



# Agriculture Act 1958

1958 CHAPTER 71 6 and 7 Eliz 2

An Act to amend the Agriculture Act, 1947, the Agricultural Holdings Act, 1948, the Agriculture (Scotland) Act, 1948, and the Agricultural Holdings (Scotland) Act, 1949; to require the landlord of an agricultural holding in certain cases to provide, repair or alter fixed equipment on the holding; to amend Part II of the Landlord and Tenant Act, 1954, as to tenancies of agricultural land excluded therefrom; to amend the Schedule to the Corn Production Acts (Repeal) Act, 1921, and section twenty-one of the Hill Farming Act, 1946; and for purposes connected with the matters aforesaid. [1st August 1958]

**Modifications etc. (not altering text)**

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

**Commencement Information**

II Act wholly in force at Royal Assent.

<sup>F1</sup> **Repeal of powers of supervision, direction and dispossession under Part II of Agriculture Act, 1947, and Part II of Agriculture (Scotland) Act 1948.**

.....

**Textual Amendments**

F1 [S. 1](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#) Group 1

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

**Textual Amendments**

**F2** S. 2 repealed (S.) by [Agricultural Holdings \(Amendment\) \(Scotland\) Act 1983](#) (c. 46, SIF 2:3), s. 6, [Sch. 2](#) and (E.W.) by [Agricultural Holdings Act 1984](#) (c. 41), s. 10(2), [Sch. 4](#)

**3** ..... **F3**

**Textual Amendments**

**F3** S. 3 repealed by [Agricultural Holdings \(Notices to Quit\) Act 1977](#) (c. 12, SIF 2:3), s. 13, [Sch. 2](#) (subject to a saving in s. 14 in relation to notices to quit given before 7.4.1978) and expressed to be repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991](#) (c. 55, SIF 2:3), ss. 88, 89(2), [Sch. 13 Part I](#) (with s. 45(3), Sch. 12 paras. 1, 3)

**4** ..... **F4**

**Textual Amendments**

**F4** S. 4 repealed by [Agricultural Holdings Act 1986](#) (c. 5, SIF 2:3), ss. 99, 101, Sch. 13 para. 3, [Sch. 15 Pt. I](#)

**5 Transfer to Lord Chancellor of Minister’s functions as respects Agricultural Land Tribunals.**

The functions conferred on the Minister in relation to Agricultural Land Tribunals by section seventy-three of the Act of 1947 shall be exercisable [<sup>F5</sup> as provided for in that section ], so however that the duty of providing the said Tribunals with the necessary officers and servants and of paying salaries, fees and allowances shall remain with the Minister.

**Textual Amendments**

**F5** Words in s. 5 substituted (3.4.2006) by [Constitutional Reform Act 2005](#) (c. 4), s. 148(1), [Sch. 4 para. 49](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(e)

**6 Provisions as to succession to holdings in Scotland.**

- (1) ..... **F6**
- (3) ..... **F7**
- (4) ..... **F8**

**Textual Amendments**

**F6** S. 6(1)(2) repealed with savings by [Succession \(Scotland\) Act 1964](#) (c. 41), s. 34(2), [Sch. 3](#)

*Changes to legislation:* There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)

- F7** S. 6(3) repealed (S.) by Agricultural Holdings (Amendment) (Scotland) Act 1983 (c. 46, SIF 2:3), s. 6, **Sch. 2**
- F8** S. 6(4)(5) repealed by Statute Law (Repeals) Act 1973 (c. 39), s. 1(1), **Sch. 1 Pt. VIII**

7 ..... **F9**

**Textual Amendments**

- F9** S. 7 repealed by Weeds Act 1959 (c. 54), **Sch.**

**8 Minor and consequential amendments.**

- (1) The enactments specified in Part I of the First Schedule to this Act (being enactments applying to England and Wales) <sup>F10</sup>... shall have effect subject to the amendments specified in that Schedule, being minor amendments or amendments consequential on the foregoing provisions of this Act.
- (2) ..... **F11**

**Textual Amendments**

- F10** Words in s. 8(1) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 2** Group 1
- F11** S. 8(2) repealed by House of Commons Disqualification Act 1975 (c. 24, SIF 89), s. 10(2), **Sch. 3**

