



# Agriculture Act 1967

## 1967 CHAPTER 22

### PART II

#### FARM STRUCTURE AND FARM IMPROVEMENTS, AND PROMOTION OF AGRICULTURAL INVESTMENT

##### *Farm Structure*

#### **[<sup>F1</sup>26 Grants for amalgamations and boundary adjustments.**

(1) [<sup>F2</sup>The appropriate Minister may in accordance with a scheme and subject to section 50 of the <sup>M1</sup>Agriculture Act 1970 make, out of money provided by Parliament, grants of amounts determined in such manner as may be provided by or under the scheme in connection with the carrying out of any of the following transactions approved by him in pursuance of the scheme, that is to say—]

(a) ..... <sup>F3</sup> transactions for securing that agricultural land which is [<sup>F4</sup>or forms part of] an uncommercial unit, but which together with some other agricultural land could form an intermediate unit or commercial unit, shall be owned and occupied with that other land, [<sup>F5</sup>or, if not so owned, occupied with that other land by a person who shall occupy any part of the resulting unit not owned by him as a tenant (as defined in the [<sup>F6</sup>Agricultural Holdings Act 1986] or, in Scotland, [<sup>F7</sup>the Agricultural Holdings (Scotland) Act 1991], and]

(b) ..... <sup>F3</sup> transactions for securing that, where an intermediate unit or a commercial unit is not all in the same ownership, any part of it comes to be in the same ownership as the rest of that unit, or in the same ownership as some other part of that unit, but excluding transactions which bring into the same ownership and occupation two or more parts of the unit each of which could by itself form a commercial unit, and

[<sup>F8</sup>(bb) transactions for securing that, where the person occupying an intermediate unit or a commercial unit occupies any part or parts of it otherwise than as owner or as a tenant as defined in the [<sup>F6</sup>Agricultural Holdings Act 1968] (or,

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in Scotland, [<sup>F7</sup>the Agricultural Holdings (Scotland) Act 1991]), he comes to occupy that part or all those parts as owner or as such a tenant, and]

- (c) .....<sup>F3</sup> transfers or exchanges of agricultural land (or estates or interests in agricultural land) for the purpose of giving more satisfactory boundaries to one or more agricultural units;

and for the purposes of paragraph (a) above, such assumptions as the appropriate Minister may consider reasonable may be made as to the [<sup>F9</sup>works and facilities which will be carried out or provided] for the benefit of the unit to be formed.

[<sup>F10</sup>Transactions within paragraphs (a), (b) and (bb) above] are in this Part of this Act referred to as “amalgamations”, and transactions within paragraph (c) are in this Part of this Act referred to as “boundary adjustments”.

- (2) A scheme under this section may restrict the amalgamations and boundary adjustments to which it applies in any way, and may in particular exclude amalgamations of land which has reverted from being in single ownership or occupation [<sup>F11</sup>or, as respects transactions within subsection (1)(bb) of this section, cases where after the transaction has been effected the unit is not in single ownership].

- (3) .....<sup>F12</sup>

- (4) A scheme under this section may make different provision for [<sup>F13</sup>different circumstances]; ...<sup>F14</sup>.

- (5) .....<sup>F12</sup>

[<sup>F16</sup>Any approval in pursuance of a scheme under this section of an amalgamation or <sup>F15</sup>(6) boundary adjustment—]

- (a) may be given either before or, in any case where the appropriate Minister thinks fit, after ...<sup>F17</sup> the amalgamation or boundary adjustment has been carried out;
- (b) may given subject to such conditions as the appropriate Minister may specify, and in particular subject to any condition as to the time within which the amalgamation or boundary adjustment is to be carried out or as to the carrying out or provision within a specified period of specified works or facilities appearing to the appropriate Minister to be necessary as a consequence of the amalgamation or boundary adjustment;
- (c) may be varied or withdrawn by the appropiate Minister with the written consent of the person on whose application the approval was given;

and the appropriate Minister may, if he thinks fit, for the purposes of a claim for grant under section 29 of the Agriculture Act 1970 issue a certificate with respect to any work or facility that he considers it to be necessary or desirable as a consequence of an amalgamation, or to be necessary as a consequence of a boundary adjustment, approved by that Minister in pursuance of the scheme]

- (7) After the payment of any grant under this section [<sup>F18</sup>any grant under section 29 of the Agriculture Act 1970 in respect of any work or facility certified under subsection (6) above or any grant under] subsection (1)(a) of the next following section in connection with an amalgamation the relevant unit shall be subject to the provisions of Schedule 3 to this Act and—

