



# Agricultural Holdings (Scotland) Act 1991

## 1991 CHAPTER 55

### PART VI

#### ADDITIONAL PAYMENTS

#### **57 Provisions supplementary to s. 56.**

- (1) For the purposes of section 56 of this Act, a tenant of an agricultural holding shall be deemed not to be a tenant of it in so far as, immediately before the acquiring of the interest or taking of possession referred to in that section, he was neither in possession, nor entitled to take possession, of any land comprised in the holding: and in determining, for those purposes, whether a tenant was so entitled, any lease relating to the land of a kind referred to in section 2(1) of this Act which has not taken effect as a lease of the land from year to year shall be ignored.
- (2) Section 56(1) of this Act shall not apply—
  - (a) where the acquiring authority require the land comprised in the holding or part in question for the purposes of agricultural research or experiment or of demonstrating agricultural methods or for the purposes of the enactments relating to small holdings;
  - (b) where the Secretary of State acquires the land under section 57(1)(c) or 64 of the <sup>M1</sup>Agricultural (Scotland) Act 1948.
- (3) Where an acquiring authority exercise, in relation to any land, power to acquire or take possession of land compulsorily which is conferred on the authority by virtue of [<sup>F1</sup>section 189 of the Town and Country Planning (Scotland) Act 1997] or section 7 of the <sup>M2</sup>New Towns (Scotland) Act 1968, the authority shall be deemed for the purposes of subsection (2) above not to require the land for any of the purposes mentioned in that subsection.
- (4) Schedule 8 to this Act shall have effect in relation to payments under section 56 of this Act.

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**Changes to legislation:** There are currently no known outstanding effects for the  
Agricultural Holdings (Scotland) Act 1991, Section 57. (See end of Document for details)

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**Textual Amendments**

**F1** Words in s. 57(3) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 51**.

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**Marginal Citations**

**M1** 1948 c. 45.

**M2** 1968 c. 16.

**Changes to legislation:**

There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Section 57.