

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 Transport Act 1962 or, in the case of London Regional Transport, by section 16 of the 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 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 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
 - London Regional Transport.
- (4) Sub-paragraph (2) above shall have effect in relation to a subsidiary of London Regional Transport (within the meaning of the London, Regional Transport Act 1984) as it has effect in relation to London Regional Transport, so far as relates to land transferred to London Regional Transport as there mentioned and subsequently transferred to that subsidiary by a scheme made under section 4 or 5 of that Act.

Status: This is the original version (as it was originally enacted).

- (5) Where by a scheme under section 7 of the 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.
- (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 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.