- (a) the appropriate Minister shall not approve ...<sup>F19</sup> the amalgamation unless satisfied that all persons having an estate or interest in the relevant unit have given their written consent to the application of that Schedule to the relevant unit,

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- (b) the relevant unit shall be, or be the part of, the agricultural unit or units specified for the purposes of this subsection by the appropriate Minister in the document giving his approval to the [F20amalgamation], and
- (c) in the said Schedule 3 as applied by this subsection “relevant Exchequer payments” shall mean—

- [ any such grant as aforesaid in respect of such expenditure as the
  - F21(i) appropriate Minister may certify as being expenditure related to the relevant unit, and]

- (ii) such sum as the appropriate Minister may certify as the sum representing his administrative expenses (including an appropriate proportion of overhead expenses and other fixed or general expenses) incurred in connection with making the grant,

and “the relevant date” shall, for any grant and the related administrative expenses, be the date when the grant was paid.

(8) In the case of the payment of any grant under this section [F22or any such grant under section 29 of the Agriculture Act 1970 as is referred to in the last foregoing subsection] in connection with a boundary adjustment the appropriate Minister may, if he thinks fit, designate in the document giving his approval to the [F22boundary adjustment] any land appearing to him to benefit from the boundary adjustment as land which, after the payment of that grant, is to be a relevant unit subject to the provisions of Schedule 3 to this Act, and paragraphs (a) and (c) of the last foregoing subsection shall apply in relation to the boundary adjustment as they apply in relation to an amalgamation.

(9) The duration of a scheme under this section shall be a period not exceeding seven years, but that period may from time to time be extended by further schemes under this section for periods not exceeding seven years.

(10) A grant shall not be made under M2section 16 of the Agriculture Act 1957 (which relates to grants towards costs of amalgamation and is superseded by this section) in respect of a transaction proposed in an application made under that section after the coming into force of the first scheme made under this section, and so much of subsection (2) of the said section 16 as limits the time within which applications may be made under that section shall cease to have effect.

(11) The following enactments—

- (a) section 6(c) of the Hill Farming Act 1946,

- (b) ..... F23

- F24(c) .....

(under which grant under those Acts may be recovered by the appropriate Minister if there is a failure to carry out proposals), and any provision to the like effect in regulations made under section 77(3) of the Agriculture (Scotland) Act 1948 or section 22(4) of the Crofters (Scotland) Act 1955, shall not apply where in the opinion of the appropriate Minister the carrying out of the proposals is, [F25as a consequence of an amalgamation or boundary adjustment approved in pursuance of a scheme under this section or in consequence of the carrying out or provision of works or facilities certified under subsection (6) thereof], impracticable or to no purpose or unduly expensive.]

**Textual Amendments**

F1 S. 26 repealed (N.I.) by S.I. 1987/166 (N.I. 1), art. 20, Sch.

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- F2** Words substituted by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 9\(1\)\(2\)\(a\)\(i\)](#)
- F3** Words repealed by virtue of [Agriculture Act 1970 c. 40 s. 32\(2\)\(a\)\(i\)](#)
- F4** Words inserted by virtue of [Agriculture Act 1970 c. 40 s. 32\(2\)\(a\)\(ii\)](#)
- F5** Words substituted by virtue of [SI 1973/1402](#)
- F6** Words substituted by [Agricultural Holdings Act 1986 \(c. 5\) s. 100 sch. 14 para. 37](#)
- F7** Words in [s. 26\(1\)](#) substituted (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. [88\(1\)](#), [89\(2\)](#), [Sch. 11](#), para. [26](#)
- F8** [S. 26\(1\)\(bb\)](#) inserted by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 9\(1\)\(2\)\(a\)\(ii\)](#)
- F9** Words substituted by virtue of [Agriculture Act 1970 c. 40 s. 32\(2\)\(a\)\(iii\)](#)
- F10** Words substituted by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 9\(1\)\(2\)\(a\)\(iii\)](#)
- F11** Words inserted by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 9\(1\)\(2\)\(b\)](#)
- F12** [S. 26\(3\)\(5\)](#) repealed by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 9\(1\)\(2\)\(c\)](#)
- F13** Words substituted by virtue of [Agriculture Act 1970 \(c. 40\) s. 32\(2\)\(c\)](#)
- F14** Words repealed by virtue of [Agriculture Act 1970 \(c. 40\) s. 29\(6\) sch. 5](#)
- F15** [S. 26\(6\)](#) substituted by virtue of [Agriculture Act 1970 c. 40 s. 32 \(2\)\(e\)](#)
- F16** Words substituted by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 9\(1\)\(2\)\(d\)\(i\)](#)
- F17** Words repealed by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 9\(1\)\(2\)\(d\)\(ii\)](#)
- F18** Words substituted by virtue of [Agriculture Act 1970 c. 40 s. 32 \(2\)\(f\)](#)
- F19** Words repealed by virtue of [Agriculture Act 1970 c. 40 s. 32 \(2\)\(g\)](#)
- F20** Word substituted by virtue of [Agriculture Act 1970 c. 40 s. 32 \(2\)\(h\)](#)
- F21** [S. 26\(7\)\(c\)\(i\)](#) substituted by virtue of [Agriculture Act 1970 c. 40 s. 32\(2\)\(i\)](#)
- F22** Words inserted by virtue of [Agriculture Act 1970 c. 40 s. 32 \(2\)\(j\)](#)
- F23** [S. 26\(11\)\(b\)](#) repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\) sch. 1 Pt. II](#)
- F24** [S. 26\(11\)\(c\)](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt.II](#).
- F25** Words substituted by virtue of [Agriculture Act 1970 c. 40 s. 32 \(2\)\(k\)](#)