**9 Interpretation.**

- (1) In this Act the following expressions have the meanings hereby assigned to them respectively, that is to say —
  - “Act of 1947” means the <sup>M1</sup>Agriculture Act, 1947;
  - “Act of 1948” means the <sup>M2</sup>Agricultural Holdings Act, 1948;
  - “agricultural holding”, . . . <sup>F12</sup>as respects Scotland has the meaning assigned to it by section one of the Scottish Act of 1949;
  - <sup>F13</sup>....
  - ..... **F12**
  - “Land Court” means the Scottish Land Court;
  - “landlord” and “tenant”, . . . <sup>F12</sup>as respects Scotland have the meanings assigned to them by section ninety-three of the Scottish Act of 1949;
  - “lease”, as respects Scotland, means a letting of land for a term of years, or for lives, or for lives and years, or from year to year;
  - “the Minister” means the Minister of Agriculture, Fisheries and Food;
  - “Scottish Act of 1948” means the <sup>M3</sup>Agriculture (Scotland) Act, 1948;
  - “Scottish Act of 1949” means the <sup>M4</sup>Agricultural Holdings (Scotland) Act, 1949.
- (2) References in this Act to any enactment shall be construed, except where the context otherwise requires, as references to that enactment as amended by or under any other enactment, including this Act.

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

#### Textual Amendments

- F12** Words repealed by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 101, Sch. 13 para. 3, **Sch. 15 Pt. 1**
- F13** Words in s. 9(1) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 2** Group 1

#### Marginal Citations

- M1** 1947 c. 48.
- M2** 1948 c. 63.
- M3** 1948 c. 45.
- M4** 1949 c. 75.

### 10 Repeals savings and transitional provisions.

- (1) ..... **F14**
- F15**(2) .....
- (3) ..... **F16**
- (4) The repeal by virtue of this Act of provisions contained in Part II of the Scottish Act of 1948 shall not affect the operation of section thirty-five of that Act (in relation to which certain of those provisions have effect for the purposes of special directions to secure production).
- (5) The repeal by virtue of this Act of section seventy-one of the Scottish Act of 1948 shall not affect the operation of subsection (6) of section twenty-one of the <sup>M5</sup>Crofters (Scotland) Act, 1955 (which applies the provisions of the said section seventy-one to the reference to the Land Court of certain proposals of the Crofters Commission) or the power of the Secretary of State to make regulations under the said section as so applied.
- (6) ..... **F17**
- (7) The transitional provisions set out in the Fourth Schedule to this Act shall have effect.

#### Textual Amendments

- F14** S. 10(1) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), s. 1(1), **Sch. 1 Pt. VIII**
- F15** S. 10(2) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 2** Group 1
- F16** S. 10(3) repealed (with saving) by [Mineral Workings Act 1985 \(c. 12, SIF 86\)](#), ss. 4(1)(7), 10, **Sch. 2**
- F17** S. 10(6) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), s. 1(1), **Sch. 1 Pt. VIII**

#### Marginal Citations

- M5** 1955 c. 21.

### 11 Short title and extent.

- (1) This Act may be cited as the Agriculture Act, 1958.
- (2) This Act . . . **F18** shall not extend to Northern Ireland.

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*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

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**Textual Amendments**

**F18** Words repealed by [House of Commons Disqualification Act 1975 \(c. 24, SIF 89\)](#), s. 10(2), **Sch. 3**

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

# SCHEDULES

## [<sup>F19</sup>FIRST SCHEDULE

Section 8.

### MINOR AND CONSEQUENTIAL AMENDMENTS]

#### Textual Amendments

**F19** Sch. 1 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88, 89(2), Sch. 13 Pt. I (with s. 45(3), Sch. 12 paras. 1, 3)

#### PART I

#### ENGLAND AND WALES

#### *Hill Farming Act, 1946*

- 1 On the appointed day, in section twenty-one (which empowers the Minister to avoid or relax covenants in leases prohibiting or restricting the burning of heather or grass), the following subsections shall be substituted for subsection (1)—  
 “ (1) Where the lease of the land in England or Wales contains a covenant, condition or agreement whereby the burning of heather or grass by the tenant is prohibited or restricted, the Agricultural Land Tribunal, on an application by the tenant, may if it appears to them that the covenant, condition or agreement is preventing or impeding the proper use for agricultural purposes of the land comprised in the lease or any of that land and that it is expedient in all the circumstances so to do, give such directions for avoiding or relaxing the covenant or agreement as they think fit. ”

#### Modifications etc. (not altering text)

**C2** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### *Agriculture Act, 1947*

<sup>F20</sup><sub>2</sub> .....

