



# Agricultural Tenancies Act 1995

## 1995 CHAPTER 8

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Miscellaneous*

### **33 Power to apply and raise capital money.**

- (1) The purposes authorised by section 73 of the Settled Land Act 1925<sup>F1</sup> . . . or section 26 of the<sup>M1</sup> Universities and College Estates Act 1925 for the application of capital money shall include—
- (a) the payment of expenses incurred by a landlord under a farm business tenancy in, or in connection with, the making of any physical improvement on the holding,
  - (b) the payment of compensation under section 16 of this Act, and
  - (c) the payment of the costs, charges and expenses incurred by him on a reference to arbitration under section 19 or 22 of this Act.
- (2) The purposes authorised by section 71 of the Settled Land Act 1925<sup>F1</sup> . . . as purposes for which money may be raised by mortgage shall include the payment of compensation under section 16 of this Act.
- (3) Where the landlord under a farm business tenancy—
- (a) is a tenant for life or in a fiduciary position, and
  - (b) is liable to pay compensation under section 16 of this Act,
- he may require the sum payable as compensation and any costs, charges and expenses incurred by him in connection with the tenant's claim under that section to be paid out of any capital money held on the same trusts as the settled land.
- (4) In subsection (3) above—
- “capital money” includes any personal estate held on the same trusts as the land;<sup>F2</sup> . . .

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**Changes to legislation:** Agricultural Tenancies Act 1995, Section 33 is up to date with all changes known to be in force on or before 29 May 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. (See end of Document for details) View outstanding changes

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F2 . . .

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#### Textual Amendments

- F1** Words in s. 33(1)(2) repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**.
- F2** Definition of “settled land” and the word preceding it in s. 33(4) repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**.
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#### Marginal Citations

- M1** 1925 c. 18.

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**Changes and effects yet to be applied to :**

- s. 33(1) words omitted by [2022 c. 6 Sch. 1 para. 19](#)

**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. 8A inserted by [2023 asc 4 s. 24\(4\)](#)
- s. 28(5)(za) inserted by [2023 asc 4 s. 24\(5\)](#)
- s. 36A inserted by [2023 asc 4 s. 24\(6\)](#)