



Agriculture Act 1986

1986 CHAPTER 49

Compensation to tenants for milk quotas

13 Compensation to outgoing tenants for milk quota.

Schedule 1 to this Act shall have effect in connection with the payment to certain agricultural tenants on the termination of their tenancies of compensation in respect of milk quota (within the meaning of that Schedule).

Modifications etc. (not altering text)

C1 S. 13 excluded (1.9.1995) by 1995 c. 8, ss. 16(3), 41(2) (with s. 37).

^{F1}14 Compensation to outgoing tenants for milk quota: Scotland.

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Textual Amendments

F1 S. 14 repealed (S.) (28.2.2019) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments and Revocations\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/391\)](#), reg. 1(1), **sch. Pt. 1**

15 Rent arbitrations: milk quotas.

(1) Where there is a reference under section 12 of the ^{M1}Agricultural Holdings Act 1986 (arbitration of rent) in respect of land which comprises or is part of a holding in relation to which quota is registered under the ^{M2}Dairy Produce Quotas Regulations 1986 which was transferred to the tenant by virtue of a transaction the cost of which was borne wholly or partly by him, the arbitrator shall (subject to any agreement between the landlord and tenant to the contrary) disregard—

Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1986, Cross Heading: Compensation to tenants for milk quotas. (See end of Document for details)

- (a) in a case where the land comprises the holding, any increase in the rental value of the land which is due to that quota (or, as the case may be, the corresponding part of that quota); or
 - (b) in a case where the land is part of the holding, any increase in that value which is due to so much of that quota (or part) as would fall to be apportioned to the land under those Regulations on a change of occupation of the land.
- (2) In determining for the purposes of this section whether quota was transferred to a tenant by virtue of a transaction the cost of which was borne wholly or partly by him—
- (a) any payment made by the tenant in consideration for the grant or assignment to him of the tenancy or any previous tenancy of any land comprised in the holding, shall be disregarded;
 - (b) any person who would be treated under paragraph 2, 3 or 4 of Schedule 1 to this Act as having had quota transferred to him or having paid the whole or part of the cost of any transaction for the purposes of a claim under that Schedule shall be so treated for the purposes of this section; and
 - (c) any person who would be so treated under paragraph 4 of that Schedule if a sub-tenancy to which his tenancy is subject had terminated, shall be so treated for the purposes of this section.
- (3) In this section—
- “quota” and “holding” have the same meanings as in the ^{M3}Dairy Produce Quotas Regulations 1986;
 - “tenant” and “tenancy” have the same meanings as in the ^{M4}Agricultural Holdings Act 1986.
- (4) Section 95 of that Act (Crown land) applies to this section as it applies to the provisions of that Act.

Marginal Citations

- M1** 1986 c. 5.
- M2** S.I. 1986/470.
- M3** S.I. 1986/470.
- M4** 1986 c. 5.

^{F2}16 Rent arbitrations: milk quotas, Scotland.

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Textual Amendments

- F2** S. 16 repealed (S.) (28.2.2019) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments and Revocations\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/391\)](#), reg. 1(1), **sch. Pt. 1**

Changes to legislation:

There are currently no known outstanding effects for the Agriculture Act 1986, Cross Heading: Compensation to tenants for milk quotas.