
Changes to legislation: There are currently no known outstanding effects for the Agriculture (Scotland) Act 1948, FIFTH SCHEDULE. (See end of Document for details)

FIFTH SCHEDULE

Section 26

RULES OF GOOD ESTATE MANAGEMENT

Modifications etc. (not altering text)

- C1** Sch. 5 applied by [Agricultural Holdings \(Scotland\) Act 1949 \(c. 75\)](#), [s. 93\(2\)](#) and [Opencast Coal Act 1958 \(c. 69\)](#), [s. 22\(3\)](#), [Sch. 3 para. 7\(4\)\(5\)](#); restricted by [Crofters \(Scotland\) Act 1955 \(3 & 4 Eliz. 2 c. 21\)](#), [s. 38\(3\)](#), [Sch. 6 Pt. I](#)
- C2** Sch. 5 extended (25. 9. 1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55\)](#), [ss. 85\(2\)](#), [89\(2\)](#) (with [s. 45\(3\)](#), [Sch. 12 para. 3](#))

- 1 For the purposes of this Act, the owner of agricultural land shall be deemed to fulfil his responsibilities to manage it in accordance with the rules of good estate management in so far as his management of the land and (so far as it affects the management of that land) of other land managed by him is such as to be reasonably adequate, having regard to the character and situation of the land and other relevant circumstances, to enable an occupier of the land reasonably skilled in husbandry to maintain efficient production as respects both the kind of produce and the quality and quantity thereof.
- 2 In determining whether the management of land is such as aforesaid regard shall be had, but without prejudice to the generality of the provisions of the last foregoing paragraph, to the extent to which the owner is making regular muirburn in the interests of sheep stock, exercising systematic control of vermin on land not in the control of a tenant, and undertaking the eradication of bracken, whins and broom so far as is reasonably practicable, and to the extent to which the owner is fulfilling his responsibilities in relation to the provision, improvement, replacement and renewal of the fixed equipment on the land in so far as is necessary to enable an occupier reasonably skilled in husbandry to maintain efficient production as aforesaid.

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FIFTH SCHEDULE.