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

- C1** [S. 26](#) applied by [Rent Act 1977 \(c. 42\), s. 98, sch. 15 Pt. II](#) Cases [17](#), [18](#)
- C2** [S. 26\(7\)\(8\)](#) excluded by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\) s. 10\(1\)\(3\)](#)

**Marginal Citations**

- M1** [1970 c. 40.](#)
- M2** [1957 c. 57.](#)

**[<sup>F26</sup>27 Grants for individuals relinquishing occupation of uncommercial units.**

- (1) The appropriate Minister may in accordance with a scheme make a grant by way of a lump sum payment or an annuity to or for the benefit of an individual who in prescribed circumstances [<sup>F27</sup>relinquishes his occupation of, or of a part of, an uncommercial unit] of agricultural land—
- (a) where the relinquishment of all or any part of that uncommercial unit is effected as part of an [<sup>F28</sup>amalgamation approved in pursuance of a scheme under section 26 of this Act, or]
- (b) in accordance with arrangements which the appropriate Minister or, subject to the provisions of Part III of this Act, a Rural Development Board makes with him (whether or not his landlord or any other person is a third party) to enable the appropriate Minister or the Board to dispose of the unit so that it is owned or occupied with other land, or so as to improve the shape of any agricultural units, or

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- (c) subject to the provisions of Part III of this Act, in accordance with arrangements approved by a Rural Development Board as being for the purpose of facilitating the afforestation of land in the area of the Board, [<sup>F29</sup>or
  - (d) where the grant is made in pursuance of provisions of a scheme implementing, or arising out of or related to, [<sup>F30</sup>an EU] obligation.]
- (2) A scheme under this section—
- (a) may, subject to any prescribed exceptions, require the individual to have been in occupation of the whole of the uncommercial unit for a prescribed period,
  - (b) may exclude an individual who occupied the uncommercial unit under a short-term letting as defined in the scheme.
  - (c) may apply to the individual a test by reference to the income (calculated in a prescribed way) derived from [<sup>F31</sup>the trade or business of, or employment in, agriculture] including, if the scheme so provides, income so derived by the individual's wife or husband or partner or by any other person jointly occupying the land.
- (3) A scheme under this section may authorise the making of grant subject to such conditions as the appropriate Minister may specify.
- (4) Grants shall not be payable under this section to any one individual in respect of more than one uncommercial unit, and a scheme under this section shall contain provisions for securing that the amount of the grant payable in respect of an uncommercial unit occupied by more than one individual is an amount which is not more than approximately equivalent to the amount which would be payable if it had been occupied by a single individual.
- (5) A scheme under this section may provide that, after the death of a person in receipt of a grant by way of annuity, grant under this section of an amount specified in the scheme may be payable to a surviving widow or widower.
- [ A scheme under this section may make provision, in a case where a person who has
- <sup>F32</sup>(5A) submitted an application for a grant under this section, and who has in prescribed circumstances either relinquished or become under an obligation to relinquish occupation of the uncommercial unit of agricultural land in question, subsequently dies before the application has been dealt with, for the application to be proceeded with after the death and for grants under this section of such respective amounts as may be determined by or under the scheme to be payable either—
- (a) by way of annuity—
    - (i) in respect of any period after the relinquishment and before the death, for the benefit of the deceased's estate; and
    - (ii) in respect of any period falling after both the relinquishment and the death, to any person who was both at the date of the death and at the time when the application was made the spouse of the deceased; or
  - (b) by way of a lump sum payment for the benefit of the deceased's estate.]
- [ A scheme made [<sup>F34</sup>by virtue of subsection (1)(a), (b) or (d) of this section] may make
- <sup>F33</sup>(5B) provision whereby a person is treated for the purposes of the scheme, to such extent and in such cases as may be prescribed—
- (a) as the occupier of any land in respect of which he has granted, or agreed to grant, to another person a licence or tenancy of a kind not making that other person a tenant as defined in the [<sup>F35</sup>Agricultural Holdings Act 1986] (or, in Scotland, [<sup>F36</sup>the Agricultural Holdings (Scotland) Act 1991]);

