

1988 No. 282

LANDLORD AND TENANT

AGRICULTURAL HOLDINGS

The Agriculture (Time-Limit) Regulations 1988

Made - - - - 17th February 1988

Laid before Parliament 29th February 1988

Coming into force 24th March 1988

The Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State in relation to Wales, in exercise of the powers conferred on them by section 9(4) of the Agricultural Holdings Act 1986(a), and of all other powers enabling them in that behalf, hereby make the following Regulations:-

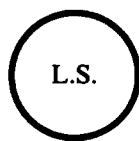
Citation and commencement

1. These Regulations may be cited as the Agriculture (Time-Limit) Regulations 1988, and shall come into force on 24th March 1988.

Time limit

2. The prescribed period after the coming into force of the Agriculture (Maintenance, Repair and Insurance of Fixed Equipment) (Amendment) Regulations 1988(b) (which vary the model terms of a tenancy of an agricultural holding as to maintenance, repair and insurance established by the operation of regulations under section 7 of the Agricultural Holdings Act 1986) within which an arbitrator shall for the purposes of specifying the terms of a tenancy of an agricultural holding pursuant to section 6(2) of that Act disregard the variation effected by the said Agriculture (Maintenance, Repair and Insurance of Fixed Equipment) (Amendment) Regulations 1988 shall be three months from the date of the coming into force of those Regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th February 1988.



John MacGregor
Minister of Agriculture, Fisheries and Food

17th February 1988

Peter Walker
Secretary of State for Wales

(a) 1986 c.5. The powers conferred by section 9(4), as read with the definition of "prescribed" in section 96(1) of the Agricultural Holdings Act 1986, are conferred on "the Minister", which expression is defined in section 96(1) as referring to the Minister of Agriculture, Fisheries and Food in relation to England and the Secretary of State in relation to Wales.

(b) S.I. 1988/281.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 6 of the Agricultural Holdings Act 1986 ("the Act") a landlord or tenant of an agricultural holding may go to arbitration either—

- (a) to establish in writing the terms of his tenancy agreement; or
- (b) to amend an existing agreement if it does not make provision for one or more of the matters specified in Schedule 1 to the Act.

Regulations may be made under section 7(1) of the Act prescribing model clauses relating to the maintenance, repair and insurance of the fixed equipment on agricultural holdings. A new regulation, the Agriculture (Maintenance, Repair and Insurance of Fixed Equipment) (Amendment) Regulations 1988 which amends the Agriculture (Maintenance, Repair and Insurance of Fixed Equipment) Regulations 1973 (S.I. 1973/1473) comes into force on 24th March 1988. However under section 9(4) of the Act, if a reference to arbitration is made under section 6 of the Act within a prescribed period after the coming into force of new regulations made under section 7(1) the new regulations are to be disregarded by the arbitrator.

The present Regulations fix the prescribed period in respect to the Agriculture (Maintenance, Repair and Insurance of Fixed Equipment) (Amendment) Regulations 1988. This period is three months from the coming into force of the 1988 Regulations.

45p net

ISBN 0 11 086282 1