation to the preceding provisions of this section as if they were contained in that Act.
- (5) ^{F3}
- (6) In the application of this section to Northern Ireland—

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Miscellaneous Provisions) Act 1963, Section 22. (See end of Document for details)

- (a) “authority possessing compulsory purchase powers” means, in relation to any interest, any person or body of persons who, by or under any enactment of the Parliament of the United Kingdom, have been authorised to acquire the interest compulsorily or could have been so authorised for the purposes for which it was acquired, but with respect to whom the Parliament of Northern Ireland has no power to make laws corresponding to this section;
- (b) “enactment” in subsection (3) includes any enactment of the Parliament of Northern Ireland; and
- (c) subject to the preceding provisions of this subsection, subsections (1) to (4) of this section shall be construed as they are construed in their application to England and Wales, notwithstanding that [^{F4}the Agricultural Tenancies Act 1995]) and the Land Compensation Act 1961 do not extend to Northern Ireland.]

Textual Amendments

- F1** S. 22 repealed (S.) by [Land Compensation \(Scotland\) Act 1963 \(c. 51\)](#), [Sch. 4](#)
 - F2** S. 22(1)(a) substituted (1.9.1995) by 1995 c. 8, ss. 40, 41(2), [Sch. para. 21\(2\)](#) (with s. 37).
 - F3** S. 22(5) repealed by [Land Compensation \(Scotland\) Act 1963 \(c. 51\)](#), [Sch. 4](#)
 - F4** Words in s. 22(6)(c) substituted (1.9.1995) by 1995 c. 8, ss. 40, 41(2), [Sch. para. 21\(3\)](#) (with s. 37).
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Marginal Citations

- M1** 1961 c. 33.

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