



# Agricultural Holdings Act 1986

## 1986 CHAPTER 5

### PART V

#### COMPENSATION ON TERMINATION OF TENANCY

##### *Compensation to tenant for improvements and tenant-right matters*

#### **68 Improvements: special cases.**

- (1) The tenant of an agricultural holding shall not be entitled to compensation for a relevant improvement specified in paragraph 1 of Schedule 8 to this Act unless, not later than one month before the improvement was begun, he gave notice in writing to the landlord of his intention to carry out the improvement.
- (2) Where, on an application of the sub-tenant of an agricultural holding, the Tribunal have directed the immediate landlord of the sub-tenant to carry out work under section 11 above being work which constitutes an improvement specified in Schedule 7 to this Act—
  - (a) section 67 above shall not apply as respects a claim by the immediate landlord against his superior landlord for compensation in respect of that work, and
  - (b) if, on the failure of the immediate landlord to comply with the direction of the Tribunal, the sub-tenant has himself carried out the work, sections 64 and 66 above shall have effect for the purposes of a claim for compensation by the immediate landlord against his superior landlord as if the work had been carried out by the immediate landlord and as if any grant made to the sub-tenant in respect of the work out of money provided by Parliament had been made to the immediate landlord.
- (3) Where the tenant of an agricultural holding has carried out on the holding an improvement specified in Schedule 7 to this Act in accordance with provision for the making of the improvement and for the tenant's being responsible for doing the work in a hill farming land improvement scheme approved under section 1 of the <sup>M1</sup>Hill Farming Act 1946, being provision included in the scheme at the instance or with the consent of the landlord—

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*Changes to legislation: There are currently no known outstanding effects for the  
Agricultural Holdings Act 1986, Section 68. (See end of Document for details)*

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- (a) the landlord shall be deemed to have consented as mentioned in subsection (1) of section 67 above,
  - (b) any agreement as to compensation or otherwise made between the landlord and the tenant in relation to the improvement shall have effect as if it had been such an agreement on terms as is mentioned in subsection (2) of that section, and
  - (c) the provisions of subsections (5) and (6) of that section as to the carrying out of improvements by the landlord shall not apply.
- (4) In assessing the amount of any compensation payable under custom or agreement to the tenant of an agricultural holding, if it is shown to the satisfaction of the person assessing the compensation that the cultivations in respect of which the compensation is claimed were wholly or in part the result of or incidental to work in respect of the cost of which an improvement grant has been paid under section 1 of the <sup>M2</sup>Hill Farming Act 1946, the amount of the grant shall be taken into account as if it had been a benefit allowed to the tenant in consideration of his executing the cultivations and the compensation shall be reduced to such extent as that person considers appropriate.
- (5) Where the tenant of an agricultural holding claims compensation in respect of works carried out in compliance with an improvement notice served, or an undertaking accepted, under Part VII of the <sup>M3</sup>Housing Act 1985 or Part VIII of the <sup>M4</sup>Housing Act 1974—
- (a) section 67 above shall not apply as respects the works, and
  - (b) if a person other than the tenant has contributed to the cost of carrying out the works, compensation in respect of the works as assessed under section 66 above shall be reduced proportionately.

**Marginal Citations**

- M1** 1946 c. 73.
- M2** 1946 c. 73.
- M3** 1985 c. 68.
- M4** 1974 c. 44.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Section 68.