

*Changes to legislation: There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Paragraph 5. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 6

#### ELIGIBILITY TO APPLY FOR NEW TENANCY UNDER PART IV OF THIS ACT

##### Textual Amendments

- F1** Sch. 6 omitted (11.11.2020 for specified purposes) by virtue of [Agriculture Act 2020 \(c. 21\)](#), s. 57(1)(b)(c), [Sch. 3 para. 16](#)

#### PART I

##### “ELIGIBLE PERSON”: SUPPLEMENTARY PROVISIONS

###### *Ministerial statements as to net annual income of land*

- 5 (1) For the purposes of any proceedings under sections 36 to 48 of this Act in relation to the holding, the Minister shall—
- (a) at the request of any of the following persons, namely any close relative of the deceased, the landlord or <sup>F2</sup>... the Tribunal, and
  - (b) in relation to any relevant land,
- determine by reference to the provisions of any order for the time being in force under paragraph 4 above the net annual income which, in his view, the land is capable of producing for the purposes of paragraph 3 above, and shall issue a written statement of his view and the grounds for it to the person making the request.
- (2) In sub-paragraph (1) above “relevant land” means agricultural land which is—
- (a) occupied (or, by virtue of section 58 of this Act or this Part of this Schedule, deemed to be occupied) by any close relative of the deceased (whether he is, where the request is made by such a relative, the person making the request or not), or
  - (b) the subject of an application made under section 39 of this Act by any such relative.
- (3) Where—
- (a) for the purposes of any proceedings under sections 36 to 48 of this Act the Minister has issued a statement to any person containing a determination under sub-paragraph (1) above made by reference to the provisions of an order under paragraph 4 above, and
  - (b) before any hearing by the Tribunal in those proceedings is due to begin it appears to him that any subsequent order under that paragraph has affected any matter on which that determination was based,
- he shall make a revised determination under sub-paragraph (1) above and shall issue a written statement of his view and the grounds for it to the person in question.

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- (4) Any statement issued by the Minister in pursuance of this paragraph shall be evidence of any facts stated in it as facts on which his view is based.
- (5) Any document purporting to be a statement issued by the Minister in pursuance of this paragraph and to be signed for or on behalf of the Minister shall be taken to be such a statement unless the contrary is shown.]

**Textual Amendments**

**F2** Words in Sch. 6 para. 5 omitted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013](#) (S.I. 2013/1036), art. 1, **Sch. 1 para. 210** (with Sch. 3)

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