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- (b) as relinquishing his occupation of that land if he relinquishes his remaining estate or interest in the land;
  - (c) as relinquishing his occupation of, or of part of, an uncommercial unit of agricultural land if the land was, or was part of, such a unit immediately before he first granted or agreed to grant such a licence or tenancy as aforesaid;
- and, in relation to any provision made by virtue of this subsection, subsections (2), (4) and (5A) of this section shall not apply but provision may be made in the scheme for corresponding purposes.]
- (6) The duration of a scheme under this section shall be a period not exceeding seven years, but that period may be extended from time to time by subsequent schemes under this section for periods not exceeding seven years.
- (7) Any grant under this section shall be paid out of money provided by Parliament.]

#### Textual Amendments

- F26** S. 27 repealed (N.I) by S.I. 1987/166 (N.I. 1) art. 20, Sch.
- F27** Words substituted by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#) , **s. 9(1)(3)(a)**
- F28** Words substituted by [Agriculture Act 1970 \(c. 40\)](#) , **s. 32(3)(a)**
- F29** S. 27(1)(d) substituted by S.I. 1976/1771 , **reg. 2**
- F30** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#) , **arts. 3** , 6 (with art. 3(2)(3)4(2)6(4)6(5) )
- F31** Words substituted by S.I. 1973/1402 , **reg. 4(b)**
- F32** S. 27(5A) inserted by [Agriculture Act 1970 \(c. 40\)](#) , **s. 32(3)(b)**
- F33** S. 27(5B) inserted by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#) , **s. 9(1)(3)(b)**
- F34** Words substituted by S.I. 1973/1402 , **reg. 4(c)**
- F35** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#) , ss. 99 , 100 , Sch. 13 para. 3 , **Sch. 14** , para. 38
- F36** Words in s. 27(5B) substituted (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#) , ss. 88(1) , 89(2) , **Sch. 11** , para.27

## 28 Loans to assist amalgamations and boundary adjustments.

- [<sup>F37</sup>(1) The appropriate Minister may with the approval of the Treasury make or guarantee loans to meet expenditure incurred in connection with an amalgamation or boundary adjustment approved by the appropriate Minister in pursuance of a scheme under section 26 of this Act, being—
- (a) the costs of the amalgamation or boundary adjustment consisting of surveyor's fees and legal costs, stamp duty on any conveyance, lease, tenancy agreement or mortgage or heritable security and any compensation for disturbance under [<sup>F38</sup>section 60(2)(a) of the [Agricultural Holdings Act 1986](#)] or [<sup>F39</sup>section 43 of the [Agricultural Holdings \(Scotland\) Act 1991](#)], or
  - (aa) expenditure incurred in the carrying out or provision of works or facilities which the appropriate Minister considers to be necessary or desirable as a consequence of the amalgamation, or to be necessary as a consequence of the boundary adjustment, or
  - (b) any part of the purchase price of any land acquired as part of the amalgamation or as the case may be any part of the purchase price of land acquired, or of money given by way of equality of exchange, as part of the boundary adjustment,

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or expenditure under all or any two of paragraphs (a), (aa) and (b) above.]

