

SCHEDULES

SCHEDULE 2

TENANTS' COMPENSATION FOR MILK QUOTA: SCOTLAND

Determination of standard quota and tenant's fraction before end of lease

- 10 (1) Where it appears that on the termination of a lease, the tenant may be entitled to a payment under paragraph 2 above, the landlord or tenant may at any time before the termination of the lease by notice in writing served on the other demand that the determination of the standard quota for the land or the tenant's fraction shall be referred—
- (a) in the case of an agricultural holding within the meaning of the 1949 Act to arbitration under that Act or, under section 78 of that Act, to the Scottish Land Court;
 - (b) in any other case, to the Scottish Land Court, for determination by that court, and where (a) above applies, section 75 (or, where the circumstances require, sections 77 and 87) of the 1949 Act shall apply, as if the matters mentioned in subparagraph (1) above were required by that Act to be determined by arbitration.
- (2) On a reference under this paragraph the arbiter or, as the case may be, the Scottish Land Court shall determine the standard quota for the land or, as the case may be, the tenant's fraction (as nearly as is practicable at the end of the relevant period).