

*Changes to legislation: There are currently no known outstanding effects for the Agricultural Holdings (Scotland) Act 1991, Cross Heading: Opencast Coal Act 1958 (c.69). (See end of Document for details)*

## SCHEDULES

### SCHEDULE 11

#### CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

##### Extent Information

**E1** The provisions of Sch. 11 are co-extensive with the enactments they affect, see s. 89(3)

#### *Opencast Coal Act 1958 (c.69)*

- 12 In section 14A—
- (a) in subsection (3), for the words “Agricultural Holdings (Scotland) Act 1949 in this Act referred to as the Scottish Act of 1949” substitute “ the Scottish Act of 1991 ”;
  - (b) in subsection (4), for “the Scottish Act of 1949” substitute “ the Scottish Act of 1991 ”;
  - (c) in subsection (5), for “the Scottish Act of 1949” substitute “ the Scottish Act of 1991 ”;
  - (d) in subsection (6)—
    - (i) for “section 25(2) of the Scottish Act of 1949” substitute “ section 22(2) of the Scottish Act of 1991 ”; and
    - (ii) for “(c)” substitute “ (b) ”;
  - (e) in subsection (7), for the words from “For the purposes” to “paragraph (e) of subsection (1)” substitute “ The condition specified in section 24(1)(e) of the Scottish Act of 1991 (consent of Land Court to notice to quit where land to be used for purposes other than agriculture) ”;
  - (f) in subsection (8), for “section 7 of the Scottish Act of 1949” substitute “ section 13 of the Scottish Act of 1991 ”;
  - (g) in subsection (9), for “section 8 of the Scottish Act of 1949” substitute “ section 15 of the Scottish Act of 1991 ”.
- 13 For section 24(10) substitute—
- “(10) In the application of this section to Scotland, for references—
- (a) to the Act of 1986 and to sections 70 and 83(4) of that Act there shall be substituted respectively references to the Scottish Act of 1991 and to sections 44 and 62(3) of that Act;
  - (b) to subsections (1), (2) and (3) of section 69 of the Act of 1986 there shall be substituted respectively references to sections 34(5) and 35(4) and (5) of the Scottish Act of 1991 (as they apply to new improvements);
  - (c) to Parts I and II of Schedule 7 to the Act of 1986 and to the first day of March 1948 there shall be substituted respectively references to

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- Parts I and II of Schedule 5 to the Scottish Act of 1991 and to the first day of November 1948; and
- (d) to sub-paragraphs (1) and (2) of paragraph 5 of Part I of Schedule 9 to the 1986 Act there shall be substituted respectively references to sections 34(5) and 35(4) of the Scottish Act of 1991 (as they apply to old improvements).”.
- 14 For section 25(3) substitute—
- “(3) In the application of this section to Scotland, for paragraphs (a) and (b) of subsection (1) above there shall be substituted the words “under section 45 of the Scottish Act of 1991 (which relates to compensation for deterioration of a holding or part thereof for which a tenant is responsible).”.”
- 15 In section 26(6) after “Scotland” insert “ (a) ” and for the words from “in subsection (3)” to the end substitute—
- “(b) in subsection (3) of this section for the reference to the Act of 1986 there shall be substituted a reference to the Scottish Act of 1991; and
- (c) in subsection (5) of this section there shall be substituted—
- (i) for the reference to section 91 of the Act of 1986 a reference to section 73 of the Scottish Act of 1991;
- (ii) for the reference to Schedule 8 to the Act of 1986 a reference to Part III of Schedule 5 to the Scottish Act of 1991;
- (iii) for the reference to Parts I, II and III of the Fourth Schedule to this Act a reference to Parts IV and V of that Schedule.”.
- 16 In section 27(4), for “section fourteen of the Scottish Act of 1949” substitute “ section 18 of the Scottish Act of 1991 ”.
- 17 In section 28(6)—
- (a) for “to section sixty-five of the Scottish Act of 1949 and to paragraph (b) of subsection (1) of that section” substitute “ section 40 of the Scottish Act of 1991 and to subsection (4)(a) of that section ”;
- (b) for “to subsection (1) of section sixty-six of the Scottish Act of 1949 and to section 14 of that Act” substitute “ to section 41(1) and to section 18 of the Scottish Act of 1991 ”;
- (c) for “to section seventy-nine of the Scottish Act of 1949 and to the Fourth Schedule to that Act” substitute “ to section 73 of the Scottish Act of 1991 and to Schedule 6 thereto ”.
- 18 In section 52(2)—
- (a) in the definition of “agricultural holding”, for “1949” substitute “ 1991 ”;
- (b) for the definition of “the Scottish Act of 1949” substitute “the Scottish Act of 1991” means the Agricultural Holdings (Scotland) Act 1991; ”.
- 19 In section 52(5)(a)—
- (a) for “the Scottish Act of 1949” where it first occurs substitute “ the Scottish Act of 1991 ”; and
- (b) for “sections fifty-seven and fifty-eight of the Scottish Act of 1949” substitute “ section 45 of the Scottish Act of 1991 ”.
- 20 In Schedule 6, paragraph 31, for “section 2(1) of the Scottish Act of 1949” substitute “ section 2 of the Scottish Act of 1991 ”.
- 21 For Schedule 7, paragraph 25(a) substitute—

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“(a) for references—

- (i) to the Act of 1986 and to sections 12, 13, 23 and 84 of that Act there shall be substituted respectively references to the Scottish Act of 1991 and to sections 13, 15, 10 and 61 of that Act;
- (ii) to section 10 of the Act of 1986 and to subsections (3) and (4) of that section there shall be substituted respectively references to section 18 of the Scottish Act of 1991 and to subsections (2) and (3) of that section; and
- (iii) to subsection (3) of section 79 of the Act of 1986 there shall be substituted references to section 40(4)(a) of the Scottish Act of 1991.”.

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