- (2) A loan made by the appropriate Minister—
- (a) may be effected through the agency of such body or bodies as the appropriate Minister may select,
  - (b) must have been approved by the appropriate Minister on an application made in the manner directed by him and within the period of duration of schemes under section 26 of this Act, or within such longer period as the appropriate Minister may determine.
- (3) A loan guaranteed by the appropriate Minister shall be a loan made by such body or bodies as the appropriate Minister may select.
- (4) A loan made or guaranteed by the appropriate Minister must be one repayable as to both capital and interest within a period of sixty years from the making of the loan.
- (5) The appropriate Minister may in making a loan or guarantee under this section impose such conditions as he thinks fit.
- (6) After the giving of a loan or guarantee under this section in connection with an amalgamation the relevant unit shall be subject to the provisions of Schedule 3 to this Act and—
- (a) the appropriate Minister shall not approve the proposals for the amalgamation unless satisfied that all persons having an estate or interest in the relevant unit have given their written consent to the application of that Schedule to the relevant unit,
  - (b) the relevant unit shall be, or be the part of, the agricultural unit or units specified for the purposes of this subsection by the appropriate Minister in the document giving his approval to the proposals, and
  - (c) in the said Schedule 3 as applied by this subsection “relevant Exchequer payments” shall mean—
    - (i) in the case of a loan, the amount of the loan and interest outstanding and, so far as the lender has been required to accept repayment at a time earlier than that agreed in making the loan, the cost, or so much thereof as the appropriate Minister may determine, of reinvestment and, if the rate of interest on the loan is higher than can reasonably be expected to be obtained on reinvestment (regard being had to the current rate of interest) compensation in respect of the loss thereby sustained or such part thereof as the appropriate Minister may determine,
    - (ii) in the case of a guarantee, any amount paid by the appropriate Minister in fulfilment of the guarantee,
    - (iii) in either case, such sum as the appropriate Minister may certify as the sum representing his administrative expenses (including an appropriate proportion of overhead expenses and other fixed or general expenses) incurred in connection with making the loan or guarantee and, in the case of a guarantee, in fulfilling the guarantee,
  - (d) in the said Schedule 3 as applied by this section “relevant date” shall mean—
    - (i) for any administrative expenses related to a loan within subsection (6)(c)(i) above, the date when the loan is made,
    - (ii) for sums within subsection (6)(c)(ii) above, and any related administrative expenses, the date when the guarantee is fulfilled.

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- (7) In the case of a loan or guarantee made under this section in connection with a boundary adjustment the appropriate Minister may, if he thinks fit, designate in the document giving his approval to the proposals any land appearing to him to benefit from the boundary adjustment as land which, after the making of the loan or guarantee, is to be a relevant unit subject to the provisions of Schedule 3 to this Act, and paragraphs (a),(c) and (d) of the last foregoing subsection shall apply in relation to the boundary adjustment as they apply in relation to an amalgamation.
- (8) A mortgage, heritable security or charge securing a loan made or guaranteed by the appropriate Minister under this section may, notwithstanding any rule of law or equity to the contrary, contain a provision that the mortgage, heritable security or charge shall not be redeemable except in the manner specified in the mortgage, heritable security or charge.
- (9) Any sums required by the appropriate Minister for making a loan under this section or fulfilling a guarantee made under this section shall be paid out of money provided by Parliament.
- (10) References in this section to the guarantee of a loan include references to the guarantee of part of a loan, including a guarantee restricted to interest payable on a loan.

#### Textual Amendments

- F37** S. 28(1) substituted by virtue of [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), s. 9\(9\)](#), **Sch. 4**
- F38** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, **Sch. 13 para. 3**, **Sch. 14 para. 39**
- F39** Words in s. 28(1)(a) substituted (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88(1), 89(1), **Sch. 11**, para. 28

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

- C3** S.28(5) amended by [Agricultural \(Miscellaneous Provisions\) Act 1972 \(c. 62\), s. 10\(4\)](#)
- C4** S.28(6)(7) excluded by [Agricultural \(Miscellaneous Provisions\) Act 1972 \(c. 62\), s. 10\(3\)](#)

## 29 Promotion of amalgamations and boundary adjustments by Minister.

- (1) It is hereby declared that the appropriate Minister has power under sections 82 and 90 of the <sup>M3</sup>Agriculture Act 1947 and sections 55 and 61 of the <sup>M4</sup>Agriculture (Scotland) Act 1948 (powers of acquiring land by agreement and managing land) to acquire, hold and dispose of land for the purposes of effecting amalgamations of agricultural land and reshaping agricultural units.
- (2) That power shall include in particular power for the said purposes to enter into transactions involving loss, including—
- (a) amalgamating holdings of land in a way which renders less valuable, or useless, any buildings or equipment on any of the land,
  - (b) allowing the occupier of an uncommercial unit to retain occupation of a dwelling-house on the land when the remainder of the unit is acquired by the appropriate Minister for the purposes of amalgamation,
  - (c) selling land resulting from an amalgamation effected by the appropriate Minister subject to depreciatory conditions imposed for the purpose of



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ensuring that the land continues to be held in single ownership and single occupation for agricultural purposes.