#### Textual Amendments

**F20** Sch. 1 para. 2 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 2 Group 1

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

**Modifications etc. (not altering text)**

**C3** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 3 In section seventy-three (which provides for the establishment, constitution and procedure of Agricultural Land Tribunals)—
- (a) for references to the Minister there shall be substituted references to the Lord Chancellor;
  - (b) in subsection (1), for the words “determining matters referred to them under this Act” there shall be substituted the words “hearing and determining references and applications made to them under any enactment”;
  - (c) in subsection (3), the following paragraph shall be inserted after the words “and in particular—” —
    - “(aa) as to the manner in which applications are to be made to the Tribunals and the time within which they are to be made;”
- and paragraph (c) shall be omitted;
- (d) in subsection (4), the words “or application” shall be inserted after the word “reference”; and
  - (e) after the subsection (4) there shall be inserted the following subsection—
    - “(5) An Agricultural Land Tribunal may, for the purpose of hearing and determining applications and references made to them under any enactment, sit in two or more divisions, and, in relation to the hearing and determination of any such applications or reference by such a division, that division shall be deemed to be the Tribunal.”

**Modifications etc. (not altering text)**

**C4** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 4 In relation to Agricultural Land Tribunals, section seventy-five (which provides for the case where land lies partly in the area of one such tribunal and partly in the area of another) shall have effect (except as respects a reference to such a tribunal under section eighty-five or section eighty-six of the Act of 1947) as if, for the reference therein to the Minister, there were substituted a reference to the Lord Chancellor.
- 5 (1) The Ninth Schedule shall be amended in accordance with the following provisions of this paragraph.
- (2) The following paragraphs shall be substituted for paragraphs 13 to 16—
- “13 (1) The Lord Chancellor shall appoint a chairman for each Agricultural Land Tribunal, who shall be a barrister or solicitor of not less than seven years’ standing.
  - (2) The chairman shall hold office for three years, and a chairman whose term of office expires shall be eligible to be re-appointed as chairman.

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*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

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- (3) The chairman may resign his office by notice in writing to the Lord Chancellor.
- (4) If the Lord Chancellor is satisfied that the Chairman is incapacitated by infirmity of mind or body from discharging the duties of his office, or if the chairman is adjudged bankrupt or makes a composition or arrangement with his creditors, the Lord Chancellor may revoke the appointment of the chairman.
- 14 The Lord Chancellor shall draw up for each Agricultural Land Tribunal and from time to time revise a panel of deputy-chairman, who shall be barristers or solicitors of not less than seven years' standing.
- 15 (1) The Lord Chancellor shall draw up for each Agricultural Land Tribunal and from time to time revise a panel of persons appearing to him to represent the interests of farmers and a panel of persons appearing to him to represent the interests of owners of agricultural land.
- (2) Subject to the following sub-paragraph, the persons to be placed on either panel shall be selected by the Lord Chancellor from nominations made at his request by persons appearing to him to represent the interests of farmers or owners of agricultural land, as the case may be.
- (3) The last foregoing sub-paragraph shall not prevent the Lord Chancellor from placing on either of the panels a person not nominated in accordance with that sub-paragraph, if the persons requested to make the nominations for that purpose do not make the required number of nominations, or the nominations they make do not include enough persons who appear to the Lord Chancellor to be suitable.
- 16 (1) For each hearing by an Agricultural Land Tribunal of an application or reference thereto the members of the Tribunal shall be—
- (a) the chairman, or a person nominated from the panel of deputy-chairmen (whether for that Tribunal or for any other Agricultural Land Tribunal) or from the chairmen of other Agricultural Land Tribunals, and
- (b) one person nominated by the chairman from each of the panels for that Tribunal drawn up under the last foregoing paragraph or from a corresponding panel for any other Agricultural Land Tribunal.
- (2) The chairman may, if it appears to him expedient so to do, nominate two assessors to be added to the Tribunal for the hearing of an application or reference thereto in order to assist the Tribunal in the hearing.
- (3) The assessors shall be selected by the chairman from a panel of persons nominated by the President of the Royal Institution of Chartered Surveyors
- 16A If the chairman of an Agricultural Land Tribunal is prevented by sickness or any other reason from making nominations under sub-paragraphs (1) and (2) of the last foregoing paragraph or from otherwise discharging the duties of his office, those duties may be discharged by a person appointed from the panel of deputy-chairmen for that Tribunal by the chairman or, if the chairman is unable to make the appointment, by the Lord Chancellor.”
- (3) In paragraph 17, for the reference to the Minister there shall be substituted a reference to the Lord Chancellor.



