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*Changes to legislation:* There are currently no known outstanding effects for the Agricultural Holdings Act 1986, Paragraph 4. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 12

#### MODIFICATIONS APPLICABLE TO OLD TENANCIES AND OTHER SIMILAR CASES

##### *Notices to quit*

- 4 (1) Where a tenancy of an agricultural holding subsists under an agreement entered into before 25th March 1947, section 25(1) of this Act does not apply—
- (a) to a notice given by or on behalf of the Secretary of State under the provisions of any agreement of tenancy, where possession of the land is required for naval, military or air force purposes, or
  - (b) to a notice given by a corporation carrying on a railway, dock, canal, water or other undertaking in respect of land acquired by the corporation for the purposes of their undertaking or by a government department or local authority, where possession of the land is required by the corporation, government department or authority for the purpose (not being the use of the land for agriculture) for which it was acquired by the corporation, department or authority or appropriated under any statutory provision.
- (2) In the application of sub-paragraph (1)(b) above to a Board, the reference to land acquired by the corporation for the purposes of their undertaking shall be construed as including a reference to land transferred to that Board by section 31 of the <sup>M1</sup>Transport Act 1962 or, in the case of [<sup>F1</sup>Transport for London, transferred to the London Transport Executive], by section 16 of the <sup>M2</sup>Transport (London) Act 1969, being land—
- (a) acquired, for the purpose of an undertaking vested in the British Transport Commission by Part II of the <sup>M3</sup>Transport Act 1947, by the body carrying on that undertaking, or
  - (b) acquired by a body carrying on an undertaking vested in any such undertaking as is mentioned in paragraph (a) above by virtue of an amalgamation or absorption scheme under the <sup>M4</sup>Railways Act 1921, being a scheme that came into operation on or after 7th July 1923,
- and the reference to the purpose for which the land was acquired or appropriated by the corporation shall be construed accordingly.
- (3) In sub-paragraph (2) above “a Board” means any of the following, namely—
- Associated British Ports,
  - the British Railways Board,
  - the British Waterways Board, and
  - [<sup>F2</sup>Transport for London].
- [<sup>F3</sup>(4) Sub-paragraph (2) above shall have effect in relation to a company which is a subsidiary (within the meaning of the Greater London Authority Act 1999) of Transport for London as it has effect in relation to Transport for London, so far as relates to land transferred to the London Transport Executive as there mentioned

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and subsequently transferred to the company (whether before or after it became a subsidiary of Transport for London).]

- (5) Where by a scheme under section 7 of the <sup>M5</sup>Transport Act 1968 relevant land has been transferred by the British Railways Board to another body, sub-paragraph (2) above shall (so far as relates to relevant land so transferred) have effect in relation to that body as it has effect in relation to the British Railways Board; and in this sub-paragraph “relevant land” means land falling within paragraph (a) or (b) of sub-paragraph (2) above and transferred to the British Railways Board as there mentioned.
- [<sup>F4</sup>(5A) Where by a scheme under section 24 of the Public Bodies Act 2011 relevant land has been transferred by the British Waterways Board to Canal & River Trust or any subsidiary of Canal & River Trust, sub-paragraph (2) shall (so far as relates to relevant land so transferred) have effect in relation to Canal & River Trust or, as the case may be, that subsidiary as it had effect in relation to the British Waterways Board immediately before that land was transferred under that scheme.
- (5B) In sub-paragraph (5A)—
- (a) “relevant land” means land falling within paragraph (a) or (b) of sub-paragraph (2) and transferred to the British Waterways Board as there mentioned;
  - (b) “subsidiary” means a company which is a subsidiary within the meaning of the Companies Act 2006.]
- (6) Where, by virtue of an Act (whether public, general or local) passed, or an instrument having effect under an Act made, after 7th July 1923 and before 30th July 1948, any right of a corporation carrying on a water undertaking or of a local authority to avail itself of the benefit conferred by section 25(2)(b) of the <sup>M6</sup>Agricultural Holdings Act 1923 was transferred to some other person, that other person shall have the same right to avail himself of the benefit conferred by sub-paragraph (1)(b) above as the corporation or authority would have had if the Act or instrument by virtue of which the transfer was effected had not been passed or made.

#### Textual Amendments

- F1** Words in Sch. 12 para. 4(2) substituted (15.7.2003) by [The Transport for London \(Consequential Provisions\) Order 2003 \(S.I. 2003/1615\)](#), **Sch. 1 para. 13(2)**
- F2** Words in Sch. 12 para. 4(3) substituted (15.7.2003) by [The Transport for London \(Consequential Provisions\) Order 2003 \(S.I. 2003/1615\)](#), **Sch. 1 para. 13(3)**
- F3** Sch. 12 para. 4(4) substituted (15.7.2003) by [The Transport for London \(Consequential Provisions\) Order 2003 \(S.I. 2003/1615\)](#), **Sch. 1 para. 13(4)**
- F4** Sch. 12 para. 4(5A)(5B) inserted (2.7.2012) by [The British Waterways Board \(Transfer of Functions\) Order 2012 \(S.I. 2012/1659\)](#), art. 1(2), **Sch. 3 para. 8** (with arts. 4-6)

#### Marginal Citations

- M1** 1962 c. 46.  
**M2** 1969 c. 35.  
**M3** 1947 c. 49.  
**M4** 1921 c. 55.  
**M5** 1968 c. 73.  
**M6** 1923 c. 9.

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