

**Changes to legislation:** There are currently no known outstanding effects for the Agriculture Act 1986, Cross Heading: "Tenant's fraction". (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

#### TENANTS' COMPENSATION FOR MILK QUOTA

##### Modifications etc. (not altering text)

**C1** Sch. 1 excluded (1.9.1995) by 1995 c. 8, ss. 16(3), 41(2) (with s. 37).

### PART II

#### AMOUNT OF COMPENSATION PAYABLE

##### *"Tenant's fraction"*

- 7 (1) For the purposes of this Schedule "the tenant's fraction" means the fraction of which—
- (a) the numerator is the annual rental value at the end of the relevant period of the tenant's dairy improvements and fixed equipment; and
  - (b) the denominator is the sum of that value and such part of the rent payable by the tenant in respect of the relevant period as is attributable to the land used in that period for the feeding, accommodation or milking of dairy cows kept on the land.
- (2) For the purposes of sub-paragraph (1)(a) above the rental value of the tenant's dairy improvements and fixed equipment shall be taken to be the amount which would fall to be disregarded under paragraph 2(1) of Schedule 2 to the <sup>M1</sup>Agricultural Holdings Act 1986 on a reference made in respect of the land in question under section 12 of that Act (arbitration of rent), so far as that amount is attributable to tenant's improvements to, or tenant's fixed equipment on, land used for the feeding, accommodation or milking of dairy cows kept on the land in question.
- (3) Where—
- (a) the relevant period is less than or greater than 12 months; or
  - (b) rent was only payable by the tenant in respect of part of the relevant period, the average rent payable in respect of one month in the relevant period or, as the case may be, in that part shall be determined and the rent referred to in sub-paragraph (1) (b) above shall be taken to be the corresponding annual amount.
- (4) For the purposes of sub-paragraph (2) above "tenant's improvements" and "tenant's fixed equipment" have the same meanings as in paragraph 2 of Schedule 2 to the 1986 Act, except that—
- (a) any allowance made or benefit given by the landlord after the end of the relevant period in consideration of the execution of improvements wholly or

---

**Changes to legislation:** *There are currently no known outstanding effects for the Agriculture Act 1986, Cross Heading: "Tenant's fraction". (See end of Document for details)*

---

- partly at the expense of the tenant shall be disregarded for the purposes of sub-paragraph (2)(a) of that paragraph;
- (b) any compensation received by the tenant after the end of the relevant period in respect of any improvement or fixed equipment shall be disregarded for the purposes of sub-paragraph (3) of that paragraph; and
  - (c) where paragraph 2 above applies in respect of any land, improvements or equipment which would be regarded as tenant's improvements or equipment on the termination of the former tenant's tenancy (if he were entitled to a payment under this Schedule in respect of that land) shall be regarded as the new tenant's improvements or equipment.

---

**Marginal Citations**

**M1** 1986 c. 5.

**Changes to legislation:**

There are currently no known outstanding effects for the Agriculture Act 1986, Cross Heading: "Tenant's fraction".