*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

(4) Paragraph 18 shall cease to have effect.

**Modifications etc. (not altering text)**

**C5** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Agricultural Holdings Act, 1948*

6—7 ..... F21

**Textual Amendments**

**F21** Sch. 1 paras. 6, 7, 14–18, 20, 21 and Sch. 4 paras. 5, 9, 11 repealed by [Agricultural Holdings Act 1986](#) (c. 5, SIF 2:3), ss. 99, 101, Sch. 13 para. 3, **Sch. 15 Pt. 1**

8 ..... F22

**Textual Amendments**

**F22** Sch. 1 paras. 8, 19, 23, 24 repealed by [Agricultural Holdings \(Notices to Quit\) Act 1977](#) (c. 12), s. 13, **Sch. 2** (subject to a saving in s. 14 in relation to notices to quit given before 7.4.1978)

9 On the appointed day, in section twenty-five—  
(a) subsections (2) to (4) shall cease to have effect;  
(b) ..... F23  
(c) ..... F23

**Textual Amendments**

**F23** Sch. 1 paras. 9(b)(c), 10, 11, 13 repealed (with saving) by [Agricultural \(Notices to Quit\) Act 1977](#) (c. 12), s. 14, **Sch. 2**

**Modifications etc. (not altering text)**

**C6** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

10—11 ..... F24

**Textual Amendments**

**F24** Sch. 1 paras. 9(b)(c), 10, 11, 13 repealed (with saving) by [Agricultural \(Notices to Quit\) Act 1977](#) (c. 12), s. 14, **Sch. 2**

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

12           Section twenty-eight (which empowers the Minister to give the tenant of an agricultural holding, being a holding in respect of which a certificate of bad husbandry under section twenty-four of the Act of 1948 is in force, directions for securing that the holding does not further deteriorate before the termination of the tenancy) shall cease to have effect.

**Modifications etc. (not altering text)**

**C7**   The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

13           ..... F25

**Textual Amendments**

**F25**   Sch. 1 paras. 9(b)(c), 10, 11, 13 repealed (with saving) by [Agricultural \(Notices to Quit\) Act 1977 \(c. 12\)](#), s. 14, [Sch. 2](#)

14—18       ..... F26

**Textual Amendments**

**F26**   Sch. 1 paras. 6, 7, 14–18, 20, 21 and Sch. 4 paras. 5, 9, 11 repealed by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 101, Sch. 13 para. 3, [Sch. 15 Pt. 1](#)

19           ..... F27

**Textual Amendments**

**F27**   Sch. 1 paras. 8, 19, 23, 24 repealed by [Agricultural Holdings \(Notices to Quit\) Act 1977 \(c. 12\)](#), s. 13, [Sch. 2](#) (subject to a saving in s. 14 in relation to notices to quit given before 7.4.1978)

20, 21       ..... F28

**Textual Amendments**

**F28**   Sch. 1 paras. 6, 7, 14–18, 20, 21 and Sch. 4 paras. 5, 9, 11 repealed by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 101, Sch. 13 para. 3, [Sch. 15 Pt. 1](#)

22           ..... F29

**Textual Amendments**

**F29**   Sch. 1 para. 22 repealed by [Mineral Workings Act 1985 \(c. 12, SIF 86\)](#), s. 10, [Sch. 2](#)

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

23, 24 ..... F30

**Textual Amendments**

**F30** Sch. 1 paras. 8, 19, 23, 24 repealed by [Agricultural Holdings \(Notices to Quit\) Act 1977 \(c. 12\)](#), s. 13, [Sch. 2](#) (subject to a saving in s. 14 in relation to notices to quit given before 7.4.1978)

25 ..... F31

**Textual Amendments**

**F31** Sch. 1 para. 25 and Sch. 4 paras. 6–8, 13(d)(e) repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), s. 1(1), [Sch. 1 Pt. XIX](#)

*Agriculture (Miscellaneous Provisions) Act, 1954*

26 In section five, in subsection (1) (which empowers an Agricultural Land Tribunal to award costs against a person concerned in a reference to them who has acted frivolously, vexatiously or oppressively), after the word “reference” in each place where it occurs there shall be inserted the words “ or application ”.