(3) A deed by which the appropriate Minister conveys land, or an estate or interest in land, may apply Schedule 3 to this Act to any of that land, and to any other land, but only if all the persons who will have an estate or interest in the land to which Schedule 3 is so applied [<sup>F40</sup>have executed] the deed; and in that Schedule as so applied “relevant Exchequer payments” shall mean such amounts as are specified in the deed for the purposes of this subsection under the heads of—

- (a) the incidental costs incurred by the appropriate Minister in acquiring and disposing of the land, estate or interest conveyed by the deed, being costs consisting of surveyor’s fees and legal costs, stamp duty on any conveyance, lease, tenancy agreement or mortgage or heritable security, and any compensation for disturbance under [<sup>F41</sup>section 60(2)(a) of the Agricultural Holdings Act 1986] or [<sup>F42</sup>section 43 of the Agricultural Holdings (Scotland) Act 1991],
- (b) any such loss as is described in subsection (2) of this section incurred by the appropriate Minister in dealing with the land, estate or interest so conveyed, including any reduction in the purchase price obtained by him on the transaction effected by the deed in consequence of the depreciatory conditions contained in the deed,
- (c) such sum as the appropriate Minister may certify as the sum representing his administrative expenses (including an appropriate proportion of overhead expenses and other fixed or general expenses) incurred in connection with the transaction to which the deed gives effect,

and “relevant date” means the date on which the transaction to which the deed relates takes effect.

(4) Section 24(1) of the <sup>M5</sup>Agricultural Holdings Act 1948 and [<sup>F42</sup>section 22(1) of the Agricultural Holdings (Scotland) Act 1991] (which restrict the operation of a notice to quit an agricultural holding) shall not apply to a notice to quit given by the appropriate Minister where—

- (a) the appropriate Minister certifies in writing that the notice to quit is given in order to enable him to use or dispose of the land for the purpose of effecting any amalgamation or the reshaping of any agricultural unit, and
- (b) the instrument under which the tenancy was granted contains an acknowledgment signed by the tenant that the tenancy is subject to the provisions of this section.

(5) Where an instrument bearing to grant a tenancy contains such an acknowledgment as is mentioned in paragraph (b) of the last foregoing subsection, the grant of the tenancy shall have effect notwithstanding section 16 of the <sup>M6</sup>Crofters (Scotland) Act 1955 (vacant crofts), and during the subsistence of the tenancy the provisions of the <sup>M7</sup>Crofters (Scotland) Acts 1955 and 1961 and of the Small Landholders (Scotland) Acts 1886 to 1931 shall not apply to any land subject to the tenancy.

#### Textual Amendments

**F40** Words substituted by [Agriculture Act 1970 \(c. 40\), s. 33\(2\)](#)

**F41** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\), ss. 99, 100, Sch. 13 para. 3, Sch. 14 para. 40](#)

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**F42** Words in s. 29(3)(a)(4) substituted (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 88(1), 89(2), [Sch. 11](#), para. 29(a)(b)

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

**C5** S. 29(4) repealed (E.W.) by [Agricultural Holdings \(Notices to Quit\) Act 1977 \(c. 12\)](#), [Sch. 2](#), except in relation to notices to quit given before 7.4.1978: see s. 14 of that 1977 Act.

.....  
**Marginal Citations**

- M3** 1947 c. 48.
- M4** 1948 c. 45.
- M5** 1948 c. 63.
- M6** 1955 c. 21.
- M7** 1961 c. 58.

**30** ..... **F43**

.....  
**Textual Amendments**

**F43** Ss. 30–32, 36, 37(3)(5) repealed by [Agriculture Act 1970 \(c. 40\)](#), ss. 29(6)(7), 113(3), [Sch. 5 Pt. I](#)

**Changes to legislation:**

Agriculture Act 1967, Cross Heading: Farm Structure is up to date with all changes known to be in force on or before 03 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(10A) inserted by [2003 c. 44 Sch. 27 para. 2\(3\)](#)