

## SCHEDULES

### SCHEDULE 4

#### AGRICULTURAL HOLDINGS ACT 1986: RESOLUTION OF DISPUTES BY THIRD PARTY DETERMINATION

- 5 (1) Section 8 (arbitration where terms of written agreement are inconsistent with the model clauses) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) Where the landlord or tenant has the right under subsection (2) above to refer the terms of the tenancy as to the maintenance, repair and insurance of fixed equipment to arbitration under this Act (or would have that right but for subsection (6) below), the landlord and tenant may instead refer those terms for third party determination under this Act.”
- (3) In subsection (3) (arbitrator’s duty to consider terms and power to vary them)—
- (a) after “arbitrator” insert “or third party”;
- (b) after “arbitration” insert “or (as the case may be) for third party determination”;
- (c) after “award” insert “or determination”.
- (4) In subsection (4) (power of arbitrator to vary rent in consequence of award)—
- (a) after “arbitrator” insert “or third party”;
- (b) after “award” insert “or (as the case may be) his determination”.
- (5) In subsection (5) (effect of arbitrator’s award)—
- (a) after “The award of an arbitrator” insert “or (as the case may be) the determination of a third party”;
- (b) after “the award” (in each place where it occurs) insert “or determination”.
- (6) In subsection (6) (references under section to be made at least 3 years apart)—
- (a) after “a reference” insert “to arbitration or third party determination”;
- (b) for “further such reference” substitute “subsequent reference to arbitration”;
- (c) after “award of the arbitrator” insert “or (as the case may be) the determination of the third party”.
- (7) In the sidenote, after “Arbitration” insert “or third party determination”.