**Modifications etc. (not altering text)**

**C8** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

27 In section six—

- (a) subsection (3) (which entitles the Minister to appear and be heard on a reference or application to the High Court in respect of a question of law arising in the course of proceedings before an Agricultural Land Tribunal) shall cease to have effect; and
- (b) the power to make orders conferred by subsection (6) shall be exercisable by the Lord Chancellor and not by the Minister.

**Modifications etc. (not altering text)**

**C9** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

28 ..... F32

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

**Textual Amendments**

**F32** Sch. 1 para. 28 repealed by Agriculture (Miscellaneous Provisions) Act 1976 (c. 55, SIF 2:1), s. 26, **Sch. 4 Pt. II**

*Landlord and Tenant Act, 1954*

29 Subsection (1) of section forty-three shall have effect, and be deemed always to have had effect, as if, at the end of paragraph (a) thereof, there were inserted the words “ or a tenancy which would be a tenancy of an agricultural holding if the proviso to subsection (1) of section two of the Agricultural Holdings Act, 1948, did not have effect or, in a case where the approval of the Minister of Agriculture, Fisheries and Food was given as mentioned in the said subsection (1), if that approval has not been given ”.

**Modifications etc. (not altering text)**

**C10** The text of Sch. 1 paras. 1, 2, 3(b)–(e), 5(2)(4), 9(a), 12, 26, 27(a), 29–34, 35(b)(c), 36(a)(b), 37–40, 41(b)(c), 42, 43(b), 44, 45(b)(c), 46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

[<sup>F33</sup>**PART II**

**SCOTLAND]**

**Textual Amendments**

**F33** Sch. 1 repealed (S.)(25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F34</sup>*Agriculture (Scotland) Act, 1948*

**Textual Amendments**

**F34** Sch. 1 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88, 89(2), **Sch. 13 Part I**(with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F35</sup>30 .....

**Textual Amendments**

**F35** Sch. 1 repealed (S.) (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F36</sup>31 .....

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

**Textual Amendments**

**F36** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

*Agricultural Holdings (Scotland) Act, 1949*

<sup>F37</sup>32 .....

**Textual Amendments**

**F37** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F38</sup>33 .....

**Textual Amendments**

**F38** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F39</sup>34 .....

**Textual Amendments**

**F39** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F40</sup>35 .....

**Textual Amendments**

**F40** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F41</sup>36 .....

**Textual Amendments**

**F41** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F42</sup>37 .....

**Textual Amendments**

**F42** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

F43 38 .....

**Textual Amendments**

**F43** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

F44 39 .....

**Textual Amendments**

**F44** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

F45 40 .....

**Textual Amendments**

**F45** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

F46 41 .....

**Textual Amendments**

**F46** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

F47 42 .....

**Textual Amendments**

**F47** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

F48 43 .....

**Textual Amendments**

**F48** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

F49 44 .....

**Textual Amendments**

**F49** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

*Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951*

<sup>F50</sup>45 .....

**Textual Amendments**

**F50** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F51</sup>46 .....

**Textual Amendments**

**F51** Sch. 1 repealed (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88, 89(2), **Sch. 13 Part I** (with s. 45(3), Sch. 12 paras. 1, 3)

<sup>F52</sup><sup>F52</sup>SECOND SCHEDULE

**Textual Amendments**

**F52** Sch. 2 and Sch. 3 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), s. 1(1), **Sch. 1 Pt. VIII**

.....<sup>F52</sup>

<sup>F53</sup><sup>F53</sup>THIRD SCHEDULE

**Textual Amendments**

**F53** Sch. 2 and Sch. 3 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), s. 1(1), **Sch. 1 Pt. VIII**

.....<sup>F53</sup>

FOURTH SCHEDULE

Section 10.

TRANSITIONAL PROVISIONS

<sup>F54</sup>1 .....

**Textual Amendments**

**F54** Sch. FOURTH para. 1 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 2** Group 1

*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

F55<sup>2</sup>

### Textual Amendments

**F55** Sch. FOURTH para. 2 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#) Group 1

- 3 Notwithstanding the repeal by this Act of section fifteen of the Act of 1947, subsection (6) of that section shall continue to have effect as respects the right of a tenant to compensation for an improvement carried out before the passing of this Act.
- 4 (1) This paragraph shall apply where, immediately before the passing of this Act, the Minister was in possession of land under section eighteen of the Act of 1947.
- (2) In this paragraph—  
     “the landlord” has the same meaning as in the said section eighteen;  
     “the landlord’s agreement” means the agreement, if any, regulating the Minister’s possession of the land made between the Minister and the landlord under subsection (2) of the said section eighteen.
- (3) The Minister shall be entitled to remain in possession of the land until the eleventh day of October, nineteen hundred and fifty-eight.
- (4) If, immediately before the said eleventh day of October, the land is being farmed by a person entrusted by the Minister with the farming thereof (in this sub-paragraph referred to as “the farmer”) then, on that day—  
     (a) the farmer shall become the tenant of the land under a tenancy from year to year beginning on that day on such terms as may thereafter be agreed between the farmer and the landlord or as may, in default of agreement, be determined by arbitration under the Act of 1948; and  
     (b) the landlord’s agreement and the agreement regulating the farming of the land made between the Minister and the farmer under paragraph (b) of subsection (2) of the said section eighteen shall each determine as if the condition specified in paragraph (b) of subsection (5) of that section had been satisfied.
- (5) If, immediately before the said eleventh day of October, the land is being farmed by a person acting under the direction of the Minister the landlord’s agreement shall determine on that day as if the landlord had served on the Minister a notice in writing under paragraph (a) of subsection (5) of the said section eighteen two months before that day.
- (6) Notwithstanding the repeal by this Act of the said section eighteen, subsections (2) and (4) and (6) to (8) of that section shall continue to apply in relation to the land, so however that paragraph (b) of the said subsection (2) shall not apply in relation thereto.

5

F56



*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

**Textual Amendments**

**F56** Sch. 1 paras. 6, 7, 14–18, 20, 21 and Sch. 4 paras. 5, 9, 11 repealed by [Agricultural Holdings Act 1986](#) (c. 5, SIF 2:3), ss. 99, 101, Sch. 13 para. 3, **Sch. 15 Pt. 1**

6—8 ..... **F57**

**Textual Amendments**

**F57** Sch. 1 para. 25 and Sch. 4 paras. 6–8, 13(d)(e) repealed by [Statute Law \(Repeals\) Act 1977](#) (c. 18), s. 1(1), **Sch. 1 Pt. XIX**

9 ..... **F58**

**Textual Amendments**

**F58** Sch. 1 paras. 6, 7, 14–18, 20, 21 and Sch. 4 paras. 5, 9, 11 repealed by [Agricultural Holdings Act 1986](#) (c. 5, SIF 2:3), ss. 99, 101, Sch. 13 para. 3, **Sch. 15 Pt. 1**

<sup>F59</sup>10 .....

**Textual Amendments**

**F59** Sch. FOURTH para.10 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004](#) (c. 14), **Sch. 1 Pt. 2** Group 1

11 ..... **F60**

**Textual Amendments**

**F60** Sch. 1 paras. 6, 7, 14–18, 20, 21 and Sch. 4 paras. 5, 9, 11 repealed by [Agricultural Holdings Act 1986](#) (c. 5, SIF 2:3), ss. 99, 101, Sch. 13 para. 3, **Sch. 15 Pt. 1**

12 ..... **F61**

**Textual Amendments**

**F61** Sch. 4 para. 12 repealed by [Weeds Act 1959](#) (c. 54), s. 10(1), **Sch.**

<sup>F62</sup>13 .....

**Textual Amendments**

**F62** Sch. FOURTH para. 13 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004](#) (c. 14), **Sch. 1 Pt. 2** Group 1

<sup>F63</sup>14 .....

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*Changes to legislation: There are currently no known outstanding effects for the Agriculture Act 1958. (See end of Document for details)*

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**Textual Amendments**

**F63** Sch. FOURTH para. 14 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#)  
Group 1

**Changes to legislation:**

There are currently no known outstanding effects for the Agriculture Act 1958.